

AGENDA
MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS
JANUARY 24, 2022
7:00 P.M.

www.montgomerytp.org

Tanya C. Bamford
Candyce Fluehr Chimera
Annette M. Long
Beth A. Staab
Audrey R. Ware

Carolyn McCreary
Township Manager

1. Call Meeting to Order
2. Pledge of Allegiance
3. Announcements
4. Public Comment
5. Announcement of Executive Session
6. Consent Agenda:
 - Minutes of January 3, 2022 Meeting
 - Escrow Release No. 6 for Firefox Subdivision Phase 2
 - Escrow Release No. 7 for PEMV Partners

Introduction:

7. (new) Parks & Recreation Board, and EAC Members

Presentation:

8. Penn Medicine – Proposed Land Development Project

Planning & Zoning:

9. Bharatiya Temple Learning Center – Preliminary/Final Land Development
10. Shake Shack, Airport Square - Land Development
11. Board Positions for Zoning Hearing Board Applications

Public Safety:

12. Ordinance #22-327 - Amendment to Fire Department Ordinance: Appointment of Fire Chief
13. Request for Authorization to Purchase Police Vehicles

Administration and Finance:

14. Approval of Manager's Employment Agreement
15. Resolution 2022-03, Board of Supervisors Public Meeting Guidelines
16. Proposed Advisory Committee Bylaw Amendments

Old Business:

17. Reappointment of Parks & Recreation Committee Member, Kim Greene

New Business:

18. Manager's Report

- a. Volunteer Appreciation Event
- b. Application for Disaster Assistance - Streambank Stabilization Project
- c. Resolution #2022-04 Supporting the PA Commission for The US Semiquincentennial

19. Department Reports

20. Committee Liaison Reports

21. Adjournment

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 3

SUBJECT: Announcements
MEETING DATE: January 24, 2022
BOARD LIAISON:
INITIATED BY: Tanya C. Bamford, Chairwoman

- 1) I am pleased to announce the Township has been awarded a grant from the PA Department of Conservation and Natural Resources.

This \$250,000 grant will be utilized to refurbish Fellowship Park, located in the northern portion of the township on Meadowood Drive.

Proposed work includes the replacement of existing playground equipment, the construction of a new playground consisting of inclusive, accessible, sensory play structures, and a pour-in-play safety surface. The playground will be enclosed by a fence and include shade structures. An ADA access pathway will connect the parking lot with the playground.

- 2) **Save the date!** The Township will again be sponsoring an Electronics Recycling Day on Saturday, April 23 from 9 AM to noon at the William F. Maule Park at Windlestrae. The event is free but requires pre-registration to attend. Information will be posted on all Township social media sites with the link to register.
- 3) At the reorganization meeting on Monday, January 3rd, the Board reappointed over 50 volunteers to serve on our boards, committees, and commissions. Quite a few of these volunteers have served for many years and several of them serve on multiple committees. The Board wishes to personally thank these individuals for sharing their time, talents, ideas, and passion with each of their committees. Montgomery Township is very fortunate to have residents who desire to give back to our community and we are looking for additional individuals to fill some openings. Please check out our website for more information.
- 4) Thank you to our residents who participated in last year's Toys for Tots campaign and the Lt. Patty Simons Food Drive. Our lobby here at the Township building and the lobby at the Community Center were filled with toys and non-perishable food items as a result of the generosity of our residents and many children and families benefitted from that generosity.
- 5) Lastly, we want to take a moment to remember Canine Cody, loyal partner to Officer Joe McGuigan and member of our Police Department, who we lost suddenly on Tuesday, January 11th. Cody was a patrol and explosives detection canine, receiving numerous commendations and certifications during his years of service to the community. We send our heartfelt thoughts to Officer McGuigan and the Police Department family. Cody will be greatly missed.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

Item # 4.

SUBJECT: Public Comment
MEETING DATE: January 24, 2022
BOARD LIAISON:
INITIATED BY:

BACKGROUND:

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

Please come forward to the microphone and state your name and address for the record.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 5

SUBJECT: Announcement of Executive Session
MEETING DATE: January 24, 2022
BOARD LIAISON:
INITIATED BY: Tanya C. Bamford, Chairwoman

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 on Friday, January 14 at 4:00 PM to discuss a personnel matter.

The topic discussed is a legitimate subject of an Executive Session pursuant to the Commonwealth of Pennsylvania's Sunshine Law.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 6.

SUBJECT: Consent Agenda
MEETING DATE: January 24, 2022
BOARD LIAISON:
INITIATED BY:

BACKGROUND:

MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED for the following:

- Minutes of the January 3, 2022 Board meeting;
- Escrow release for Firefox Phase 2;
- Escrow release for PEMV (Pete's Car Wash)

- 1) Motion by: _____ Second by: _____
- 2) Chairwoman will ask for public comment.
- 3) Chairwoman will call for a vote.

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
JANUARY 3, 2022**

SWEARING IN OF THE ELECTED OFFICIALS:

The Honorable A. Nicole Tate-Phillips, Judge of the Court of Common Pleas of Montgomery County PA, administered the Oath of Office to the newly elected Township officials: Patricia Gallagher as Real Estate Tax Collector; Kunbi Rudnick as Township Auditor; Lauren Deborah Wilson as Township Auditor; Candyce Fluehr Chimera as Township Supervisor and Audrey R. Ware as Township Supervisor.

REORGANIZATION MEETING

1. Call to Order: The January 3, 2022 reorganization 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:

Supervisor Tanya C. Bamford
Supervisor Candyce Fluehr Chimera
Supervisor Annette M. Long
Supervisor Beth A. Staab (Virtually)
Supervisor Audrey R. Ware
Township Manager Carolyn McCreary

ALSO IN ATTENDANCE:

Police Chief J. Scott Bendig
Director of Fire Services Bill Wiegman
Director of Planning & Zoning Bruce Shoupe
Director of Finance Brian Shapiro
Director of Information Technology Rich Grier
Director of Public Works Greg Reiff
Director of Administration & HR Ann M. Shade
Information Technology Tech Wes Whitaker
Recording Secretary Deborah A. Rivas

2. & 3. Following the Pledge of Allegiance, upon motion by Ms. Chimera, seconded by Ms. Long, and unanimously carried, Ms. Bamford was appointed to serve as the Temporary Chair.

4. Nomination and Election of Chair:

Upon nomination by Ms. Chimera, seconded by Ms. Staab, Ms. Bamford was nominated as Chairwoman, no other nominations were presented, the Board unanimously elected Ms. Bamford as Chairwoman for 2022.

5. Nomination and Election of Vice Chair:

Upon nomination by Ms. Long, seconded by Ms. Bamford, Ms. Chimera was nominated as Vice Chairwoman, no other nominations were presented, the Board unanimously elected Ms. Chimera as Vice Chairwoman for 2022.

6. Resolution 2022-01 – Establish Holidays, Meeting Dates, Official Appointments & Treasurer's Bond:

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long, the Board unanimously approved Resolution 2022-01 – a resolution establishing the Township Holidays for 2022, the Board of Supervisors meeting dates, the official Township appointments and setting the Treasurer's Bond for 2022.

7. Resolution 2022-02 – Acknowledgement of Professional Appointments, Appointments to Boards, Committees & Commissions, Qualifying Depositories and Approval of Authorized Drivers.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Ware and unanimously carried, the Board adopted Resolution #2022-02, acknowledging the professional appointments, appointing the Volunteer Committee and Board members to new terms, qualifying the depositories and approving the list of authorized drivers.

8. Approval of 2022 Fee Schedule:

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board adopted the 2022 Fee Schedule as presented, effective January 3, 2022.

9. Township Consultant Fees:

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Ware and unanimously carried, the Board approved the fees for 2022 for the appointed Township consultants effective January 3, 2022.

10. Certify Delegate to Pennsylvania State Association of Township Supervisors:

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board certified Supervisor Audrey R. Ware as the voting delegate to represent Montgomery Township at the Pennsylvania State Association of Township Supervisors (PSATS) Conference for 2022.

11. Appoint Board Liaisons to Township Committees:

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board adopted Resolution #2021-07 qualifying its depositories as presented.

12. Appointment of Officials and Consultants:

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board appointed the following Board members and staff to serve as liaisons to the following committees, boards and agencies for 2022:

- Autumn Festival Committee – all Board members
- Business Development Partnership – Beth Staab
- Community & Recreation Center Committee – Annette Long
- Environmental Advisory Committee – Beth Staab
- Finance Committee – Audrey Ware
- Human Relations Commission – Tanya Bamford
- Open Space Committee – Carolyn McCreary
- Park and Recreation Board – Candyce Chimera
- Planning Commission – Candyce Chimera
- Pension Committee – Carolyn McCreary
- Public Safety Committee – Annette Long
- Ready for 100 Committee – Beth Staab
- Senior Committee – Audrey Ware
- Sewer Authority Board – Tanya Bamford
- Shade Tree Commission – Tanya Bamford

ACTION MEETING

1. Call to Order: The January 3, 2022 action meeting of the Montgomery Township Board of Supervisors was called to order by Chairwoman Bamford at 7:19 p.m.

2. Public Comment: Under public comment, Amy Hanson of 116 Gwynmont Circle stated that this was the eighth Board meeting that she has attended since July of 2020 and asked for the Supervisors and Staff to create a reasonable legal path for residents to obtain backyard chickens. Ms. Hanson described chickens as pets and not livestock and outlined the benefits of raising them. Ms. Hanson encouraged the Board to conduct a trial of backyard chickens in the Township and she offered her assistance with educating residents during a trial.

3. Announcement of Executive Session: Township Manager Carolyn McCreary announced that the Board met in executive session at 6:00 p.m. this evening to discuss personnel matters.

4. Consent Agenda:

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford and unanimously carried, the minutes of the December 13, 2021 meeting and the Bills List dated January 3, 2022 were approved as presented.

Planning & Zoning:

5. Board Positions for New Zoning Hearing Board Applications: Mr. Shoupe presented two applications to be considered by the Zoning Hearing Board at their January meeting. The first application is for 739 Bethlehem Pike for the construction of a car wash. The second application is for 1282 Welsh Road for a proposed auto repair shop. Both applications presented involved traffic and parking concerns so the Board consensus was to send the Township Solicitor to the Zoning Hearing Board to oppose the applications.

Administration and Finance:

6. Acknowledgement of Request for Benefits: Newly elected Supervisor Audrey R. Ware notified the Township in writing that she would like to be placed on the Township's health insurance plan as permitted under the Second-Class Township Code.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, with Supervisor Ware abstaining, the Board approved the request to add Supervisor Ware to the Township's health insurance plan.

7. Amendment to Police Chief's Memorandum of Understanding: Ms. McCreary reported that Chief Bendig entered into a Memorandum of Understanding (MOU) when he was promoted to Chief as he was no longer a member of the collective bargaining unit. Ms. McCreary noted that the MOU did not contain a severance provision as is common with employment agreements such as this one. A draft amendment was created by the Township's labor attorney for the Board's consideration. The term of severance suggested by the Board is one week for every year employed by the Township. Chief Bendig's hire date is July 28, 1989.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board approved the amendment to the Memorandum of Understanding with J. Scott Bendig dated September 24, 2012.

8. Comcast Franchise Renewal – Proposal for Multi-Municipal Negotiation: Ms. McCreary reported that approximately 15 municipalities are eligible for a renewal of the franchise agreement with Comcast. The Cohen Law Group has prepared a proposal for the negotiations and includes a franchise fee audit to determine if the municipalities were paid the revenue they are entitled to. As more members agree to participate in the agreement for negotiations, the fee for the Township may be discounted. The current fee is \$10,900 and could range from \$8,175 to \$9,810 depending on the number of municipalities that agree to participate in this process.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Ware and unanimously carried, the Board approved the proposal from the Cohen Law Group dated December 6, 2021 for the cable franchise renewal negotiations with Comcast and the franchise fee audit.

9. Award of Bids – Municibid Online Surplus Asset Sale – Mr. Shapiro announced that the online auction for various Township equipment ended on December 30, 2021. Five items received bids and are recommended for award. Three items did not receive any bids and are recommended for disposal, and one item, the 2001 E-ONE 95ft. rear mounted platform aerial fire truck received a bid much less than the reserve and is recommended to be rejected by the Board. A discussion regarding the sale of the ladder was held and suggestions were made to research the possibility of donating the truck should there be no offer to sell the vehicle at a reasonable price.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board authorized the sale of the following equipment:

- 1997 Gravely Walk-Behind Mower sold to Brian Shapiro in the amount of \$495.00
- 2013 Ford Police Interceptor sold to Mitchell Cohen in the amount of \$ 6,150.00
- ENRADD Speed Device sold to John Doucette in the amount of \$1,250.00
- 2006 F-350 4X4 sold to Michael Harris in the amount of \$17,900.00
- 2000 FORD F-550 4X4 sold to Brian Werely in the amount of \$24,100.00

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board authorized the disposal of the following equipment:

- LTI Laser Technology Inc.
- Trax Mite Traffic Counter
- ITC Traffic Ace Classifier

MOTION: Upon motion by Ms. Long, seconded by Ms. Ware and unanimously carried, the Board rejected the following bid:

- 2001 E-ONE 95ft rear mounted platform aerial truck bid in the amount of \$32,000 from Kyle Koretsky.

14. Adjournment: Upon motion by Ms. Bamford and seconded by Ms. Chimera, the meeting was adjourned at 7:43 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary



VIA EMAIL

January 18, 2022

File No. 2012-09009-03

Ms. Carolyn McCreary, Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Reference: Firefox Phase 2 (Northern Village) – LD/S #630
Financial Security Release 6

Dear Carolyn:

We have received and reviewed the Request for Escrow Release for the above-referenced project. This letter is to certify that the improvements attached to this letter in the amount of \$438,902.26 have been completed. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use.

The following line items requested for release have been reduced based upon a site inspection:

- Item 2.K.96 only 6 of the 8 streetlight were released as a result of issues with 2 that require relocation or resetting.

Please be advised that these improvements will be subject to a final inspection prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

Should you have any further questions or require any additional information, please do not hesitate to contact our office.

Sincerely,

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

JPD/SW/sl

Enclosures: Release of Escrow Form, Escrow Status Report, Developer's Request (7/6/20)

cc: Bruce S. Shoupe, Director of Planning and Zoning
Brian C. Grant - Select Properties
Valerie Liggett, R.L.A., Senior Landscape Architect – Gilmore & Associates, Inc.
Damon A. Drummond, P.E., PTOE, Senior Transportation Engineer – Gilmore & Associates, Inc.

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



ESCROW RELEASE NO. 6

DATE PREPARED: 18-Jan-2022

PROJECT NAME: Firefox - Ph. 2 (Nothern)	TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 45,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: Crystal Road Enterprises, LLC	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LDS-630
ESCROW AGENT: Univest		G&A PROJECT NO.: 2012-09009-03
TYPE OF SECURITY: Letter of Credit	MAINTENANCE BOND AMOUNT (15%): \$ 251,157.38	AGREEMENT DATE: 8-Jun-2017

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$1,598,867.34	\$ 399,010.460	\$ 975,804.21	\$ 1,374,814.67	\$ 224,052.67
ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of 3/31/19 - \$755,151.82)	\$ 75,515.18	\$ 39,891.80	\$ 13,218.11	\$ 53,109.91	\$ 22,405.27
CONTINGENCY (10%)	\$ 167,438.25	\$ -	\$ -	\$ -	\$ 167,438.25
TOTAL	\$ 1,841,820.77	\$ 438,902.26	\$ 989,022.32	\$ 1,427,924.58	\$ 413,896.19

CONSTRUCTION ITEMS	UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (incl. current release)		AVAILABLE FOR RELEASE (incl. current release)	
					QTY	COST	QTY	COST	QTY	COST	QTY	COST
PHASE II (NORTHERN VILLAGE)												
2.A. MOBILIZATION	LS	1	\$ 46,672.15	\$ 46,672.15			1.00	\$ 46,672.15	1.00	\$ 46,672.15	\$ -	
2.B. EARTHWORK												
1. Clearing & Grubbing	LS	1	\$ 49,706.00	\$ 49,706.00			1.00	\$ 49,706.00	1.00	\$ 49,706.00	\$ -	
2. Strip Topsoil	CY	8,228	\$ 2.47	\$ 20,323.16			8,228.00	\$ 20,323.16	8,228.00	\$ 20,323.16	\$ -	
3. Cut Fill & Compact	CY	12,998	\$ 2.50	\$ 32,495.00			12,998.00	\$ 32,495.00	12,998.00	\$ 32,495.00	\$ -	
4. Grade	SY	26,957	\$ 0.28	\$ 7,547.96	6,957.00	1947.96	20,000.00	\$ 5,600.00	26,957.00	\$ 7,547.96	\$ -	
5. Cut from Stockpile from Phase I	CY	7,648	\$ 2.50	\$ 19,120.00			7,648.00	\$ 19,120.00	7,648.00	\$ 19,120.00	\$ -	
2.C. RETAINING WALL												
1. Excavate Retaining Wall	LF	565	\$ 6.40	\$ 3,616.00			565.00	\$ 3,616.00	565.00	\$ 3,616.00	\$ -	
2. Retaining Wall	SF	3,600	\$ 40.00	\$ 144,000.00			3,600.00	\$ 144,000.00	3,600.00	\$ 144,000.00	\$ -	
3. Sleeves for Guide Rail behind Wall #3	LS	1	\$ 5,300.00	\$ 5,300.00			1.00	\$ 5,300.00	1.00	\$ 5,300.00	\$ -	
2.D. EROSION CONTROL												
<i>Erosion & Sediment Controls</i>												
1. Construction Entrance	EA	1	\$ 3,392.00	\$ 3,392.00			1.00	\$ 3,392.00	1.00	\$ 3,392.00	\$ -	
2. 20" Weighted Sediment Tube	LF	112	\$ 23.98	\$ 2,685.76			112.00	\$ 2,685.76	112.00	\$ 2,685.76	\$ -	
3. 18" Silt Fence - Stockpiles	LF	1,062	\$ 1.56	\$ 1,656.72				\$ -		\$ -	1,062.00	\$ 1,656.72
4. 30" Silt Fence	LF	369	\$ 1.91	\$ 704.79				\$ -		\$ -	369.00	\$ 704.79
5. Super Silt Fence	LF	1,022	\$ 6.45	\$ 6,591.90			1,022.00	\$ 6,591.90	1,022.00	\$ 6,591.90	\$ -	
6. Super Silt Fence w/ Tree Protection Fence	LF	1,423	\$ 6.45	\$ 9,178.35			1,423.00	\$ 9,178.35	1,423.00	\$ 9,178.35	\$ -	
7. Orange Construction Fence	LF	1,754	\$ 1.54	\$ 2,701.16			1,754.00	\$ 2,701.16	1,754.00	\$ 2,701.16	\$ -	
8. Tree Protection Fence-Shown on Grading Plan	LF	1,892	\$ 1.54	\$ 2,913.68				\$ -		\$ -	1,892.00	\$ 2,913.68
9. Temporary Seeding - Excess Fill Piles	SY	19,360	\$ 0.29	\$ 5,614.40			10,000.00	\$ 2,900.00	10,000.00	\$ 2,900.00	9,360.00	\$ 2,714.40
10. Slope Matting (North American Green S-75)	SY	4,235	\$ 1.50	\$ 6,352.50				\$ -		\$ -	4,235.00	\$ 6,352.50
11. Grade Swales #D1, D2, D7.3A, D7.3B, D17, D24.2	SY	2,685	\$ 0.55	\$ 1,476.75				\$ -		\$ -	2,685.00	\$ 1,476.75
12. Swale Matting (North American Green S-75)	SY	2,685	\$ 1.50	\$ 4,027.50				\$ -		\$ -	2,685.00	\$ 4,027.50
13. Inlet Protection Silt Sack	EA	8	\$ 134.00	\$ 1,072.00				\$ -		\$ -	8.00	\$ 1,072.00
14. Clean Water Pump Bypass, Sandbag Cofferdam	LS	1	\$ 12,000.00	\$ 12,000.00			1.00	\$ 12,000.00	1.00	\$ 12,000.00	\$ -	
2.E. BOX CULVERT												
1. Box Culvert (incl. steel casing)	LS	1	\$ 151,965.00	\$ 151,965.00			1.00	\$ 151,965.00	1.00	\$ 151,965.00	\$ -	



ESCROW RELEASE NO. 6

DATE PREPARED: 18-Jan-2022

PROJECT NAME: Firefox - Ph. 2 (Nothorn)	TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 45,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: Crystal Road Enterprises, LLC	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LDS-630
ESCROW AGENT: Univest		G&A PROJECT NO.: 2012-09009-03
TYPE OF SECURITY: Letter of Credit	MAINTENANCE BOND AMOUNT (15%): \$ 251,157.38	AGREEMENT DATE: 8-Jun-2017

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$1,598,867.34	\$ 399,010.460	\$ 975,804.21	\$ 1,374,814.67	\$ 224,052.67
ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of 3/31/19 - \$755,151.82)	\$ 75,515.18	\$ 39,891.80	\$ 13,218.11	\$ 53,109.91	\$ 22,405.27
CONTINGENCY (10%)	\$ 167,438.25	\$ -	\$ -	\$ -	\$ 167,438.25
TOTAL	\$ 1,841,820.77	\$ 438,902.26	\$ 989,022.32	\$ 1,427,924.58	\$ 413,896.19

CONSTRUCTION ITEMS					UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (incl. current release)		AVAILABLE FOR RELEASE (incl. current release)				
									QTY	COST	QTY	COST	QTY	COST	QTY	COST			
2.F. STORM SEWER																			
1.	18" RCP	LF	1,136	\$	35.00	\$	39,760.00				1,136.00	\$	39,760.00	1,136.00	\$	39,760.00	\$	-	
2.	24" RCP	LF	610	\$	45.00	\$	27,450.00				610.00	\$	27,450.00	610.00	\$	27,450.00	\$	-	
6.	Type M Inlets (#D17, D24.2)	EA	2	\$	2,700.00	\$	5,400.00				2.00	\$	5,400.00	2.00	\$	5,400.00	\$	-	
7.	Type C Inlets (#B2.2, B2.4, B3.2, C03, C04, D12.1, D12.2,	EA	16	\$	2,700.00	\$	43,200.00				16.00	\$	43,200.00	16.00	\$	43,200.00	\$	-	
8.	Type C Inlet Mod, 42"x48" (#B2.3, D13, D14.1, D16)	EA	4	\$	3,400.00	\$	13,600.00				4.00	\$	13,600.00	4.00	\$	13,600.00	\$	-	
9.	Type C Inlet Mod, 48" x 54" (#D24)	EA	1	\$	3,600.00	\$	3,600.00				1.00	\$	3,600.00	1.00	\$	3,600.00	\$	-	
10.	Storm Manhole 48" x 48" (#D12)	EA	1	\$	3,400.00	\$	3,400.00				1.00	\$	3,400.00	1.00	\$	3,400.00	\$	-	
13.	Infiltration Areas D1, D2 & D3 - Convert temp. swales D17 &	LS	1	\$	69,287.00	\$	69,287.00	1.00	69287.00			\$	-	1.00	\$	69,287.00	\$	-	
2.G. ROADWAY SITE																			
1.	Excavate & Backfill, Curb	LF	3,931	\$	3.19	\$	12,539.89				3,931.00	\$	12,539.89	3,931.00	\$	12,539.89	\$	-	
2.	Belgian Block Curb	LF	3,931	\$	14.00	\$	55,034.00				3,931.00	\$	55,034.00	3,931.00	\$	55,034.00	\$	-	
3.	Fine Grade and Compact Subgrade	SY	6,129	\$	1.12	\$	6,864.48				6,129.00	\$	6,864.48	6,129.00	\$	6,864.48	\$	-	
4.	3" 2a Modified	SY	6,129	\$	3.01	\$	18,448.29				6,129.00	\$	18,448.29	6,129.00	\$	18,448.29	\$	-	
5.	5" (25MM) Base Course	SY	6,129	\$	19.00	\$	116,451.00				6,129.00	\$	116,451.00	6,129.00	\$	116,451.00	\$	-	
6.	1.5" (9.5MM) Wearing Paving	SY	9,414	\$	7.12	\$	67,027.68					\$	-		\$	-	9,414.00	\$	67,027.68
7.	Speed Bump	LS	1	\$	1,200.00	\$	1,200.00					\$	-		\$	-	1.00	\$	1,200.00
8.	Street Sweeping	SY	9,414	\$	0.12	\$	1,129.68					\$	-		\$	-	9,414.00	\$	1,129.68
9.	Tack Coat	SY	9,414	\$	0.19	\$	1,788.66					\$	-		\$	-	9,414.00	\$	1,788.66
10.	Curb & Joint Seal	LF	6,165	\$	0.63	\$	3,883.95					\$	-		\$	-	6,165.00	\$	3,883.95
11.	Line Painting	LS	1	\$	1,537.00	\$	1,537.00					\$	-		\$	-	1.00	\$	1,537.00
12.	Site Signage	LS	1	\$	2,307.00	\$	2,307.00					\$	-		\$	-	1.00	\$	2,307.00
13.	Type 2S Guide Rail (Includes 1 Terminal Section)	LF	413	\$	20.71	\$	8,542.88				412.00	\$	8,532.52	412.00	\$	8,532.52	0.50	\$	10.36
14.	Type 2S Guide Rail - Over Culvert	LF	38	\$	164.00	\$	6,150.00				37.00	\$	6,068.00	37.00	\$	6,068.00	0.50	\$	82.00
Driveway Relocation (NPWA)																			
15.	Fine Grade and Compact Subgrade	SY	178	\$	1.12	\$	199.36				178.00	\$	199.36	178.00	\$	199.36	\$	-	
16.	3" 2a Modified	SY	178	\$	3.01	\$	535.78				178.00	\$	535.78	178.00	\$	535.78	\$	-	
17.	5" (25MM) Base Course	SY	178	\$	19.00	\$	3,382.00				178.00	\$	3,382.00	178.00	\$	3,382.00	\$	-	
18.	1.5" (9.5MM) Wearing Paving	SY	178	\$	7.12	\$	1,267.36				178.00	\$	1,267.36	178.00	\$	1,267.36	\$	-	
2.H. ONSITE SIDEWALKS																			
1.	Sidewalk (4")	SF	11,158	\$	8.00	\$	89,264.00	9,833.00	78664.00		1,325.00	\$	10,600.00	11,158.00	\$	89,264.00	\$	-	
2.	Driveway Apron (6" w/ wire mesh)	EA	58	\$	1,100.00	\$	63,800.00	35.00	38500.00		23.00	\$	25,300.00	58.00	\$	63,800.00	\$	-	
3.	Handicap Ramps (incl. DWS)	EA	8	\$	500.00	\$	4,000.00	8.00	4000.00			\$	-	8.00	\$	4,000.00	\$	-	
2.I. BITUMINOUS PATHWAYS																			
		SY	2,094	\$	35.00	\$	73,290.00	1,806.00	63210.00		288.00	\$	10,080.00	2,094.00	\$	73,290.00	\$	-	
2.J. SWALE CONVERSION																			
1.	Convert temp. swales D17 & D24.2 to trenches #1, 2, and 3	LS	1	\$	69,287.00	\$	69,287.00	1.00	69287.00			\$	-	1.00	\$	69,287.00	\$	-	



ESCROW RELEASE NO. 6

DATE PREPARED: 18-Jan-2022

PROJECT NAME: Firefox - Ph. 2 (Nothem)	TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 45,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: Crystal Road Enterprises, LLC	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LDS-630
ESCROW AGENT: Univest		G&A PROJECT NO.: 2012-09009-03
TYPE OF SECURITY: Letter of Credit	MAINTENANCE BOND AMOUNT (15%): \$ 251,157.38	AGREEMENT DATE: 8-Jun-2017

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$1,598,867.34	\$ 399,010.460	\$ 975,804.21	\$ 1,374,814.67	\$ 224,052.67
ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of 3/31/19 - \$755,151.82)	\$ 75,515.18	\$ 39,891.80	\$ 13,218.11	\$ 53,109.91	\$ 22,405.27
CONTINGENCY (10%)	\$ 167,438.25	\$ -	\$ -	\$ -	\$ 167,438.25
TOTAL	\$ 1,841,820.77	\$ 438,902.26	\$ 989,022.32	\$ 1,427,924.58	\$ 413,896.19

CONSTRUCTION ITEMS	UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (incl. current release)		AVAILABLE FOR RELEASE (incl. current release)	
					QTY	COST	QTY	COST	QTY	COST	QTY	COST
2.K. STREET LIGHTS												
1. Street Lights	EA	8	\$ 2,700.00	\$ 21,600.00	6.00	16200.00		\$ -	6.00	\$ 16,200.00	2.00	\$ 5,400.00
2.L. RESPREAD TOPSOIL (pads: 2"; landscaped areas: 8")	LS	1	\$ 16,877.00	\$ 16,877.00	0.50	8438.50	0.50	\$ 8,438.50	1.00	\$ 16,877.00		\$ -
2.M. PEDESTRIAN BRIDGE (Parallel to Crystal Road)	LS	1	\$ 31,476.00	\$ 31,476.00	1.00	31476.00		\$ -	1.00	\$ 31,476.00		\$ -
2.N. LANDSCAPING												
Shade Trees												
8. Acer rubrum	EA	37	\$ 350.00	\$ 12,950.00				\$ -		\$ -	37.00	\$ 12,950.00
1. Acer saccharum	EA	6	\$ 350.00	\$ 2,100.00				\$ -		\$ -	6.00	\$ 2,100.00
2. Betula nigra	EA	10	\$ 350.00	\$ 3,500.00				\$ -		\$ -	10.00	\$ 3,500.00
9. Ginkgo biloba sentry	EA	3	\$ 355.00	\$ 1,065.00				\$ -		\$ -	3.00	\$ 1,065.00
3. Gleditsia T. Shademaster	EA	30	\$ 350.00	\$ 10,500.00				\$ -		\$ -	30.00	\$ 10,500.00
4. Liquidambar styraciflua	EA	26	\$ 350.00	\$ 9,100.00				\$ -		\$ -	26.00	\$ 9,100.00
5. Liriodendron tulipifera	EA	28	\$ 350.00	\$ 9,800.00				\$ -		\$ -	28.00	\$ 9,800.00
10. Pyrus C. Chanticleer	EA	22	\$ 350.00	\$ 7,700.00				\$ -		\$ -	22.00	\$ 7,700.00
6. Quercus borealis	EA	14	\$ 360.00	\$ 5,040.00				\$ -		\$ -	14.00	\$ 5,040.00
11. Tilia cordata	EA	25	\$ 350.00	\$ 8,750.00				\$ -		\$ -	25.00	\$ 8,750.00
7. Zelkova serrata	EA	19	\$ 355.00	\$ 6,745.00				\$ -		\$ -	19.00	\$ 6,745.00
Evergreen Trees												
15. Juniperus virginiana	EA	31	\$ 250.00	\$ 7,750.00				\$ -		\$ -	31.00	\$ 7,750.00
14. Picea abies	EA	29	\$ 250.00	\$ 7,250.00				\$ -		\$ -	29.00	\$ 7,250.00
12. Pinus strobus	EA	32	\$ 250.00	\$ 8,000.00				\$ -		\$ -	32.00	\$ 8,000.00
13. Pseudotsuga menziesii	EA	29	\$ 250.00	\$ 7,250.00				\$ -		\$ -	29.00	\$ 7,250.00
Shrubs												
19. Chamaecyparis F. Aurea	EA	1	\$ 55.00	\$ 55.00				\$ -		\$ -	1.00	\$ 55.00
17. Cornus amomum	EA	14	\$ 65.00	\$ 910.00				\$ -		\$ -	14.00	\$ 910.00
16. Euonymous A. Compacta	EA	4	\$ 65.00	\$ 260.00				\$ -		\$ -	4.00	\$ 260.00
20. Ilex crenata hetzi	EA	2	\$ 65.00	\$ 130.00				\$ -		\$ -	2.00	\$ 130.00
21. Thuja O. Emerald Green	EA	2	\$ 80.00	\$ 160.00				\$ -		\$ -	2.00	\$ 160.00
18. Virburnum Plicatum	EA	14	\$ 65.00	\$ 910.00				\$ -		\$ -	14.00	\$ 910.00
2.O. RESPREAD TOPSOIL (8")	LS	1	\$ 30,000.00	\$ 30,000.00	0.60	18000.00	0.40	\$ 12,000.00	1.00	\$ 30,000.00		\$ -
2.P. OTHER												
1. Construction Stakeout	LS	1	\$ 25,406.55	\$ 25,406.55			1.00	\$ 25,406.55	1.00	\$ 25,406.55		\$ -
2. Pins and Monuments and As-Builts	LS	1	\$ 8,843.00	\$ 8,843.00				\$ -		\$ -	1.00	\$ 8,843.00



ESCROW RELEASE NO. 6

DATE PREPARED: 18-Jan-2022

PROJECT NAME: Firefox - Ph. 2 (Nothem)	TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 45,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: Crystal Road Enterprises, LLC	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LDS-630
ESCROW AGENT: Univest		G&A PROJECT NO.: 2012-09009-03
TYPE OF SECURITY: Letter of Credit	MAINTENANCE BOND AMOUNT (15%): \$ 251,157.38	AGREEMENT DATE: 8-Jun-2017

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$1,598,867.34	\$ 399,010.460	\$ 975,804.21	\$ 1,374,814.67	\$ 224,052.67
ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of 3/31/19 - \$755,151.82)	\$ 75,515.18	\$ 39,891.80	\$ 13,218.11	\$ 53,109.91	\$ 22,405.27
CONTINGENCY (10%)	\$ 167,438.25	\$ -	\$ -	\$ -	\$ 167,438.25
TOTAL	\$ 1,841,820.77	\$ 438,902.26	\$ 989,022.32	\$ 1,427,924.58	\$ 413,896.19

CONSTRUCTION ITEMS					UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (incl. current release)		AVAILABLE FOR RELEASE (incl. current release)	
									QTY	COST	QTY	COST	QTY	COST	QTY	COST
2.Q. ANNUAL CONSTRUCTION COST INCREASE PER PA MPC §509(h)																
Construction Cost Subtotal							\$ 1,598,867.34									
Released as of December 2017 (Release #11)							\$ 843,715.52									
Balance as of December 2017 (Release #11)							\$ 755,151.82									
1.	10% Annual Construction Cost Increase	LS	1	\$ 75,515.18	\$	75,515.18		0.53	39891.80	0.18	\$ 13,218.11	0.70	\$ 53,109.91	0.30	\$ 22,405.27	
(Balance as of 3/31/19 - \$755,151.82)																
2.R. CONTINGENCY																
1.	10% Contingency	LS	1	\$ 167,438.25	\$	167,438.25		\$ -		\$ -		\$ -		1.00	\$ 167,438.25	
(Released upon certification of completion and receipt of Maintenance Bond)																

NOTES:

- 2014-09-24. Initial construction cost issued for Phase I Land Development Agreement.
- 2016-08-04. Phase II costs updated prior to recording of Phase II Land Development Agreement. Net change to construction cost = \$0.00.
- 2018-04-04. Phase I and Phase II spreadsheets separated for release purposes.
- 2018-04-04. Engineering/Legal & Administration cash escrow amounts based upon Phases I and II.
- 2019-05-13. Moved Fox Meadow wearing course from Phase 1 to Phase 2 (line items 2.G, 6, 8, 9 (3,286 SY), & 10 (2,234 LF)).
- 2019-05-13. Added 10% annual increase per PA MPC §509(h) (line item 2.Q.1).

RELEASE OF ESCROW FORM

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

Date: 01/12/2022

Development Firefox - Ph. 2 (Nothorn) - LDS-630

G&A Project #: 2012-09009-03

Release #: 6

Dear Mr. Dougherty:

This is an escrow release request in the amount of \$445,188.66. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

Ms. Carolyn McCreary
Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Date: 01/18/2022

Dear Ms. McCreary:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$438,902.26 be released. These improvements will be subject to a final observation prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

 1/18/22
James P. Dougherty, P.E., Senior Project Manager, Gilmore & Associates, Inc.

Resolution # _____

WHEREAS, a request for release of escrow was received from Crystal Road Enterprises, LLC for Firefox - Ph. 2 (Nothorn) - LDS-630, in the amount of \$445,188.66, on the representation that work set forth in the Land Development Agreement to the extent has been completed and; WHEREAS, said request has been reviewed by the Township Engineer who recommends release of \$438,902.26; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$438,902.26; in accordance with the developer's request, and the officers of the Township are authorized to take the necessary action to obtain release of said sum contingent upon payment of any and all outstanding bills. BE IT FURTHER RESOLVED that Township records indicate that escrow has been deposited via Letter of Credit with Montgomery Township in total sum of \$1,841,820.77 pursuant to a signed Land Development Agreement and that \$989,022.32 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$413,896.19 in escrow.

MOTION BY: _____

VOTE: _____

SECOND BY: _____

DATED: _____

RELEASED BY: _____

Department Director

DEVELOPER REQUEST #6



ESCROW RELEASE NO. **6**
DATE PREPARED: **12-Jan-2022**

PROJECT NAME: Firefox - Ph. 2 (Nothem)	TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 45,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: Crystal Road Enterprises, LLC	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LDS-630
ESCROW AGENT: Uninvest		G&A PROJECT NO.: 2012-09009-03
TYPE OF SECURITY: Letter of Credit	MAINTENANCE BOND AMOUNT (15%): \$ 251,157.38	AGREEMENT DATE: 8-Jun-2017

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$1,598,867.34	\$ 404,410.45	\$ 843,715.52	\$ 1,248,125.98	\$ 350,741.36
ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of 3/31/19 - \$755,151.82)	\$ 75,515.18	\$ 40,778.20	\$ -	\$ 40,778.20	\$ 34,736.98
CONTINGENCY (10%)	\$ 167,438.25	\$ -	\$ -	\$ -	\$ 167,438.25
TOTAL	\$ 1,841,820.77	\$ 445,188.66	\$ 843,715.52	\$ 1,288,904.18	\$ 552,916.59

CONSTRUCTION ITEMS	UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (incl. current release)		AVAILABLE FOR RELEASE (incl. current release)	
					QTY	COST	QTY	COST	QTY	COST	QTY	COST
PHASE II (NORTHERN VILLAGE)				\$0.00					0.00		0.00	\$0.00
2.A. MOBILIZATION	LS	1	\$ 46,672.15	\$ 46,672.15	0.00	\$ -	1.00	\$ 46,672.15	1.00	\$ 46,672.15	0.00	\$ -
2.B. EARTHWORK											#VALUE!	
1. Clearing & Grubbing	LS	1	\$ 49,706.00	\$ 49,706.00	0.00	\$ -	1.00	\$ 49,706.00	1.00	\$ 49,706.00	0.00	\$ -
2. Strip Topsoil	CY	8,228	\$ 2.47	\$ 20,323.16	0.00	\$ -	8,228	\$ 20,323.16	8,228	\$ 20,323.16	0.00	\$ -
3. Cut Fill & Compact	CY	12,998	\$ 2.50	\$ 32,495.00	0.00	\$ -	12,998	\$ 32,495.00	12,998	\$ 32,495.00	0.00	\$ -
4. Grade	SY	26,957	\$ 0.28	\$ 7,547.96	6,957.00	\$ 1,947.96	20,000	\$ 5,600.00	26,957	\$ 7,547.96	0.00	\$ -
5. Cut from Stockpile from Phase I	CY	7,648	\$ 2.50	\$ 19,120.00	0.00	\$ -	7,648	\$ 19,120.00	7,648	\$ 19,120.00	0.00	\$ -
2.C. RETAINING WALL											#VALUE!	
1. Excavate Retaining Wall	LF	565	\$ 6.40	\$ 3,616.00	0.00	\$ -	565	\$ 3,616.00	565	\$ 3,616.00	0.00	\$ -
2. Retaining Wall	SF	3,600	\$ 40.00	\$ 144,000.00	0.00	\$ -	3,600	\$ 144,000.00	3,600	\$ 144,000.00	0.00	\$ -
3. Sleeves for Guide Rail behind Wall #3	LS	1	\$ 5,300.00	\$ 5,300.00	0.00	\$ -	1.00	\$ 5,300.00	1.00	\$ 5,300.00	0.00	\$ -
2.D. EROSION CONTROL											#VALUE!	
<i>Erosion & Sediment Controls</i>											#VALUE!	
1. Construction Entrance	EA	1	\$ 3,392.00	\$ 3,392.00	0.00	\$ -	1.00	\$ 3,392.00	1.00	\$ 3,392.00	0.00	\$ -
2. 20" Weighted Sediment Tube	LF	112	\$ 23.98	\$ 2,685.76	0.00	\$ -	0.00	\$ -	0.00	\$ -	112.00	\$ 2,685.76
3. 18" Silt Fence - Stockpiles	LF	1,062	\$ 1.56	\$ 1,656.72	0.00	\$ -	0.00	\$ -	0.00	\$ -	1,062.00	\$ 1,656.72
4. 30" Silt Fence	LF	369	\$ 1.91	\$ 704.79	0.00	\$ -	0.00	\$ -	0.00	\$ -	369.00	\$ 704.79
5. Super Silt Fence	LF	1,022	\$ 6.45	\$ 6,591.90	0.00	\$ -	1,022	\$ 6,591.90	1,022	\$ 6,591.90	0.00	\$ -
6. Super Silt Fence w/ Tree Protection Fence	LF	1,423	\$ 6.45	\$ 9,178.35	0.00	\$ -	1,423	\$ 9,178.35	1,423	\$ 9,178.35	0.00	\$ -
7. Orange Construction Fence	LF	1,754	\$ 1.54	\$ 2,701.16	0.00	\$ -	1,754	\$ 2,701.16	1,754	\$ 2,701.16	0.00	\$ -
8. Tree Protection Fence-Shown on Grading Plan	LF	1,892	\$ 1.54	\$ 2,913.68	0.00	\$ -	0.00	\$ -	0.00	\$ -	1,892.00	\$ 2,913.68
9. Temporary Seeding - Excess Fill Piles	SY	19,360	\$ 0.29	\$ 5,614.40	0.00	\$ -	0.00	\$ -	0.00	\$ -	19,360.00	\$ 5,614.40
10. Slope Matting (North American Green S-75)	SY	4,235	\$ 1.50	\$ 6,352.50	0.00	\$ -	0.00	\$ -	0.00	\$ -	4,235.00	\$ 6,352.50
11. Grade Swales #D1, D2, D7.3A, D7.3B, D17, D24.2	SY	2,685	\$ 0.55	\$ 1,476.75	0.00	\$ -	0.00	\$ -	0.00	\$ -	2,685.00	\$ 1,476.75
12. Swale Matting (North American Green S-75)	SY	2,685	\$ 1.50	\$ 4,027.50	0.00	\$ -	0.00	\$ -	0.00	\$ -	2,685.00	\$ 4,027.50
13. Inlet Protection Silt Sack	EA	8	\$ 134.00	\$ 1,072.00	0.00	\$ -	0.00	\$ -	0.00	\$ -	8.00	\$ 1,072.00
14. Clean Water Pump Bypass, Sandbag Cofferdam	LS	1	\$ 12,000.00	\$ 12,000.00	0.00	\$ -	1.00	\$ 12,000.00	1.00	\$ 12,000.00	0.00	\$ -
2.E. BOX CULVERT											#VALUE!	
1. Box Culvert (incl. steel casing)	LS	1	\$ 151,965.00	\$ 151,965.00	0.00	\$ -	1.00	\$ 151,965.00	1.00	\$ 151,965.00	0.00	\$ -

DEVELOPER REQUEST #6

2.F. STORM SEWER																#VALUE!			
1.	18" RCP	LF	1,136	\$	35.00	\$	39,760.00	0.00	\$	-	1,136.00	\$	39,760.00	1,136.00	\$	39,760.00	0.00	\$	-
2.	24" RCP	LF	610	\$	45.00	\$	27,450.00	0.00	\$	-	610.00	\$	27,450.00	610.00	\$	27,450.00	0.00	\$	-
6.	Type M Inlets (#D17, D24.2)	EA	2	\$	2,700.00	\$	5,400.00	0.00	\$	-	2.00	\$	5,400.00	2.00	\$	5,400.00	0.00	\$	-
7.	Type C Inlets (#B2.2, B2.4, B3.2, C03, C04, D12.1, D12.2, D13.1,	EA	16	\$	2,700.00	\$	43,200.00	0.00	\$	-	16.00	\$	43,200.00	16.00	\$	43,200.00	0.00	\$	-
8.	Type C Inlet Mod, 42"x48" (#B2.3, D13, D14.1, D16)	EA	4	\$	3,400.00	\$	13,600.00	0.00	\$	-	4.00	\$	13,600.00	4.00	\$	13,600.00	0.00	\$	-
9.	Type C Inlet Mod, 48" x 54" (#D24)	EA	1	\$	3,600.00	\$	3,600.00	0.00	\$	-	1.00	\$	3,600.00	1.00	\$	3,600.00	0.00	\$	-
10.	Storm Manhole 48" x 48" (#D12)	EA	1	\$	3,400.00	\$	3,400.00	0.00	\$	-	1.00	\$	3,400.00	1.00	\$	3,400.00	0.00	\$	-
13.	Infiltration Areas D1, D2 & D3 - Convert temp. swales D17 & D24.2 to	LS	1	\$	69,287.00	\$	69,287.00	1.00	\$	69,287.00	0.00	\$	-	1.00	\$	69,287.00	0.00	\$	-
2.G. ROADWAY SITE																#VALUE!			
1.	Excavate & Backfill, Curb	LF	3,931	\$	3.19	\$	12,539.89	0.00	\$	-	2,485.00	\$	7,927.15	2,485.00	\$	7,927.15	1,446.00	\$	4,612.74
2.	Belgian Block Curb	LF	3,931	\$	14.00	\$	55,034.00	0.00	\$	-	2,485.00	\$	34,790.00	2,485.00	\$	34,790.00	1,446.00	\$	20,244.00
3.	Fine Grade and Compact Subgrade	SY	6,129	\$	1.12	\$	6,864.48	0.00	\$	-	5,470.00	\$	6,126.40	5,470.00	\$	6,126.40	659.00	\$	738.08
4.	3" 2a Modified	SY	6,129	\$	3.01	\$	18,448.29	0.00	\$	-	5,470.00	\$	16,464.70	5,470.00	\$	16,464.70	659.00	\$	1,983.59
5.	5" (25MM) Base Course	SY	6,129	\$	19.00	\$	116,451.00	0.00	\$	-	5,470.00	\$	103,930.00	5,470.00	\$	103,930.00	659.00	\$	12,521.00
6.	1.5" (9.5MM) Wearing Paving	SY	9,414	\$	7.12	\$	67,027.68	0.00	\$	-	0.00	\$	-	0.00	\$	-	9,414.00	\$	67,027.68
7.	Speed Bump	LS	1	\$	1,200.00	\$	1,200.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	1.00	\$	1,200.00
8.	Street Sweeping	SY	9,414	\$	0.12	\$	1,129.68	0.00	\$	-	0.00	\$	-	0.00	\$	-	9,414.00	\$	1,129.68
9.	Tack Coat	SY	9,414	\$	0.19	\$	1,788.66	0.00	\$	-	0.00	\$	-	0.00	\$	-	9,414.00	\$	1,788.66
10.	Curb & Joint Seal	LF	6,165	\$	0.63	\$	3,883.95	0.00	\$	-	0.00	\$	-	0.00	\$	-	6,165.00	\$	3,883.95
11.	Line Painting	LS	1	\$	1,537.00	\$	1,537.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	1.00	\$	1,537.00
12.	Site Signage	LS	1	\$	2,307.00	\$	2,307.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	1.00	\$	2,307.00
13.	Type 2S Guide Rail (Includes 1 Terminal Section)	LF	413	\$	20.71	\$	8,542.88	0.00	\$	-	0.00	\$	-	0.00	\$	-	412.50	\$	8,542.88
14.	Type 2S Guide Rail - Over Culvert	LF	38	\$	164.00	\$	6,150.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	37.50	\$	6,150.00
Driveway Relocation (NPWA)																#VALUE!			
15.	Fine Grade and Compact Subgrade	SY	178	\$	1.12	\$	199.36	0.00	\$	-	0.00	\$	-	0.00	\$	-	178.00	\$	199.36
16.	3" 2a Modified	SY	178	\$	3.01	\$	535.78	0.00	\$	-	0.00	\$	-	0.00	\$	-	178.00	\$	535.78
17.	5" (25MM) Base Course	SY	178	\$	19.00	\$	3,382.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	178.00	\$	3,382.00
18.	1.5" (9.5MM) Wearing Paving	SY	178	\$	7.12	\$	1,267.36	0.00	\$	-	0.00	\$	-	0.00	\$	-	178.00	\$	1,267.36
2.H. ONSITE SIDEWALKS																#VALUE!			
1.	Sidewalk (4")	SF	11,158	\$	8.00	\$	89,264.00	9,833.00	\$	78,664.00	0.00	\$	-	9,833.00	\$	78,664.00	1,325.00	\$	10,600.00
2.	Driveway Apron (6" w/ wire mesh)	EA	58	\$	1,100.00	\$	63,800.00	35.00	\$	38,500.00	0.00	\$	-	35.00	\$	38,500.00	23.00	\$	25,300.00
3.	Handicap Ramps (incl. DWS)	EA	8	\$	500.00	\$	4,000.00	8.00	\$	4,000.00	0.00	\$	-	8.00	\$	4,000.00	0.00	\$	-
2.I. BITUMINOUS PATHWAYS																#VALUE!			
		SY	2,094	\$	35.00	\$	73,290.00	1,806.00	\$	63,210.00	0.00	\$	-	1,806.00	\$	63,210.00	288.00	\$	10,080.00
2.J. SWALE CONVERSION																#VALUE!			
1.	Convert temp. swales D17 & D24.2 to trenches #1, 2, and 3 (incl.	LS	1	\$	69,287.00	\$	69,287.00	1.00	\$	69,287.00	0.00	\$	-	1.00	\$	69,287.00	0.00	\$	-
																#VALUE!			

2.K. STREET LIGHTS													#VALUE!					
1. Street Lights	EA	8	\$	2,700.00	\$	21,600.00	8.00	\$	21,600.00	0.00	\$	-	8.00	\$	21,600.00	0.00	\$	-
2.L. RESPREAD TOPSOIL (pads: 2"; landscaped areas: 8")													#VALUE!					
	LS	1	\$	16,877.00	\$	16,877.00	0.50	\$	8,438.50	0.00	\$	-	0.50	\$	8,438.50	0.50	\$	8,438.50
2.M. PEDESTRIAN BRIDGE (Parallel to Crystal Road)													#VALUE!					
	LS	1	\$	31,476.00	\$	31,476.00	1.00	\$	31,476.00	0.00	\$	-	1.00	\$	31,476.00	0.00	\$	-
2.N. LANDSCAPING													#VALUE!					
Shade Trees													#VALUE!					
8. Acer rubrum	EA	37	\$	350.00	\$	12,950.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	37.00	\$	12,950.00
1. Acer saccharum	EA	6	\$	350.00	\$	2,100.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	6.00	\$	2,100.00
2. Betula nigra	EA	10	\$	350.00	\$	3,500.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	10.00	\$	3,500.00
9. Ginkgo biloba sentry	EA	3	\$	355.00	\$	1,065.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	3.00	\$	1,065.00
3. Gleditsia T. Shademaster	EA	30	\$	350.00	\$	10,500.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	30.00	\$	10,500.00
4. Liquidambar styraciflua	EA	26	\$	350.00	\$	9,100.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	26.00	\$	9,100.00
5. Liriodendron tulipifera	EA	28	\$	350.00	\$	9,800.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	28.00	\$	9,800.00
10. Pyrus C. Chanticleer	EA	22	\$	350.00	\$	7,700.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	22.00	\$	7,700.00
6. Quercus borealis	EA	14	\$	360.00	\$	5,040.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	14.00	\$	5,040.00
11. Tilia cordata	EA	25	\$	350.00	\$	8,750.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	25.00	\$	8,750.00
7. Zelkova serrata	EA	19	\$	355.00	\$	6,745.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	19.00	\$	6,745.00
Evergreen Trees													#VALUE!					
15. Juniperus virginiana	EA	31	\$	250.00	\$	7,750.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	31.00	\$	7,750.00
14. Picea abies	EA	29	\$	250.00	\$	7,250.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	29.00	\$	7,250.00
12. Pinus strobus	EA	32	\$	250.00	\$	8,000.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	32.00	\$	8,000.00
13. Pseudotsuga menziesii	EA	29	\$	250.00	\$	7,250.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	29.00	\$	7,250.00
Shrubs													#VALUE!					
19. Chamaecyparis F. Aurea	EA	1	\$	55.00	\$	55.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	1.00	\$	55.00
17. Cornus amomum	EA	14	\$	65.00	\$	910.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	14.00	\$	910.00
16. Euonymous A. Compacta	EA	4	\$	65.00	\$	260.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	4.00	\$	260.00
20. Ilex crenata hetzi	EA	2	\$	65.00	\$	130.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	2.00	\$	130.00
21. Thuja O. Emerald Green	EA	2	\$	80.00	\$	160.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	2.00	\$	160.00
18. Virburnum Plcatum	EA	14	\$	65.00	\$	910.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	14.00	\$	910.00
2.O. RESPREAD TOPSOIL (8")													#VALUE!					
	LS	1	\$	30,000.00	\$	30,000.00	0.60	\$	18,000.00	0.00	\$	-	0.60	\$	18,000.00	0.40	\$	12,000.00
2.P. OTHER													#VALUE!					
1. Construction Stakeout	LS	1	\$	25,406.55	\$	25,406.55	0.00	\$	-	1.00	\$	25,406.55	1.00	\$	25,406.55	0.00	\$	-
2. Pins and Monuments and As-Builts	LS	1	\$	8,843.00	\$	8,843.00	0.00	\$	-	0.00	\$	-	0.00	\$	-	1.00	\$	8,843.00
													#VALUE!					

DEVELOPER REQUEST #6

2.Q. ANNUAL CONSTRUCTION COST INCREASE PER PA MPC §509(h)													#VALUE!						
Construction Cost Subtotal		\$	1,598,867.34																
Released as of December 2017 (Release #11)		\$	843,715.52																
Balance as of December 2017 (Release #11)		\$	755,151.82																
1.	10% Annual Construction Cost Increase (Balance as of 3/31/19 - \$755,151.82)	LS	1	\$	75,515.18	\$	75,515.18	0.54	\$	40,778.20	0.00	\$	-	0.54	\$	40,778.20	0.46	\$	34,736.98
													#VALUE!						
2.R. CONTINGENCY													#VALUE!						
1.	10% Contingency (Released upon certification of completion and receipt of Maintenance Bond)	LS	1	\$	167,438.25	\$	167,438.25	0.00	\$	-	0.00	\$	-	0.00	\$	-	1.00	\$	167,438.25
													#VALUE!						

NOTES:

- 2014-09-24. Initial construction cost issued for Phase I Land Development Agreement.
- 2016-08-04. Phase II costs updated prior to recording of Phase II Land Development Agreement. Net change to construction cost = \$0.00.
- 2018-04-04. Phase I and Phase II spreadsheets separated for release purposes.
- 2018-04-04. Engineering/Legal & Administration cash escrow amounts based upon Phases I and II.
- 2019-03-31. Moved Fox Meadow wearing course from Phase 1 to Phase 2 (line items 2.G. 6, 8, 9 (3,286 SY), & 10 (2,234 LF)).
- 2019-03-31. Added 10% annual increase per PA MPC §509(h) (line item 2.Q.1).



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

January 18, 2022

File No. 2018-01153-01

Carolyn McCreary, Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

Reference: PEMV Partners, LP - LD/S#699
Escrow Release 7

Dear Carolyn:

We have received and reviewed the Request for Escrow Release for the above-referenced project. This letter is to certify that the improvements noted on the enclosed escrow summary in the amount of **\$27,385.00** have been completed. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use.

The following line items requested for release have been reduced based upon a site inspection:

- Line item D.1 not released due to maintenance bond threshold being hit.
- Line item D.2 not released due to maintenance bond threshold being hit.
- Line-item F.1 only 4 of the 8 released due to maintenance bond threshold being hit.
- Line-item F.8 not installed.
- Line item F.15 not installed.

Please be advised that these improvements will be subject to a final inspection prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

Should you have any further questions or require any additional information, please do not hesitate to contact our office.

Sincerely,

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

JPD/GJA

Enclosure: Release of Escrow Form & Summary of Improvement Escrow Account (1/18/2022)., Applicant's Request (1/10/2022)

cc: Bruce S. Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator - Montgomery Township
Sean Kilkenny, Esq., Solicitor – Kilkenny Law
Drew Altringer – Pete's Express Carwash
Jeff Altringer – Pete's Express Carwash
Paul F. Boettinger, P.E., – T&M Associates
John Detweiler – RAM Construction
Judith Stern Goldstein, ASLA, R.L.A. – Gilmore & Associates, Inc.
Damon Drummon, PE, PTOE – Gilmore & Associates, Inc.
Brian Dusault, Construction Services Manager - Gilmore & Associates, Inc.

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



ESCROW RELEASE NO.: 7

DATE PREPARED: 18-Jan-2022

PROJECT NAME: Pete's Express Car Wash (1274 Welsh Rd)	TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 45,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: PEMV Partners, LP	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LDS-699
ESCROW AGENT: Bryn Mawr Trust Company		G&A PROJECT NO.: 2018-01153-01
TYPE OF SECURITY: Tri-Party Set Aside Agreement	MAINTENANCE BOND AMOUNT (15%): \$ 110,466.29	AGREEMENT DATE: 16-Dec-2019

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$ 736,441.90	\$ 27,385.00	\$ 672,129.51	\$ 699,514.51	\$ 36,927.39
ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of mm/dd/yy = \$0.00)	\$ -	\$ -	\$ -	\$ -	\$ -
CONTINGENCY (10%)	\$ 73,644.19	\$ -	\$ -	\$ -	\$ 73,644.19
TOTAL	\$ 810,086.09	\$ 27,385.00	\$ 672,129.51	\$ 699,514.51	\$ 110,571.58

CONSTRUCTION ITEMS					UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (incl. current release)		AVAILABLE FOR RELEASE (incl. current release)				
									QTY	COST	QTY	COST	QTY	COST	QTY	COST			
A. <u>SOIL EROSION AND SEDIMENT CONTROL</u>																			
1.	Construction Entrance	EA	1	\$	3,500.00	\$	3,500.00		\$	-	1.00	\$	3,500.00	1.00	\$	3,500.00	\$	-	
2.	12 inch Filter Sock	LF	921	\$	8.50	\$	7,828.50		\$	-	921.00	\$	7,828.50	921.00	\$	7,828.50	\$	-	
3.	24 inch Filter Sock	LF	604	\$	10.50	\$	6,342.00		\$	-	604.00	\$	6,342.00	604.00	\$	6,342.00	\$	-	
4.	Filter Bag Inlet Protection	EA	13	\$	150.00	\$	1,950.00		\$	-	13.00	\$	1,950.00	13.00	\$	1,950.00	\$	-	
5.	Temporary Seed Stockpile	SF	1,130	\$	0.15	\$	169.50		\$	-	1,130.00	\$	169.50	1,130.00	\$	169.50	\$	-	
6.	NAG S75 Erosion Control Matting	SF	5,480	\$	0.25	\$	1,370.00		\$	-	2,740.00	\$	685.00	2,740.00	\$	685.00	2,740.00	\$	685.00
7.	Remove E&S Measures	LS	1	\$	2,150.00	\$	2,150.00		\$	-		\$	-		\$	-	1.00	\$	2,150.00
B. <u>EARTHWORK</u>																			
1.	Site Excavation & Grading	LS	1	\$	87,387.90	\$	87,387.90		\$	-	0.95	\$	83,018.51	0.95	\$	83,018.51	0.05	\$	4,369.39
C. <u>STORMWATER</u>																			
1.	4 in. HDPE	LF	25	\$	30.75	\$	768.75		\$	-	25.00	\$	768.75	25.00	\$	768.75		\$	-
2.	15 in. HDPE	LF	510	\$	38.00	\$	19,380.00		\$	-	510.00	\$	19,380.00	510.00	\$	19,380.00		\$	-
3.	18 in. HDPE	LF	132	\$	44.00	\$	5,808.00		\$	-	132.00	\$	5,808.00	132.00	\$	5,808.00		\$	-
4.	Outlet Structure	EA	1	\$	4,000.00	\$	4,000.00		\$	-	1.00	\$	4,000.00	1.00	\$	4,000.00		\$	-
5.	Type C Inlet	EA	12	\$	2,425.00	\$	29,100.00		\$	-	12.00	\$	29,100.00	12.00	\$	29,100.00		\$	-
6.	Storm Manhole	EA	1	\$	2,520.00	\$	2,520.00		\$	-	1.00	\$	2,520.00	1.00	\$	2,520.00		\$	-
7.	Underground Detention Basin	LS	1	\$	110,000.00	\$	110,000.00		\$	-	1.00	\$	110,000.00	1.00	\$	110,000.00		\$	-
8.	Flared End Section	EA	1	\$	1,500.00	\$	1,500.00		\$	-		\$	-		\$	-	1.00	\$	1,500.00
9.	Level Spreader	EA	1	\$	11,875.00	\$	11,875.00		\$	-	1.00	\$	11,875.00	1.00	\$	11,875.00		\$	-
D. <u>SITE IMPROVEMENTS</u>																			
1.	Concrete Curb, inc. curb line sealing	LF	3,475	\$	17.00	\$	59,075.00		\$	-	3,390.00	\$	57,630.00	3,390.00	\$	57,630.00	85.00	\$	1,445.00
2.	1.5 in. 9.5mm Wearing Course	SY	4,631	\$	9.00	\$	41,679.00		\$	-	3,474.00	\$	31,266.00	3,474.00	\$	31,266.00	1,157.00	\$	10,413.00
3.	3 in. 25mm Binder Course	SY	4,631	\$	17.00	\$	78,727.00		\$	-	4,631.00	\$	78,727.00	4,631.00	\$	78,727.00		\$	-
4.	6 in. 2A Stone	SY	4,631	\$	11.25	\$	52,098.75		\$	-	4,631.00	\$	52,098.75	4,631.00	\$	52,098.75		\$	-
5.	Concrete Pad (4,000 psi w/ fiber), inc. 6 inch 2A	SY	103	\$	100.00	\$	10,300.00		\$	-	103.00	\$	10,300.00	103.00	\$	10,300.00		\$	-
6.	Concrete Sidewalk (4,000 psi w/ fiber), inc. 4 inch 2A	SF	3,747	\$	7.50	\$	28,102.50		\$	-	3,747.00	\$	28,102.50	3,747.00	\$	28,102.50		\$	-
7.	ADA/PennDOT Compliant Ramp, inc. DWS	EA	7	\$	1,500.00	\$	10,500.00		\$	-	7.00	\$	10,500.00	7.00	\$	10,500.00		\$	-
E. <u>LIGHTING</u>																			
1.	Pole Mounted Light w/Shield & Foundation	EA	8	\$	3,500.00	\$	28,000.00		\$	-	8.00	\$	28,000.00	8.00	\$	28,000.00		\$	-
2.	Double Pole Mounted Light w/Shield & Foundation	EA	6	\$	5,000.00	\$	30,000.00		\$	-	6.00	\$	30,000.00	6.00	\$	30,000.00		\$	-
3.	S4H Fixture (DeKalb Pike Egress)	EA	1	\$	2,000.00	\$	2,000.00		\$	-	1.00	\$	2,000.00	1.00	\$	2,000.00		\$	-
F. <u>LANDSCAPING</u>																			
Deciduous Trees																			
1.	Acer rubrum 'Bowhall' (3" cal. min.)	EA	8	\$	650.00	\$	5,200.00	4.00	\$	2,600.00		\$	-	4.00	\$	2,600.00	4.00	\$	2,600.00
2.	Ginkgo Biloba 'Princeton Sentry' (3" cal. min.)	EA	13	\$	650.00	\$	8,450.00	13.00	\$	8,450.00		\$	-	13.00	\$	8,450.00		\$	-
3.	Gleditsia Triacanthos 'Skyline' (3" cal. min.)	EA	6	\$	650.00	\$	3,900.00	2.00	\$	1,300.00	4.00	\$	2,600.00	6.00	\$	3,900.00		\$	-
4.	Liquidambar Styraciflua 'Rotundiloba' TM (3" cal. min.)	EA	9	\$	650.00	\$	5,850.00		\$	-	9.00	\$	5,850.00	9.00	\$	5,850.00		\$	-
5.	Quercus Palustris (3" cal. min.)	EA	7	\$	650.00	\$	4,550.00		\$	-	7.00	\$	4,550.00	7.00	\$	4,550.00		\$	-
6.	Zelkova Serrata 'Green Vase' (3" cal. min.)	EA	12	\$	650.00	\$	7,800.00		\$	-	12.00	\$	7,800.00	12.00	\$	7,800.00		\$	-

PROJECT NAME: Pete's Express Car Wash (1274 Welsh Rd)	TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 45,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: PEMV Partners, LP	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LDS-699
ESCROW AGENT: Bryn Mawr Trust Company		G&A PROJECT NO.: 2018-01153-01
TYPE OF SECURITY: Tri-Party Set Aside Agreement	MAINTENANCE BOND AMOUNT (15%): \$ 110,466.29	AGREEMENT DATE: 16-Dec-2019

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$ 736,441.90	\$ 27,385.00	\$ 672,129.51	\$ 699,514.51	\$ 36,927.39
ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of mm/dd/yy = \$0.00)	\$ -	\$ -	\$ -	\$ -	\$ -
CONTINGENCY (10%)	\$ 73,644.19	\$ -	\$ -	\$ -	\$ 73,644.19
TOTAL	\$ 810,086.09	\$ 27,385.00	\$ 672,129.51	\$ 699,514.51	\$ 110,571.58

CONSTRUCTION ITEMS					UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (incl. current release)		AVAILABLE FOR RELEASE (incl. current release)	
									QTY	COST	QTY	COST	QTY	COST	QTY	COST
Shrubs																
7.	Cornus Sericea 'Bailey' (30 - 36 in. ht.)	EA	9	\$	95.00	\$	855.00		\$	-	9.00	\$	855.00	9.00	\$	855.00
8.	Fothergilla Gardenii 'Mt. Airy' (30 - 36 in. ht.)	EA	7	\$	95.00	\$	665.00		\$	-		\$	-		\$	-
9.	Ilex Glabra 'Shamrock' (24-30 in. ht.)	EA	97	\$	95.00	\$	9,215.00	20.00	\$	1,900.00	77.00	\$	7,315.00	97.00	\$	9,215.00
10.	Ilex Verticillata 'Sparkleberry' (30 - 36 in. ht.)	EA	35	\$	95.00	\$	3,325.00	10.00	\$	950.00	25.00	\$	2,375.00	35.00	\$	3,325.00
11.	Ilex Virginica 'Henry's Garnet' (30 - 36 in. ht.)	EA	30	\$	95.00	\$	2,850.00		\$	-	30.00	\$	2,850.00	30.00	\$	2,850.00
12.	Taxus Canadensis (24 - 30 in. ht.)	EA	29	\$	95.00	\$	2,755.00		\$	-	29.00	\$	2,755.00	29.00	\$	2,755.00
13.	Viburnum Dentatum 'Chicago Luster' (30 - 36 in. ht.)	EA	5	\$	95.00	\$	475.00		\$	-	5.00	\$	475.00	5.00	\$	475.00
Ornamental Grasses & Ground Cover																
14.	Calamagrostis X Acutiflora ' Karl Forester' (2 gal.)	EA	6	\$	15.00	\$	90.00	6.00	\$	90.00		\$	-	6.00	\$	90.00
15.	Hemerocallis X 'Stella De Oro' (1 gal.)	EA	40	\$	15.00	\$	600.00		\$	-		\$	-		\$	-
16.	Juniperus Conferta 'Emerald Sea' (15 - 18 in. ht.)	EA	45	\$	15.00	\$	675.00	26.00	\$	390.00	19.00	\$	285.00	45.00	\$	675.00
17.	Liriope Muscari ' Big Blue' (1 gal.)	EA	97	\$	15.00	\$	1,455.00	97.00	\$	1,455.00		\$	-	97.00	\$	1,455.00
G. MISCELLANEOUS																
1.	Trash Enclosure	EA	1	\$	6,500.00	\$	6,500.00		\$	-	1.00	\$	6,500.00	1.00	\$	6,500.00
2.	Regulatory/Warning Signs	EA	41	\$	250.00	\$	10,250.00	41.00	\$	10,250.00		\$	-	41.00	\$	10,250.00
3.	Striping	LS	1	\$	5,000.00	\$	5,000.00		\$	-		\$	-		\$	-
4.	Construction Stakeout	LS	1	\$	12,350.00	\$	12,350.00		\$	-	1.00	\$	12,350.00	1.00	\$	12,350.00
5.	As-Built Plans	LS	1	\$	7,500.00	\$	7,500.00		\$	-		\$	-		\$	-
H. ANNUAL CONSTRUCTION COST INCREASE PER PA MPC §509(h)																
1.	10% Annual Construction Cost Increase (Balance as of mm/dd/yy - \$0.00)	LS	1	\$	-	\$	-		\$	-		\$	-		\$	-
I. CONTINGENCY																
1.	10% Contingency (Released upon certification of completion and receipt of Maintenance Bond)	LS	1	\$	73,644.19	\$	73,644.19		\$	-		\$	-		\$	-

RELEASE OF ESCROW FORM

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

Date: 01/14/2022

Development Pete's Express Car Wash (1274 Welsh Rd) - LDS-699

G&A Project #: 2018-01153-01

Release #: 7

Dear Mr. Dougherty:

This is an escrow release request in the amount of \$44,608.00. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

Ms. Carolyn McCreary
Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Date: 01/18/2022

Dear Ms. McCreary:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$27,385.00 be released. These improvements will be subject to a final observation prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.



1/18/22

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

Resolution # _____

WHEREAS, a request for release of escrow was received from PEMV Partners, LP for Pete's Express Car Wash (1274 Welsh Rd) - LDS-699, in the amount of \$44,608.00, on the representation that work set forth in the Land Development Agreement to the extent has been completed and; WHEREAS, said request has been reviewed by the Township Engineer who recommends release of \$27,385.00; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$27,385.00; in accordance with the developer's request, and the officers of the Township are authorized to take the necessary action to obtain release of said sum contingent upon payment of any and all outstanding bills. BE IT FURTHER RESOLVED that Township records indicate that escrow has been deposited via Tri-Party Set Aside Agreement with Montgomery Township in total sum of \$810,086.09 pursuant to a signed Land Development Agreement and that \$672,129.51 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$110,571.58 in escrow.

MOTION BY: _____

VOTE: _____

SECOND BY: _____

DATED: _____

RELEASED BY: _____

Department Director



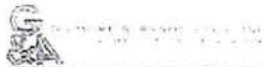
ESCROW RELEASE NO.: **X7**

DATE PREPARED: 8 Aug 2021

PROJECT NAME	Pete's Express Car Wash (1274 Welsh Rd)	TOTAL PROJECTS/FINAL CASH ESCROW	\$ 42,000.00	MONTGOMERY TOWNSHIP
DEVELOPER	REMY Partners, LP	TOTAL ADMINISTRATION (CASH ESCROW)	\$ 5,000.00	TOWNSHIP NO. 103-559
ENGINEER	Bryn Mawr Trust Company			G&A PROJECT NO. 2018-01-53-01
TYPE OF PROJECT	For Entry Setback Agreement	MAINTENANCE BOND AMOUNT (15%)	\$ 110,455.29	AGREEMENT DATE 18-Dec-2019

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of mm/dd/yy = \$0.00)	\$ 736,441.90	\$ 219,675.54	\$ 452,453.97	\$ 672,129.51	\$ 54,312.39
CONTINGENCY (10%)	\$ 73,644.19	\$ -	\$ -	\$ -	\$ 73,644.19
TOTAL	\$ 810,086.09	\$ 219,675.54	\$ 452,453.97	\$ 672,129.51	\$ 137,956.58

CONSTRUCTION ITEMS					UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (Incl. current release)		AVAILABLE FOR RELEASE (Incl. current release)					
									QTY	COST	QTY	COST	QTY	COST	QTY	COST				
A. SOIL EROSION AND SEDIMENT CONTROL																				
1	Construction Entrance	EA	1	\$	3,500.00	\$	3,500.00		\$		1.00	\$	3,500.00	1.00	\$	3,500.00	\$	-		
2	12 inch Filter Sock	LF	921	\$	8.50	\$	7,828.50		\$	-	921.00	\$	7,828.50	921.00	\$	7,828.50	\$	-		
3	24 inch Filter Sock	LF	604	\$	10.50	\$	6,342.00		\$	-	604.00	\$	6,342.00	604.00	\$	6,342.00	\$	-		
4	Filter Bag Inlet Protection	EA	13	\$	150.00	\$	1,950.00		\$	-	13.00	\$	1,950.00	13.00	\$	1,950.00	\$	-		
5	Temporary Seed Stockpile	SF	1,130	\$	0.15	\$	169.50		\$	-	1,130.00	\$	169.50	1,130.00	\$	169.50	\$	-		
6	M&G 3/5 Erosion Control Matting	SF	5,480	\$	0.25	\$	1,370.00		\$	-	2,740.00	\$	685.00	2,740.00	\$	685.00	2,740.00	\$	685.00	
7	Remove CES Markings	LS	1	\$	2,150.00	\$	2,150.00		\$	-		\$	-		\$	-	2,740.00	\$	685.00	
B. EARTHWORK																				
1	Site Excavation & Grading	LS	1	\$	87,387.90	\$	87,387.90		0.10	\$	8,738.79	0.85	\$	74,279.72	0.95	\$	83,018.51	0.05	\$	4,369.29
C. STORMWATER																				
1	12 in. HDPE	LF	25	\$	30.75	\$	768.75		\$	-	25.00	\$	768.75	25.00	\$	768.75	\$	-		
2	15 in. HDPE	LF	510	\$	38.00	\$	19,380.00		\$	-	510.00	\$	19,380.00	510.00	\$	19,380.00	\$	-		
3	18 in. HDPE	LF	132	\$	44.00	\$	5,808.00		\$	-	132.00	\$	5,808.00	132.00	\$	5,808.00	\$	-		
4	Outlet Manhole	EA	1	\$	4,000.00	\$	4,000.00		\$	-	1.00	\$	4,000.00	1.00	\$	4,000.00	\$	-		
5	Type C Inlet	EA	12	\$	2,425.00	\$	29,100.00		\$	-	12.00	\$	29,100.00	12.00	\$	29,100.00	\$	-		
6	Storm Manhole	EA	1	\$	2,520.00	\$	2,520.00		\$	-	1.00	\$	2,520.00	1.00	\$	2,520.00	\$	-		
7	Underground Detention Basin	LS	1	\$	110,000.00	\$	110,000.00		\$	-	1.00	\$	110,000.00	1.00	\$	110,000.00	\$	-		
8	Flared End Section	EA	1	\$	1,500.00	\$	1,500.00		1	\$	1,500.00		\$	-		\$	-	1.00	\$	1,500.00
9	Level Forewater	EA	1	\$	11,875.00	\$	11,875.00		\$	-	1.00	\$	11,875.00	1.00	\$	11,875.00	\$	-		
D. SITE IMPROVEMENTS																				
1	Concrete Curb and curb tie sealing	LF	3,475	\$	17.00	\$	59,075.00		85	\$	1,445.00	3,390.00	\$	57,630.00	3,390.00	\$	57,630.00	85.00	\$	1,445.00
2	1.5 in. 4.5mm Wearing Course	SY	4,631	\$	9.00	\$	41,679.00		1157	\$	10,413.00		\$	-	3,474.00	\$	31,266.00	1,157.00	\$	10,413.00
3	3 in. 25mm Binder Course	SY	4,631	\$	17.00	\$	78,727.00				790.00	\$	13,260.00	4,631.00	\$	78,727.00				
4	6 in. 24 Stone	SY	4,631	\$	11.25	\$	52,098.75		3990	\$	7,318.75	3,930.00	\$	44,280.00	4,631.00	\$	52,098.75			
5	Concrete Pad (4,000 psi w/1000) incl. 6 inch 2A	SY	103	\$	100.00	\$	10,300.00				103.00	\$	10,300.00	103.00	\$	10,300.00				
6	Concrete Curbwall (4,000 psi w/1000) incl. 4 inch 2A	SF	3,747	\$	7.50	\$	28,102.50		2,512.00	\$	18,840.00	1,235.00	\$	9,262.50	3,747.00	\$	28,102.50			
7	ADA-Compliant Ramp incl. DWS	EA	7	\$	1,500.00	\$	10,500.00		4.00	\$	6,000.00	3.00	\$	4,500.00	7.00	\$	10,500.00			
E. LIGHTING																				
1	Pole Mounted Light w/8' w/d & Foundation	EA	8	\$	3,500.00	\$	28,000.00		5.50	\$	19,600.00	2.40	\$	8,400.00	8.00	\$	28,000.00			
2	Double Pole Mounted Light w/10' w/d & Foundation	EA	6	\$	5,000.00	\$	30,000.00		4.20	\$	21,000.00	1.80	\$	9,000.00	6.00	\$	30,000.00			
3	Pole Mounted Light w/8' w/d & Foundation	EA	1	\$	2,000.00	\$	2,000.00		1.00	\$	2,000.00		\$	-	1.00	\$	2,000.00			
F. LANDSCAPING																				
Deciduous Trees																				
1	Acer rubrum Pennell (2' cal. min.)	EA	8	\$	650.00	\$	5,200.00		8	\$	5,200.00		\$	-		\$	-	8.00	\$	5,200.00
2	Quercus Rubra Pennell (2' cal. min.)	EA	13	\$	650.00	\$	8,450.00		13	\$	8,450.00		\$	-		\$	-	13.00	\$	8,450.00
3	Hedera Helix Pennell (2' cal. min.)	EA	6	\$	650.00	\$	3,900.00		2	\$	1,300.00		\$	-	4.00	\$	2,600.00	2.00	\$	1,300.00
4	Quercus macrocarpa Pennell (2' cal. min.)	EA	2	\$	650.00	\$	1,300.00				9.00	\$	5,850.00		\$	-	9.00	\$	5,850.00	
5	Quercus palustris (2' cal. min.)	EA	7	\$	650.00	\$	4,550.00		7.00	\$	4,550.00		\$	-	7.00	\$	4,550.00			
6	Zelkova serrata Green Vase (2' cal. min.)	EA	12	\$	650.00	\$	7,800.00		12.00	\$	7,800.00		\$	-	12.00	\$	7,800.00			



ESCROW RELEASE NO.: **x7**

DATE PREPARED 8-Aug-2021

PROJECT NAME	Pete's Express Car Wash (1274 Welsh Rd)	TOTAL ENGINEERING & LEGAL (CASH ESCROW)	\$ 45,000.00	MONTGOMERY TOWNSHIP
DEVELOPER	Blum Partners LP	TOTAL ADMINISTRATION (CASH ESCROW)	\$ 5,000.00	TOWNSHIP NO. LDS-059
ESCROW AGENT	Blum Partners Trust Company			GAA PROJECT NO. 2018-01153-01
TYPE OF SECURITY	Third Party Surety Agreement	MAINTENANCE BOND AMOUNT (1.5%)	\$ 110,466.25	AGREEMENT DATE 16-Dec-2019

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$ 735,441.90	\$ 219,875.54	\$ 457,453.97	\$ 672,129.51	\$ 64,312.39
ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of mm/dd/yy = \$0.00)	\$ -	\$ -	\$ -	\$ -	\$ -
CONTINGENCY (10%)	\$ 73,544.19	\$ -	\$ -	\$ -	\$ 73,544.19
TOTAL	\$ 810,286.09	\$ 219,875.54	\$ 457,453.97	\$ 672,129.51	\$ 137,956.58

CONSTRUCTION ITEMS	UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (incl. current release)		AVAILABLE FOR RELEASE (incl. current release)	
					QTY	COST	QTY	COST	QTY	COST	QTY	COST
Shrubs												
7 Cornus Florida 'Bailey' (30 - 35 in. ht.)	EA	9	\$ 95.00	\$ 855.00	9	\$ 855.00			9	\$ 855.00		
8 Eriogonum fasciculatum 'M. Gray' (30 - 35 in. ht.)	EA	7	\$ 95.00	\$ 665.00	7	\$ 665.00			7	\$ 665.00		
9 Ilex Glabra 'Shamrock' (24 - 30 in. ht.)	EA	97	\$ 95.00	\$ 9,215.00	97	\$ 9,215.00			97	\$ 9,215.00		
10 Ilex Verticillata 'Sparkleberry' (30 - 35 in. ht.)	EA	35	\$ 95.00	\$ 3,325.00	35	\$ 3,325.00			35	\$ 3,325.00		
11 Ilex Virginia 'Henry's Garnet' (30 - 35 in. ht.)	EA	30	\$ 95.00	\$ 2,850.00	30	\$ 2,850.00			30	\$ 2,850.00		
12 Taxus Canadensis (24 - 30 in. ht.)	EA	29	\$ 95.00	\$ 2,755.00	29	\$ 2,755.00			29	\$ 2,755.00		
13 Viburnum Dentatum 'Chicago Lustre' (30 - 35 in. ht.)	EA	5	\$ 95.00	\$ 475.00	5	\$ 475.00			5	\$ 475.00		
Ornamental Grasses & Ground Cover												
14 Calamagrostis X Acutiflora 'Karl Forester' (2 gal.)	EA	6	\$ 15.00	\$ 90.00	6	\$ 90.00			6	\$ 90.00		
15 Monarda 'Stella De Oro' (1 gal.)	EA	40	\$ 15.00	\$ 600.00	40	\$ 600.00			40	\$ 600.00		
16 Juniperus Conferta 'Emerald Sea' (15 - 18 in. ht.)	EA	45	\$ 15.00	\$ 675.00	45	\$ 675.00			45	\$ 675.00		
17 Linum Catharticum 'Big Blue' (1 gal.)	EA	97	\$ 15.00	\$ 1,455.00	97	\$ 1,455.00			97	\$ 1,455.00		
G. MISCELLANEOUS												
1 Trash Enclosure	EA	1	\$ 5,500.00	\$ 5,500.00	1	\$ 5,500.00			1	\$ 5,500.00		
2 Regulatory/Warning Signs	EA	41	\$ 250.00	\$ 10,250.00	41	\$ 10,250.00			41	\$ 10,250.00		
3 Striping	LS	1	\$ 5,000.00	\$ 5,000.00	1	\$ 5,000.00			1	\$ 5,000.00		
4 Construction Stakeout	LS	1	\$ 12,350.00	\$ 12,350.00	1	\$ 12,350.00			1	\$ 12,350.00		
5 As-Built Plans	LS	1	\$ 7,500.00	\$ 7,500.00	1	\$ 7,500.00			1	\$ 7,500.00		
H. ANNUAL CONSTRUCTION COST INCREASE PER PA. MPC \$508(h)												
1 10% Annual Construction Cost Increase (Balance as of mm/dd/yy = \$0.00)	LS	1	\$ -	\$ -	1	\$ -			1	\$ -		
L. CONTINGENCY												
1 10% Contingency (Released upon certification of completion and receipt of Maintenance Bond)	LS	1	\$ 73,544.19	\$ 73,544.19	1	\$ 73,544.19			1	\$ 73,544.19		

TOTAL = \$44,608.00

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

SUBJECT: Introduction of Interested Committee Members
MEETING DATE: January 24, 2022
BOARD LIAISON: Tanya C. Bamford, Chairwoman
INITIATED BY: Carolyn McCreary, Township Manager

BACKGROUND:

The Township solicited and received applications from residents interested in filling vacancies on the Parks and Recreation Advisory Board, and the Environmental Advisory Committee.

These residents were invited to introduce themselves to the Board this evening and give the Board an opportunity to ask any questions and formally appoint them.

Lynn Reamer	Parks & Recreation Board
Heather Pelletier	Parks & Recreation Board
Jonathan Katz	Environmental Advisory Committee
Catherine Mazzie	Environmental Advisory Committee (unable to attend)

RECOMMENDATION:

Staff recommends the Board of Supervisors appoint these residents to their respective committees.

MOTION/RESOLUTION:

Motion to appoint the following residents to committees and boards of the Township:

Lynn Reamer	Parks & Recreation	term expires 01/01/2027
Heather Pelletier	Parks & Recreation	term expires 01/01/2027
Jonathan Katz	Environmental Advisory Committee	term expires 01/01/2025
Catherine Mazzie	Environmental Advisory Committee	term expires 01/01/2025

- 1) Motion by: _____ Second by: _____
- 2) Chairwoman will ask for public comment.
- 3) Chairwoman to call for vote.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD INFORMATION SUMMARY
Item # 8

SUBJECT: Penn Medicine Proposed Land Development Project
MEETING DATE: January 24, 2022
BOARD LIAISON: Tanya C. Bamford, Chairwoman
INITIATED BY: Carolyn McCreary, Township Manager

BACKGROUND:

Township staff and our professionals met with representatives from Penn Medicine to discuss the development and construction of a multi-specialty care building on a vacant parcel located at 87 DeKalb Pike.

Representatives are here to introduce themselves and the project, answering any questions the Board of Supervisors may have.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 9

SUBJECT: Bharatiya Temple Learning Center – Preliminary/Final Land Development
MEETING DATE: January 24, 2022
BOARD LIAISON: Tanya C. Bamford, Chairwoman
INITIATED BY: ~~Bruce S. Shoupe, Director of Planning and Zoning~~
CAROLYN MCCREARY - TOWNSHIP MANAGER

BACKGROUND:

Attached are Township Staff and Consultant reviews for the consideration of the plan for the Bharatiya Temple Learning Center Phase II - LDS 707 land development plan located at the 1612 County Line Road.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

The Township Planning Commission recommended this project, subject to the Consultants and staff reviews. The Applicant must meet the requirements of the Land Use Appeal Settlement Stipulation Verification Agreement as ordered by the Montgomery County Court of Common Pleas Docket No. 2018-03410.

ALTERNATIVES/OPTIONS:

Approve or deny this plan with the conditions as outlined in the attached resolution.

MOTION/RESOLUTION:

MOTION to deny, approve or approve with conditions for the Bharatiya Temple Learning Center Phase II - LDS 707.

- 1) Motion by: _____ Second by: _____
- 2) Chairwoman will ask for public comment.
- 3) Chairwoman will call for vote.

MEMO

TO: Montgomery Township Board of Supervisors
FROM: Marianne McConnell, Deputy Zoning Officer
RE: Planning Commission Recommendation – Bharatiya Temple Phase II / LDS# 707
DATE: January 6, 2022

The applicant presented phase II of the proposed project to the Planning Commission during their November 18, 2021 meeting.

On a motion made by Jay Glickman and seconded by Steve Kremenecker, the Planning Commission recommended the Board of Supervisors approve the Land Development application subject to the Settlement Stipulation, Township's staff and consultant review letters and comments. All in Favor.

RESOLUTION #

MONTGOMERY TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

A RESOLUTION GRANTING CONDITIONAL PRELIMINARY/FINAL APPROVAL OF THE APPLICATION FOR THE LAND DEVELOPMENT FOR THE BHARATIYA TEMPLE CULTURAL AND LEARNING CENTER PHASE II – 1612 COUNTY LINE ROAD - LDS 707.

The Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, hereby resolves to grant conditional, preliminary/final approval of the subdivision land development plan for **Bharatiya Temple – Phase II** located at 1612 County Line Road, as more fully detailed on the plans listed on Exhibit “A” attached hereto and made part hereof and further conditioned upon the following being satisfied by the Applicant prior to the recording of the final plan:

1. Fulfilling all obligations and requirements of the **Gilmore Associates, Inc.** letters dated October 27, 2021; **Montgomery Township Fire Services** comments dated November 4, 2021; **Montgomery Township Police Department** comments dated December 4, 2020; **Montgomery County Planning Commission** comments dated September 11, 2019; and **Montgomery Township Planning Commission** recommendation dated January 6, 2022.
2. At the time of development of the owner/successor or assigned shall enter into a Land Development Agreement with the Township and post financial security in the amount of 110% of the total cost for all public improvements to the satisfaction of the Township Engineer and Township Solicitor for each lot of this subdivision and/or Land Development, if required. As used herein, the term “public improvements” shall include, but shall not be limited to, streets, parking areas, drive aisles, curbs, water mains, sanitary sewer pipes, manholes and appurtenances thereto, storm water facilities, rain gardens (best management practice) and appurtenances, grading, erosion and sediment control, lighting, required trees, shrubs and landscape buffering, monuments, pins and sidewalks. The record plan shall indicate phasing if required. Public improvements shall require financial security be posted in the amount of 15% of the total public improvement cost, regardless of whether such public improvements are dedicated to the Township, for a period not less than 18 months after Township Engineer approval. If the end of maintenance period for trees and other plantings ends outside the time period specified in 205-49, the maintenance period shall be extended to comply with this requirement and the appropriate financial security shall be provided to the satisfaction of the Township Solicitor.

3. Developer agrees it will pay the Township all reasonable cost of the Township for the preparation of the required Agreements, deed of dedication, and any easements, or releases and recording charges required to carry out the terms of this approval, as well as all engineering, inspection, and legal fees required by the Township in the approval of the Final Plan and its execution and administration during the building process. Such fees shall not exceed those charged to the Township by the engineering firm and attorney rendering the applicable service. In order to effect these reimbursements, Developer shall post a Cash Escrow as set forth by the Township Engineer. The Township shall provide monthly invoices for such costs. A seven and one-half (7.5%) charge will be applied to each monthly invoice to cover Township administration charges and costs. The fee will be deducted from the Developers Cash Escrow.
4. Executing, to the satisfaction of the Township Solicitor, the required Storm Water Management Facilities Maintenance and Monitoring Agreement and the required Landscaping Declaration of Covenants and Restrictions, with the Township if required.
5. Paying all outstanding Township Administrative, Consultant and Solicitors fees related to this project before plans and agreements are executed and recorded.
6. The Applicant shall satisfy the requirements of all Montgomery Township Codes, the Montgomery Township Municipal Sewer Authority and North Wales Water Authority. A copy of the Authorities' permits and/or agreements from the above must be provided to the Township.
7. The Applicant shall be responsible for obtaining all other Regulatory Authority Permits having jurisdiction over this project.
8. The Applicant acknowledges that Section 205-116 of the SALDO provides for the payment of a fee in lieu of the dedication of parkland for park and recreation purposes. The Applicant hereby agrees to accept the provisions of Section 205-116(A) (2) of the SALDO providing for the payment of \$0.50 per square foot for the first 10,000 sf and \$0.25 per square for each square foot thereafter for nonresidential development. This fee must be paid prior to the submission of an application for a building permit.
9. All storm water inlets and outfall structures shall be identified in accordance with the PADEP Municipal Separate Storm Sewer Systems requirements if required.
10. A note shall be placed on the plan listing any relief granted by the Zoning Hearing Board and waivers granted by the Board of Supervisors.
11. The Applicant must meet the requirements of the Montgomery County Court of Common Pleas Docket No. 2018-03410, which references Montgomery Township Zoning Hearing Board application, 17110001, which was denied January 18, 2018.

12. The PADEP Sewage Planning Module approval must be granted prior to recording of plan and agreements if required.

BE IT RESOLVED that the following **fifteen (15) waivers have been requested by the applicant and are granted to the extent that they concur with the comments of the consultants:**

General Comment: The Applicant acknowledges that the Township Consultants are recommending a fee-in-lieu of some of the above requested Waivers (particularly landscaping). The Applicant would like to discuss with the Board of Supervisors a satisfactory resolution to these waiver requests. (See applicant's attached letter of 9/17/21)

1. Section §205-10.H.(4) Parking Space Dimensions

A waiver to allow six (6) parking spaces to be 18 feet in depth rather than 20 feet in depth. This will allow a 26 feet wide fire lane in this location (east of the existing Temple building) where the access is constrained by an existing electrical transformer and buffer yard. The Township Zoning Ordinance specifically permits the parking spaces to be reduced to 18 feet in depth (Z.O. §230-138). **The Township Consultants support this request.**

☐ Granted ☐ Denied

2. Section §205-18.D(4)(d) Detention Basin Fencing

A waiver from the requirement to surround the existing stormwater basin with a four-foot-high fence. The waiver request is based on the following:

(1) Only minor alterations to the basin outlet structure and a proposed storm pipe are proposed as part of the project.

(2) fencing would be aesthetically unattractive.

(3) A dense, mature row of shrubs and trees currently screens and limits access to the basin from the Temple property and there is no sidewalk along County Line Road; and the basin was constructed in 2003 and has not experienced issues.

(4) The Applicant is willing to supplement the existing vegetation with additional shrubs to fill any gaps in vegetation as the Township requires to serve the same purpose as a fence.

A minimum four-foot-high fence, to the satisfaction of the Township Engineer, must be installed around the top of all facilities, public or private. The Applicant has noted that there is a landscape barrier around three sides of the basin and along the fourth is County Line Road, where no sidewalk exists. It appears from the information in the PCSW Report that the water depth in the basin will exceed 2 feet during the 1-year and larger storms.

The Township Consultants recommend that a fence be provided around the existing above-ground basin at this time since other modifications are proposed.

☐ Granted ☐ Denied

3. *Section §205-22.A. Sidewalk along County Line Road*

A waiver from the requirement to install sidewalk along the County Line Road Site frontage. There is no existing sidewalk within 400 feet of the property and the Applicant was granted a Waiver from the installation of sidewalk along County Line Road as part of the Phase 1 Final Approval. According to the Resolution of Final Approval, the Applicant was required to pay a fee-in-lieu of installing the sidewalk at the time of the Phase 1 Approval. It is unclear if this fee was paid and the nearest existing sidewalk is about 400 feet. **The Consultants defer to the Board of Supervisors.**

☐ Granted ☐ Denied

4. *Section §205-24.A Street Lighting*

A waiver is requested from the requirement to install street lighting along County Line Road (SR 2038). Street lighting was not required as part of the Phase 1 Final Approval or as part of the recent PennDOT County Line Road widening project. **The Township Consultants support this request.**

☐ Granted ☐ Denied

5. *Section §205-51.A.(9) and (10). Location of Existing Individual Trees*

A waiver from the requirement to locate individual trees outside the limit of earth disturbance. Trees outside the limit of disturbance will be protected with tree protection fencing during construction. **The Township Consultants have no objection to this request.**

☐ Granted ☐ Denied

6. *Section §205-52.B(2) and §205-53 Replacement Trees*

A waiver from the requirement to provide eight replacement trees is requested. The currently proposed Phase 2 limit of disturbance is slightly larger than the originally approved Phase 2 limit of disturbance in a few small areas. Based on the tree replacement calculation used for the Phase 1 Plan approval, this requires an additional eight (8) replacement trees. A waiver is requested as there is no space on the site to plant the replacement trees due to other proposed tree plantings, and preservation of existing trees. Also, the applicant is requesting confirmation that the replacement trees for the limit of the original Phase 2 disturbance was addressed with the Phase 1 approval.

It is unclear at this time if this waiver is required. Previous landscape plan submissions demonstrated compliance with this requirement, and it does not appear that any revisions have been made to the current submission. Additional clarification on this matter is needed.

Should a waiver be required, we have no objection to the waiver request provided a fee-in-lieu is provided. Eight (8) replacement trees x \$500 = \$4,000.00. See the applicant's general comment highlighted above regarding the fee in-lieu requirement.

☐ Granted ☐ Denied

7. *Section §205-52.C.(4)(c). Screen Buffer*

A waiver from the requirement to provide a double row of evergreens along the side property lines. The applicant is providing additional buffer plantings, existing vegetation and new and existing fencing. This waiver request is based on the following:

- (1) The ordinance does allow the use of fences in combination with plant material, subject to the approval of the Board of Supervisors.
- (2) The Board allowed the use of fence to serve as a buffer as part of the Phase 1 Final Approval.
- (3) To meet the planting requirement, existing mature trees and plantings would need to be removed.

The Township consultants have no objections to the waiver request but recommend a fee-in-lieu of the requirement of \$50,050. See the applicant's general comment highlighted above regarding the fee requirement.

☐ Granted ☐ Denied

8 Section §205-52.D(1)(a) & Table 1 – To waive parking lot perimeter shrubs.

Thirteen (13) existing perimeter parking spaces are to remain, with a total of thirty-nine (39) previously planted shrubs that will be disturbed or will not be replaced as part of the Phase 2 landscaping. A total of eighty-one (81) new perimeter parking spaces are proposed requiring an additional two hundred forty-three (243) shrubs around the parking lot perimeter. Therefore, the plan is deficient by a total of two hundred eighty-two (282) shrubs. A waiver has been requested due to spatial constraints and the screen buffer that will be installed in these locations. We have no objection to this waiver request provided a fee-in-lieu is provided.

The Township consultants have no objections to the waiver request but recommend a fee-in-lieu of the requirement of 282 shrubs x \$90 = \$25,380. See the applicant's general comment highlighted above regarding the fee in-lieu requirement.

9 Section §205-52.D.(1)(a) and Table 1. Parking Space Shade Trees

A waiver from the requirement to provide one shade tree per 10 parking spaces. The Plan proposes 4 of the required 20 Shade Trees.

The Township consultants have no objections to the waiver request but recommend a fee-in-lieu of the requirement of \$9,600. See the applicant's general comment highlighted above regarding the fee in-lieu requirement.

☐ Granted ☐ Denied

10 Section §205-52.D.(1)(e) and Table 1. Parking Lot Island Shade Trees

A waiver to plant the required Parking Lot Island Shade Trees in alternative location where utility or lighting conflicts exist. **The Township consultants have no objections to the waiver.**

☐ Granted ☐ Denied

11 Section §205-52.D.(1)(d) Raised Planter Islands

A waiver is requested to allow one row of parking spaces to terminate without a planting island. This is to allow the plan to provide the same number of parking spaces shown on the plan which accompanies the stipulated court order (210 parking spaces). Two spaces need to be removed to provide a connecting driveway to the adjoining parcel, as directed by the declaration of covenants agreement entered into between Montgomery Township and the property owner. **The Township consultants have no objections to the waiver.**

☐ Granted ☐ Denied

12 Section §205-52.D.(1)(g) Perpendicular Parking Island

A waiver from the requirement to provide a continuous island perpendicular to the parking spaces every 124 feet. One proposed parking area is 140 feet wide for four rows of spaces, due to a proposed dividing island between the second and third rows of parking. A second area includes two aisles that are 26 feet wide, resulting in a total width of 132 feet. **The Township consultants have no objections to the waiver.**

☐ Granted ☐ Denied

13 Section §205-78.B(1) Existing Features

A waiver from the requirement to show existing features within 400 feet of the subject property. An aerial map has been provided with the initial plan submission. The Applicant agrees to supply additional information deemed pertinent, if needed. At this time, **the Township consultants have stated that no additional information is necessary.**

☐ Granted ☐ Denied

14 *Section §206-11.K and §206-14.C(5)(d) Stormwater Storage Facilities*

A waiver from the requirement for stormwater storage facilities to drain completely in not more than 72 hours is requested. Two underground stone basins are proposed, designed in accordance with the Pennsylvania Department of Environmental Protection Managed Release Concept (MRC) standards, which require storage of one foot of water that does not drain. A waiver is requested to allow the MRC basins as BMPs in lieu of meeting the Township dewatering requirements. **The Township consultants have no objections to the waiver.**

☐ Granted ☐ Denied

15 *Section §206-14.B(2) and (4) Stormwater Facilities Capture*

A waiver from the requirement to capture the runoff volume from at least the first 2 inches of runoff from all new impervious surfaces. A waiver is requested to allow the MRC basins as BMPs in lieu of meeting the Township volume reduction requirements. **The Township consultants have no objections to the waiver.**

☐ Granted ☐ Denied

Resolution #
Page 9 of 10

This Resolution for LDS 707 shall become effective on the date upon which all of the above stated conditions are accepted by the Applicant in writing. If, for any reason, the Applicant fails to acknowledge the acceptance of the conditions contained in this Resolution within ten (10) days from the date of this Resolution, then the Preliminary/Final Plan approval granted herein shall become null and void, the waivers requested shall be deemed denied, and the plan shall be denied for failure to comply with Sections of the Township Zoning Ordinance and/or Township Subdivision and Land Development Ordinance for the reasons cited herein or as set forth in the letters referenced herein.

DULY PRESENTED AND ADOPTED by the Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, at a public meeting held this 24nd day of January 2022.

MOTION BY: _____

SECOND BY: _____ VOTE: _____

The above conditions are agreed to by

_____ this _____

day of _____, 2022.

Applicant(s) Sign

Applicant(s) Print

PLANS-STUDIES

<u>DESCRIPTION</u>	<u>ORIGINAL DATE</u>	<u>REVISED</u>
1. Land Development	8/12/19	9/17/21
2. Existing Features	8/12/19	9/17/21
3. Storm Sewer & Grading Plan	8/12/19	9/17/21
4. Utility Plan	8/12/19	9/17/21
5. Misc. Storm Sewer Profiles	8/12/19	9/17/21
6. Landscaping Plan	8/12/19	9/17/21
7. Post Construction SMP	8/12/19	9/17/21
8. PCSM Underground Bed A	8/12/19	9/17/21
9. PCSM Underground Bed B	8/12/19	9/17/21
10.PCSM Details	8/12/19	9/17/21
11.E&S Control Plan	8/12/19	9/17/21
12.E&S Details	8/12/19	9/17/21
13.E&S Details	8/12/19	9/17/21
14.Pre-Development Drainage Plan	8/12/19	9/17/21
15.Post-Development Drainage Plan	8/12/19	9/17/21
16.Lighting Plan	8/12/19	9/17/21
17.Construciton Improvements	8/12/19	9/17/21
18.Water and Sewer Details	8/12/19	9/17/21
Landscaping Details	8/12/19	9/17/21



October 27, 2021

File No. 13-04061-01

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

Reference: Preliminary Land Development Application – LDS#707
Bharatiya Temple Phase 2 - Cultural and Learning Center
1612 & 1610 ½ County Line Road - Bharatiya Temple, Inc.
Tax Map Parcel Numbers: 46-00-00565-00-1 (B/U 016/005) & 46-00-00571-00-4 (B/U 016/042)

Dear Bruce:

As requested, Gilmore & Associates, Inc. has reviewed the information listed below with regard to the preliminary and final land development and subdivision application referenced above.

- A. Preliminary Land Development Plans of Bharatiya Temple Cultural and Learning Center (28 sheets), prepared by Richard C. Mast Associates, P.C., dated August 12, 2019, last revised September 17, 2020.
- B. Comment Response Letter, prepared by Richard C. Mast Associates, P.C., dated September 17, 2021.
- C. Waiver Request Letter, prepared by Richard C. Mast Associates, P.C., dated September 17, 2021.

The application includes two lots: 1612 and 1610 ½ County Line Road (Tax Parcel Numbers 46 00 00565 00 1 & 46 00 00571 00 4). Both lots are within the R-1 Residential Zoning District. The Applicant proposes to consolidate the lots and to construct the following improvements on 1612 County Line Road: additional parking; a two-story, 5,244 square-foot (footprint) cultural and learning center building; a covered pavilion; storm water management facilities; and additions to the existing temple (i.e., a one-story, 554 square-foot storage area and a one-story, 580 square-foot kitchen). The plans also include a 12-foot wide paved access drive connection on the adjacent lot (1610½ County Line Road). This project was the subject of a Settlement Stipulation dated June 14, 2019.

We offer the following comments for consideration by the Montgomery Township Board of Supervisors. Our review includes consistency with the Township Comprehensive Plan, Township Zoning Ordinance (Chapter 230), Township Land Subdivision Ordinance (Chapter 205), Township Stormwater Management Ordinance (Chapter 206), and the Township Street Lighting Requirements (Chapter A237).

LANDSCAPE REVIEW

Settlement Stipulation

1. In accordance with the Settlement Stipulation dated June 14, 2019, "the property owner shall submit a buffering plan to the Township and buffer to the Township's satisfaction, particularly along property lines adjoining residential properties." A landscape plan showing buffering, fencing, and fencing repairs to address the screen buffer requirements has been submitted, and appears to meet the requirements of the settlement stipulation.

Subdivision and Land Development Ordinance (Chapter 205)

General Requirements

1. §205-49.C requires all landscape plans to be prepared by a landscape architect registered in the Commonwealth of Pennsylvania. The 9/17/21 response letter from Richard C. Mast Associates, P.C., indicates that the final plans will be signed and sealed by a Landscape Architect.

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

Landscape Plan Requirements

1. §205-51.A – The following information is required to be provided on the landscape plan:
 - A. §9 – the location of existing individual trees with trunks 8" in diameter. A waiver has been requested.
 - B. §10 – location, caliper and common name of all trees greater than 23" in caliper. A waiver has been requested.
 - C. §18 – a detailed cost estimate shall be attached to the final landscape plan submission for the preparation of the land development agreement. The 9/17/21 response letter indicates that a cost estimate will be provided after Final Plan approval and in conjunction with development of the Land Development Agreement.

Planting Requirements

1. §205-52.C requires the provision of a screen buffer along the side and rear property lines. In accordance with the settlement stipulation dated June 14, 2019, "the property owner is required to submit a buffering plan to the Township and buffer to the Township's satisfaction, particularly along property lines adjoining residential properties." The landscape plans have been revised to provide the required screen buffering. It appears that the proposed buffering meets the requirements of the settlement stipulation, with the exception of the following two administrative issues to be addressed:
 - A. § 205-52.C(4)(b) permits the use of fences in combination with plant material to meet screen buffer requirements subject to the approval of the Board of Supervisors and in conformance with ZO Section 230-148, Fences and Walls. The plans propose repairs and additions to the existing site perimeter fencing. The applicant has requested that the Supervisors approve the use of this fencing to meet a portion of the screen buffer requirements.
 - B. § 205-52.C(4)(c) requires that screen buffers shall consist of evergreen trees in double rows, staggered 10 to 15 feet on center according to species. A waiver has been requested from the double-row requirement due to spatial constraints and the simultaneous use of buffer trees and existing and proposed privacy fencing.
2. §205-52.D and Table 1 outline the requirements for parking area landscaping.
 - A. Table 1 requires the provision of one (1) shade tree for each 10 parking spaces within the entire lot. The plan is deficient by sixteen (16) parking lot shade trees. A waiver has been requested.
 - B. Table 1 requires the provision of six (6) shrubs for every two (2) spaces around the entire parking lot perimeter. The plan is deficient by a total of two hundred eighty-two (282) shrubs. A waiver has been requested.
 - C. Table 1 requires the provision of one shade tree for each 290 square feet of planting island. A waiver has been requested for the location of several trees due to lighting and utility conflicts.
 - D. § 205-52.D(1)(d) requires the provision of raised concrete curbing around planting islands. In order to provide the number of parking spaces required by the stipulated court order, one row of parking is proposed to terminate in striped spaces and not a planting island. A waiver has been requested.
 - E. § 205-52.D(1)(g) requires that for any land use where the total number of parking spaces exceeds 100, the parking area shall be divided by continuous islands perpendicular to the parking spaces every 124 feet. A waiver has been requested.

Preservation, Protection and Replacement of Trees

1. §205-53 outlines preservation and protection requirements for existing trees. The Phase 1 plan landscape requirements table indicates that one hundred seventy-four (174) replacement trees would be required at the time of development of Phase 2 (based on field verification on 6/5/01 with the Township Landscape Consultant, and based on the anticipated Phase 2 LOD as shown in the Phase 1 plans). The Applicant shall demonstrate that the Phase 2 replacement trees have been addressed to the Township's satisfaction.

2. §205-53 – a total of eight (8) additional replacement trees are required. The 9/17/21 response and 9/17/21 waiver request letters indicate that a waiver is requested from this requirement. However, previous landscape plan submissions demonstrated compliance with this requirement, and it does not appear that any revisions have been made to the current submission. Additional clarification is required as to whether these trees are to be provided, or if a waiver will be required.

General Comments

1. §205-55.A – no building permit shall be issued unless a performance bond or other surety approved by the Township solicitor has been filed with the Township in an amount equal to the cost of purchasing, planting, maintaining and replacing all vegetative materials for a period of 18 months after written acceptance of the landscape installation by the Township. The 9/17/21 response letter indicates that this will be completed after Final Plan approval and in conjunction with the development of the Land Development Agreement.

TRAFFIC REVIEW

1. §205-10.H(4) – All parking spaces shall be marked with all-weather paint with double parallel lines to be a minimum of six inches apart to separate each space. For a two-way aisle, the width must be a minimum of 26 feet. The Applicant is requesting a waiver to allow a parking space depth of 18 feet in lieu of 20 feet in order to provide an aisle with of 26 feet.
2. §205-17.A.(17) - Where parking spaces abut and are perpendicular to paved walkways, the design shall provide for placement of bollards spaced five feet on center, a minimum of 16 inches from the front face of the curb, edge of parking space across the width of all the parking spaces.
3. §205-22.A – Sidewalks shall be required at any location where the Supervisors shall determine that sidewalks are necessary for public safety or convenience. Sidewalk should be consider along the site frontage. This could serve as a portion of the missing sidewalk link between the sidewalk to the north on County Line Road and the sidewalk on Kingston Way. The Applicant is requesting a waiver from providing sidewalk along County Line Road.

ENGINEERING REVIEW

Subdivision and Land Development Ordinance (Chapter 205)

1. §205-18.D(4)(c) - A minimum four-foot-high fence, to the satisfaction of the Township Engineer, must be installed around the top of all facilities, public or private. The Applicant is requesting a waiver and has noted that there is a landscape barrier around three sides of the basin and along the fourth is County Line Road, where no sidewalk exists.
2. §205-22.A – The applicant is requesting a waiver installation of sidewalk along the site frontage since there is currently no sidewalk along County Line Road currently in this area.
3. §205-24.A – Street lighting is required along County Line Road (SR 2038). A waiver has been requested.
4. §205-28.A - No person shall commence or perform any grading, excavation, fill, topsoil removal or removal of vegetative cover without first having obtained a grading permit from the Township Zoning Officer upon the recommendation of the Township Engineer. The Applicant has noted that they will comply with this requirement.
5. §205-55.A - No building permit shall be issued unless a performance bond or other surety approved by the Township solicitor has been filed with the Township in an amount equal to the cost of purchasing, planting, maintaining and replacing all vegetative materials for a period of 18 months after written acceptance of the first landscape installation by the Township.
6. §205-78.B(1) - All existing features within 400 feet of the subject property shall be included on the plan. The applicant is requesting a waiver.
7. §205-82 – Upon completion of improvement construction, a completion certificate will be issued by the Township Secretary and the plan endorsed by the Township Engineer. The Applicant shall provide an as-built plan depicting construction of any and all improvements in sufficient detail to demonstrate conformance with the approved land development plans. The as-built plan shall be certified by a surveyor licensed in Pennsylvania.

Stormwater Management Ordinance (Chapter 206)

It is noted that the Applicant is reducing impervious coverage by almost 3,000 square feet. However, site disturbance appears to be greater than 5,000 square feet.

1. §206-11.K & §206-14.C(5)(d) - Storage facilities should completely drain the volume control capacity over a period of time not less than 24 hours and not more than 72 hours from the end of the design storm. Dewatering calculations shall be provided for the proposed BMPs. It is noted that the infiltration testing provided shows that infiltration is not possible on-site. The current configuration of MRC A shows approximately 1 foot of water that appears to not drain from the system, which is a design standard of the Managed Release Concept (MRC). A waiver has been requested to allow the MRC as a BMP in lieu of meeting the Township dewatering requirements.
2. §206-14.B(2) & (4) - Stormwater facilities shall capture the runoff volume from at least the first 2 inches of runoff from all new impervious surfaces. At least the first one inch of runoff volume from the new impervious surfaces shall be permanently removed from the runoff flow. Infiltration facilities should be designed to accommodate the first 0.5 inch of the permanently removed runoff. No more than one inch of runoff from impervious surfaces shall be released from the site. A waiver has been requested to allow the MRC as a BMP in lieu of meeting the Township volume reduction requirements.
3. §206-33. & §206-35 – The property owner shall enter into a stormwater facilities and BMP operations and maintenance agreement to the satisfaction of the Township Solicitor.

General Review

1. The Applicant should obtain all required approvals, permits, declarations of restrictions and covenants, etc. (e.g. PADEP, PennDOT, MCPC, Montgomery County Conservation District, Sewer Authority, Water Authority, Fire Marshal, etc.). Copies of these approvals and permits should be submitted to the Township and our office.
2. Legal descriptions for the consolidated lot and any proposed easements shall be provided for review and approval.

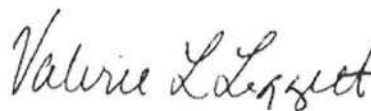
In order to help expedite the review process of the plan resubmission, we request that the Applicant submit a response letter which addresses each of the above comments. Changes that have been made to the application that are unrelated to the review comments should also be identified in the response letter. Please note that revision and/or modification of the plans may require review and additional comment.

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.



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



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

JSG/VLL/DAD/JPD/GJA/si

cc: Carolyn McCreary, Manager – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator – Montgomery Township
Montgomery Township Department of Fire Services
Sean Kilkenny, Esq., Solicitor – Kilkenny Law
Nand Todi – Bharatiya Temple, Inc.
Rick Mast, P.E., Project Manager - Richard C. Mast Associates, P.C.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

October 27, 2021

File No. 13-04061-01

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

Reference: **Waivers Request Review**
Preliminary Land Development Application – LDS#707
Bharatiya Temple Phase 2 - Cultural and Learning Center
1612 & 1610 ½ County Line Road - Bharatiya Temple, Inc.
Tax Map Parcel Numbers: 46-00-00565-00-1 (B/U 016/005) & 46-00-00571-00-4 (B/U 016/042)

Dear Bruce:

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

A. Waiver Request Letter, prepared by Richard C. Mast Associates, P.C., dated September 17, 2021.

The Applicant is requesting waivers from the following sections of Chapter 205.

1. §205-10.H(4) – To waive the requirement for parking spaces to be 20 feet deep for six parking spaces to be 18 feet deep. We have no objection to this waiver request.
2. §205-18.D(4)(d) – A minimum four-foot-high fence, to the satisfaction of the Township Engineer, must be installed around the top of all facilities, public or private. The Applicant has noted that there is a landscape barrier around three sides of the basin and along the fourth is County Line Road, where no sidewalk exists. It appears from the information in the PCSW Report that the water depth in the basin will exceed 2 feet during the 1-year and larger storms. We recommend that a fence be provided around the existing above-ground basin at this time since other modifications are proposed.
3. §205-22.A – To waive installation of sidewalk along the site frontage since there is currently no sidewalk along County Line Road currently in this area. We defer to the Board of Supervisors regarding this request. The distance to the nearest existing sidewalk is about 400 feet.
4. §205-24.A – To waive the requirement to install street lighting along County Line Road. We support this waiver request, as street lighting was not required or provided along this section of County Line Road by PennDOT as part of their recent road widening project.
5. §205-51.A(9) & (10) – To waive location of individual trees outside the limit of disturbance. As a significant amount of tree protection fencing is proposed to protect existing trees to remain outside the limit of disturbance, we have no objection to the waiver request.
6. §205-52.C(4)(c) – To waive the requirement to provide a double row of evergreens as requested. A waiver has been requested from the double-row requirement due to spatial constraints and the simultaneous use of existing and proposed privacy fencing. We have no objection to this waiver request provided a fee-in-lieu is provided. A total of ninety-one (91) evergreens in a single row are to be provided, therefore the plan is deficient by another ninety-one (91) trees. Ninety-one (91) evergreen trees x \$550.00 = \$50,050.00.

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

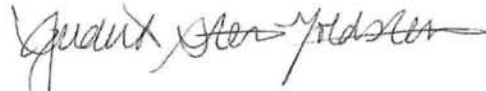
7. §205-52.D(1)(a) & Table 1 – To waive the requirement to provide one shade tree for each parking space, as well as perimeter shrubs. A waiver has been requested from installing 16 shade trees due to spatial constraints. We have no objection to this waiver request provided a fee-in-lieu is provided. Sixteen (16) shade trees x \$600.00 = \$9,600.00. Please note that the waiver request letter indicates SLDO Section 205-52.D(1)(e) as the section the waiver is requested from. The requirements for section (e) are separate from the trees per parking space requirement in Table 1, and as such the waiver should be requested from section (a).
8. §205-52.D(1)(a) & Table 1 – To waive parking lot perimeter shrubs. Thirteen (13) existing perimeter parking spaces are to remain, with a total of thirty-nine (39) previously planted shrubs that will be disturbed or will not be replaced as part of the Phase 2 landscaping. A total of eighty-one (81) new perimeter parking spaces are proposed requiring an additional two hundred forty-three (243) shrubs around the parking lot perimeter. Therefore, the plan is deficient by a total of two hundred eighty-two (282) shrubs. A waiver has been requested due to spatial constraints and the screen buffer that will be installed in these locations. We have no objection to this waiver request provided a fee-in-lieu is provided. Two hundred eighty-two (282) shrubs x \$90.00 = \$25,380.00.
9. §205-52.D(1)(e) & Table 1 – To waive specific placement requirements for shade trees. The Ordinance requires one shade tree for each 290 square feet of planting island. The required trees have been provided. However, the applicant has requested a waiver for the locations of several of these trees due to lighting and other constraints. We have no objection to this waiver request.
10. §205-52.D(1)(d) – To waive the requirement to install one planting island in order to accommodate the 210 required parking spaces. In order to provide the number of parking spaces required by the stipulated court order, one row of parking is proposed to terminate in striped spaces and not a planting island. We have no objection to this waiver request.
11. §205-52.D(1)(g) – To waive the requirement to provide a continuous island perpendicular to the parking spaces every 124 feet. We have no objection to this waiver request, as site constraints do not permit the addition of more than one of these continuous islands on the site.
12. §205-53 – To waive the requirement to provide eight (8) replacement trees. It is unclear at this time if this waiver is required. Previous landscape plan submissions demonstrated compliance with this requirement, and it does not appear that any revisions have been made to the current submission. Additional clarification on this matter is needed. Should a waiver be required, we have no objection to the waiver request provided a fee-in-lieu is provided. Eight (8) replacement trees x \$500 = \$4,000.00.
13. §205-78.B(1) – All existing features within 400 feet of the subject property shall be included on the plan. We do not object to this waiver request contingent upon the Applicant supplying any information deemed pertinent for future reviews. At this time no additional information is necessary.

The Applicant is requesting waivers from the following sections of Chapter 206.

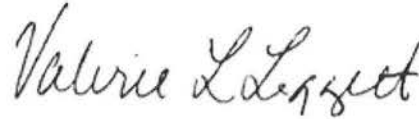
1. §206-11.K & §206-14.C(5)(d) – Storage facilities should completely drain the volume control capacity over a period of time not less than 24 hours and not more than 72 hours from the end of the design storm. Dewatering calculations shall be provided for the proposed BMPs. It is noted that the infiltration testing provided shows that infiltration is not possible on-site. The current configuration of MRC A shows approximately 1 foot of water that appears to not drain from the system, which is a design standard of the Managed Release Concept (MRC). A waiver is required to allow the MRC as a BMP in lieu of meeting the Township dewatering requirements. As the MRC is a BMP supported by the PADEP, we have no objection to this waiver request.
2. §206-14.B(2) & (4) – Stormwater facilities shall capture the runoff volume from at least the first 2 inches of runoff from all new impervious surfaces. At least the first one inch of runoff volume from the new impervious surfaces shall be permanently removed from the runoff flow. Infiltration facilities should be designed to accommodate the first 0.5 inch of the permanently removed runoff. No more than one inch of runoff from impervious surfaces shall be released from the site. A waiver is required to allow the MRC as a BMP in lieu of meeting the Township volume reduction requirements. As the MRC is a BMP supported by the PADEP, we have no objection to this waiver request.

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.



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



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

JSG/VLL//DAD/JPD/SW/si

cc: Carolyn McCreary, Manager – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator – Montgomery Township
Montgomery Township Department of Fire Services
Sean Kilkenny, Esq., Solicitor – Kilkenny Law
Nand Todi – Bharatiya Temple, Inc.
Richard C. Mast, P.E., President - Richard C. Mast Associates, P.C.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

October 27, 2021

File No. 2013-04061-01

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

Reference: Preliminary Land Development Application – LDS#707
Bharatiya Temple Phase 2 - Cultural and Learning Center
1612 & 1610 ½ County Line Road - Bharatiya Temple, Inc.
Tax Map Parcel Numbers: 46-00-00565-00-1 (B/U 016/005) & 46-00-00571-00-4 (B/U 016/042)

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. completed an accessibility review of the Land Development Plans for Bharatiya Temple Cultural and Learning Center (28 sheets), prepared by Richard C. Mast Associates, P.C., dated August 12, 2019, last revised September 17, 2021.

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

Based upon our review, we offer no further comments with respect to the accessibility provisions of the Pennsylvania Uniform Construction Code, specifically the 2018 International Building Code (IBC), 2015 International Existing Building Code (IEBC), and/or the ICC/ANSI A117.1-2009 Accessible and Usable Buildings and Facilities (ICC) standards.

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

Sincerely,

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

VJE/sl

cc: Carolyn McCreary, Manager – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator – Montgomery Township
Montgomery Township Department of Fire Services
Sean Kilkenny, Esq., Solicitor – Kilkenny Law
Nand Todi – Bharatiya Temple, Inc.
Joshua K. Gross, P.E., Project Manager - Richard C. Mast Associates, P.C.
Judith Stern Goldstein, ASLA, R.L.A. – Gilmore & Associates, Inc.
Damon Drummond, P.E., PTOE – Gilmore & Associates, Inc.
James P. Dougherty, P.E., Senior Project Manager – Gilmore & Associates, Inc.

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

=



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

William Wiegman
DIRECTOR OF FIRE SERVICES
FIRE MARSHAL
EMERGENCY MANAGEMENT
COORDINATOR

FIRE MARSHALS OFFICE:
215-393-6936

November 4, 2021

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

Re: 1210 County Line Rd Bharatiya Temple Cultural and Learning Center

Dear Bruce:

Thank you for allowing the Fire Marshal's Office to comment on the proposed land development plans of the: Bharatiya Temple Cultural and Learning Center

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

1. **503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities.

Comment: The applicant proposes to install subsurface detention basins. The basin should be designed to support the imposed loads of our fire apparatus. Design calculations shall be submitted to the Township Engineer for review and approval.

2. **912.0 Fire Department Connection(s).** Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.6. A fire hydrant shall be located within 100 feet of Fire Department connection.

Comment: All Fire Department Connections shall be shown on the plans for both buildings and shall not be obstructed. The Temples FDC current location shall be relocated away from the building and outside of pavilion and covered walkways to comply. The FDC location on the leaning center is accepted as proposed along with both fire hydrants proposed. Comment: This item was addressed in revision 11-13-2020 and that both FDC's shall be of a 5" Storz connection. On revision dated 9-17-21 shall provide a clearly identified location of the remote FDC for the Temple and the sprinkler coverage shall include the enclosed walkways.

3. **D105.2 Width.** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet (9144 m) in height. **Comment: This item has been addressed in revision dated 9-17-21**
4. **503.2.4 Turning radius.** The required turning radius of a fire apparatus access road shall be determined by the *fire code official*. **Comment: The applicant shall submit the Fire Departments new vehicle movement plan showing that our fire apparatus can maneuver through the site.**

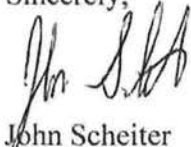
GENERAL COMMENTS

5. All buildings that are 5,000 square feet or more shall be fully sprinklered and the Fire Department Connection shall be shown to indicate exact location.
Comment: Both new additions added to the Temple shall be sprinklered as well as new building underground passage and enclosed walkways proposed.
6. All buildings of Truss Construction SHALL comply with the Montgomery Township Truss Ordinance #04-188. Truss emblems can be obtained through the Fire Marshal's Office or Code Enforcement Office. The Fire Marshal's Office SHALL be contacted in regards to placement of truss placard.

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

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

Sincerely,



John Scheiter
Captain / Asst. Fire Marshal



MONTGOMERY TOWNSHIP POLICE DEPARTMENT

J. Scott Bendig
Chief of Police

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

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

From: J. Scott Bendig, Chief of Police

Date: December 4, 2020

Re: LDS #: 707
Date of Plan: 11/13/2020
Bharatiya Temple Phase II Cultural and Learning Center

A review of the above-referenced subdivision/land development was conducted on this date. Concern exists regarding the proposed secondary means of ingress/egress from the adjacent property. The secondary ingress/egress on the adjacent property should be engineered and constructed to support large emergency vehicles' travel and movement in the event that the primary ingress/egress becomes inaccessible.

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

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

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



**MONTGOMERY COUNTY
PLANNING COMMISSION**

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

JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

September 11, 2019

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

Re: MCPC #19-0214-001
Plan Name: Bharatiya Temple Cultural and Learning Center
(1 lot comprising 3.25 acres)
Situate: 1612 County Line Road, near Kingston Way
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced land development plan in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on August 15, 2019. We forward this letter as a report of our review.

BACKGROUND

The applicant, Bharatiya Temple, Inc., proposes to construct a 10,646-square foot 2-story building in the rear of their property as well as two smaller additions totaling 1,134 square feet to their existing building. The new building would serve as a cultural and learning center and have a covered walkway and pavilion connecting it to the main temple building. Access to and sidewalks along County Line Road are not impacted with the development proposal. Additional stormwater management is proposed with two new underground stormwater basins below proposed parking areas which will drain into an existing basin in the front of the property.

This property is in the R-1 Residential zoning district. A settlement stipulation agreement was reached between the applicant and the Montgomery Township Zoning Hearing Board, with certain settlement terms reached that exceed standard R-1 regulations, including a 26 foot parking setback at the property line versus a standard of 30 feet, and a maximum impervious coverage for the site of 44.4% as opposed to 30% in the code. Certain additional items are also included in the stipulation agreement regarding uses, landscape buffering, lighting, stormwater management, and trash pickup locations.

COMPREHENSIVE PLAN COMPLIANCE

Montgomery Township's 2008 Comprehensive Plan Update Vision Plan identifies this parcel as part of the township's Low-Density Residential area. We believe that this project is generally compatible with the township's vision plan, especially once the stipulations of the court settlement agreement are considered.



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

RECOMMENDATION

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

REVIEW COMMENTS

LANDSCAPING

1. The MCPC understands that certain elements of the landscaping plan will be determined by the terms of the settlement stipulation agreement. We believe that there are areas in the parking lot and parking lot islands that could be utilized to provide additional greenery and shade. We defer the final decisions and recommendations to the Township and their landscape architect consultants.

CONCLUSION

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

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

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files. Please print the assigned MCPC number (#19-0214-001) on any plans submitted for final recording.

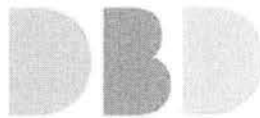
Sincerely,



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

cc: Bharatiya Temple, Inc., Applicant
Joshua Gross, P.E., Applicant's Engineer
Lawrence Gregan, Township Manager
Jay Glickman, Chairman, Township Planning Commission

Attachment: Land Development Plan



DISCHELL BARTLE DOOLEY

Law Offices

Mark B. Dischell
Frank R. Bartle
John T. Dooley
Jonathan B. Young
Eric C. Frey
Robert J. Iannozzi Jr.
Elizabeth J. Billies
Eric F. Wert
Joseph E. Bresnan
Inna G. Materese
Jessica L. Torres

Of Counsel:

David W. Conver
Sean E. Cullen
Robert G. Rosen
George E. Saba Jr.
Theodore A. Schwartz

June 12, 2019

Sent by Email Only

COURT ADMINISTRATION
Attn: Jackie McAllister
P.O. Box 311
Norristown, PA 19404-0311
JMCALLIS@montcopa.org

RE: MONTGOMERY TOWNSHIP
Zoning Appeal
MCCCP Docket No. 2018-03410
Proposed Settlement

Dear Jackie:

The parties have settled this Appeal. Enclosed is the Settlement Stipulation signed by all parties, with the required "Land Use Appeal Settlement Stipulation Verification", now required under Local Rule 14(i). Please forward to the appropriate signing Judge for approval-consideration. Thank you.



ROBERT J. IANNOZZI JR.

Attachment

Email copy sent to:
Carl N. Weiner, Esquire
Mary Kay Kelm, Esquire
Frank R. Bartle, Esquire
Larry J. Gregan Township Manager
Bruce S. Shoupe, Director of Planning and Zoning

A Professional Corporation

MONTGOMERY COUNTY COURT OF COMMON PLEAS

BHARATIYA TEMPLE INC.

vs.

MONTGOMERY TOWNSHIP ZONING
HEARING BOARD, *et al*

: Docket No. 2018-03410
:
:
:
:
:
:
:

ORDER

AND NOW, this _____ day of _____, 20____, it is hereby ORDERED and DECREED that the terms and conditions of the attached Settlement Stipulation are accepted as terms and conditions of a binding Court Order.

IT IS FURTHER ORDERED and DECREED that the Montgomery County Prothonotary shall mark the above-captioned action "settled, discontinued and ended."

BY THE COURT:

J.

Copies of the above Order mailed on _____ to:
Carl N. Weiner, Esquire
Mary Kay Kelm, Esquire
Frank R. Bartle, Esquire
Robert J. Iannozzi Jr., Esquire
Court Administration – Civil

Judicial Secretary

FRANK R. BARTLE, ESQUIRE

Attorney ID #25509

ROBERT J. IANNOZZI JR., ESQUIRE

Attorney ID #89957

Dischell Bartle & Dooley, PC

1800 Pennbrook Parkway

Lansdale PA 19446

215-362-2474

Attorneys for Intervenor

MONTGOMERY TOWNSHIP

MONTGOMERY COUNTY COURT OF COMMON PLEAS

BHARATIYA TEMPLE INC.

vs.

MONTGOMERY TOWNSHIP ZONING
HEARING BOARD, *et al*

: Docket No. 2018-03410
:
:
:
:
:
:
:

SETTLEMENT STIPULATION

Parties

1. Appellant is the Property Owner, Bharatiya Temple Inc. ("Property Owner").
2. Appellee is the Montgomery Township Zoning Hearing Board ("Zoning Board").
3. Intervenor is Montgomery Township ("Township").

Property

4. The Property, which consists of approximately 6.24 acres, is located at 1612 County Line Road, within the Township's R-1 Residential District,

and is further identified as Tax Parcel Number 46-00-00565-001 ("Property").

5. The Property is improved with a 10,130 square-foot temple building that was constructed in 2004.
6. Property Owner proposes to construct the following improvements on the Property: additional parking; a two-story, a 10,488 square-foot (5,244 square-feet per floor) cultural and learning center building; and additions to the existing temple (i.e., a one-story, 554 square-foot storage area building and a one-story, 580 square-foot kitchen) ("Proposed Improvements").

Zoning Appeal

7. In November 2017, Property Owner filed a zoning application with the Zoning Board (Application No. 17110001) requesting a variance under Article V, Section 230-26(E)(1) of the Township's Zoning Ordinance to facilitate the Proposed Improvements ("Application").
8. After conducting a public hearing on the Application, on January 18, 2018, the Zoning Board denied the Application.¹
9. On February 14, 2018, Property Owner appealed to this Court from the Zoning Board's denial.

Settlement Terms

10. 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.
11. Accordingly, the parties, intending to be legally bound, and to bind their respective clients, agree to the following settlement terms:
 - 11.1 Property Owner's Proposed Improvements shall be consistent with the site plan, attached as Exhibit "A", and in accordance with the following dimensional limitations:

¹ The public hearing was duly advertised and conducted in accord with Pennsylvania's Sunshine Act and Second Class Township Code, as amended.

Minimum Lot Area	7.6 Acres
Minimum Lot Width at Building Line	394 Feet
Minimum Front Yard	178 Feet
Minimum Side Yard	104 Feet
Minimum Rear Yard	272 Feet
Minimum Building Setback at Property Lines	104 Feet
Minimum Parking Setback at Property Lines	26 Feet
Maximum Building Coverage	6.9%
Maximum Impervious Coverage	44.4%
Maximum Building Height	37 Feet
Minimum Parking Spaces	210


- 11.2 Property Owner agrees that the proposed two-story cultural and learning center building on the Property shall not be used for catering, wedding receptions, or banquets.
- 11.3 Property Owner shall submit a buffering plan to the Township and buffer to the Township's satisfaction, particularly along property lines adjoining residential properties.
- 11.4 The trash dumpster (currently depicted on the bottom left of the attached site plan) shall be relocated closer to the temple building to the satisfaction of the Township.
- 11.5 Property Owner shall withdraw its current zoning application ("Application No. 18040001") before the Township.
- 11.6 Property Owner agrees to install any additional stormwater management facilities deemed necessary due to the Proposed Improvements. Such stormwater management facilities shall be installed to the Township Engineer's satisfaction.
- 11.7 Property Owner agrees that any additional lighting required in association with the Proposed Improvements shall be installed, in accord with applicable Township Code, so as to ensure there is no

improper light-spillage on adjoining properties. Such additional lighting shall be installed to the Township Engineer's satisfaction.

- 11.8 This appeal shall be marked as "Settled, Discontinued and Ended" upon Court-approval of this Stipulation.
12. 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.
13. 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.
14. 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.
15. Each party shall bear its own costs as incurred.
16. This Stipulation shall be binding upon, and inures to the benefit of the undersigned, their clients, successors, grantees, heirs and assigns.

CARL N. WEINER
Attorney for Property Owner

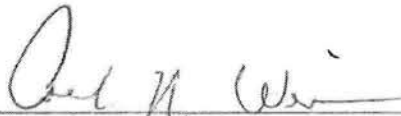
MARY KAY KELM
*Attorney for Montgomery Township
Zoning Hearing Board*



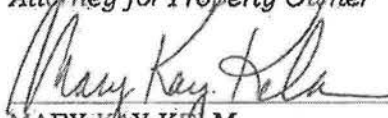
FRANK R. BARTLE
ROBERT J. IANNOZZI JR.
Attorneys for Montgomery Township

improper light-spillage on adjoining properties. Such additional lighting shall be installed to the Township Engineer's satisfaction.

- 11.8 This appeal shall be marked as "Settled, Discontinued and Ended" upon Court-approval of this Stipulation.
12. 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.
13. 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.
14. 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.
15. Each party shall bear its own costs as incurred.
16. This Stipulation shall be binding upon, and inures to the benefit of the undersigned, their clients, successors, grantees, heirs and assigns.



CARL N. WEINER
Attorney for Property Owner



MARY KAY KELM
*Attorney for Montgomery Township
Zoning Hearing Board*



FRANK R. BARTLE
ROBERT J. LA NOZZI JR.
Attorneys for Montgomery Township

EXHIBIT "A"

Site Plan with Dimensional Limitations

GENERAL NOTES

1. ON THE BASIS OF THE INFORMATION PROVIDED BY THE PROPERTY OWNER, THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS.
2. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS.
3. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS.
4. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS.
5. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS.
6. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS.
7. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS.
8. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS.
9. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS.
10. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS. THE PROPERTY IS LOCATED IN THE CITY OF CHICAGO, ILLINOIS.

ON NOVEMBER 5, 1995, THE BRIGHTVIEW "THUNDER" SOUNDING LEADING SHOCK GRANTED A SPECIAL RECEIPT OF AMOUNTS FROM THE PROVISIONS OF SECTION 2512(a) TO A FLORIDA TRUSTEE IN A RESIDENTIAL TRUST IN CONNECTION WITH THE DEED.

BOUNDARY AND TOPOGRAPHIC INFORMATION TAKEN FROM PLANS OF "TEMPORARILY ACQUIRED PROPERTY" (TAP) OF THE "THUNDER" SOUNDING LEADING SHOCK GRANTOR, BART ASSOCIATES, P.C., CONSTRUCTED IN JANUARY 1994, SHOWS A ROADWAY, 10 FEET WIDE, ADJACENT TO THE TRUST PROPERTY, LOCATED AT THE INTERSECTION OF WALKING POND LANE, 100' BY 100'.

LEGAL BOUNDARY NOT TAKEN FROM FACTS DURING ATTORNEY'S RESEARCH OF THE RECORDS OF THE COUNTY OF DALLAS, TEXAS.

NO MAP OF THE SUBJECT TRACT IN EXISTENCE IN A TRACT OF 7,000 PLANS, BASED ON THE FLOOD RESURGENCE MAP OF 1981, MAP NO. 031210270 EFFECTIVE DATE 1981, 10' WIDE, 10' BY 10'.

THE EXISTING ROAD PROPOSED BEING OWNED BY AN INDIVIDUAL WITH PUBLIC UTILITY SERVICE, UTILITIES BY CONNECTIONS BY "THUNDER" SOUNDING LEADING ASSOCIATES.

U.S.G.S. MAPPER AND DOWNTOWN BANGOR 7.5' SERIES

U.S.G. ARMY AND DISTRICT OF COLUMBIA 7.5° SOWS

[illegible][illegible]

TYPE	PARKING SPACES
EXISTING SPACES TO REMAIN	82
EXISTING SPACES TO REMAIN (ACCESSIBLE)	5
PROPOSED NEW SPACE	143
PROPOSED NEW SPACE (ACCESSIBLE)	3
TOTAL SPACES (ACCESSIBLE)	8
TOTAL SPACES	150

TYPE	PARKING SPACES
EXISTING SPACES TO REMAIN	82
EXISTING SPACES TO REMAIN (ACCESSIBLE)	5
PROPOSED NEW SPACE	143
PROPOSED NEW SPACE (ACCESSIBLE)	3
TOTAL SPACES (ACCESSIBLE)	8
TOTAL SPACES	150

PARCEL NO.:	44-00-00955-02-E
TAX MAP:	SECTOR 16 - UNIT 1
SEID:	90005505 PAGE 1578
PARCEL LOCATION:	1612 COUNTRY LANE ROAD
TRACT AREA (1/4) (LEGAL 5/4 1/4)	2.123 ACRES
PARCEL NO.:	44-00-00957-02-A
TAX MAP:	SECTOR 16 - UNIT #1
SEID:	90005505 PAGE 1290
PARCEL LOCATION:	1612 COUNTRY LANE ROAD
TRACT AREA (1/4) (LEGAL 5/4 1/4)	1.615 ACRES
OWNER OF RECORD:	SHARLENE REMPEL, INC.

PARCEL NO.:	44-00-00955-02-E
TAX MAP:	SECTOR 16 - UNIT 1
SEID:	90005505 PAGE 1578
PARCEL LOCATION:	1612 COUNTRY LANE ROAD
TRACT AREA (1/4) (LEGAL 5/4 1/4)	2.123 ACRES
PARCEL NO.:	44-00-00957-02-A
TAX MAP:	SECTOR 16 - UNIT #1
SEID:	90005505 PAGE 1290
PARCEL LOCATION:	1612 COUNTRY LANE ROAD
TRACT AREA (1/4) (LEGAL 5/4 1/4)	1.615 ACRES
OWNER OF RECORD:	SHARLENE REMPEL, INC.

[illegible][illegible]

MONTGOMERY TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA

 Richard C. Mast Associates.

Consisting Engineers and Surveyors
www.rivindia.com

250 Maryland Pkwy, Suite 150 Haddonfield, PA 19033 (610) 293-2100	SHIPPED BY FEMA	PAGE LABEL RCM	PROJECT NO 2994	DATE 5
---	--------------------	-------------------	--------------------	-----------

doi:10.1017/S0022292412001616

LAND USE APPEAL
SETTLEMENT STIPULATION VERIFICATION


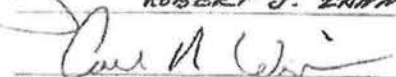
We, the undersigned, are competent and authorized to execute this Verification, as required by Local Rule 14 (i), verifying the following:

1. The attached settlement stipulation involves a justiciable land use appeal, which (a) arises from a properly advertised public meeting or hearing where a record certified in accordance with Local Rule of 14 (c) (iii) was made before the associated municipal agency, and the public and potential objectors had an opportunity to participate in accord with the Pennsylvania Municipalities Planning Code and Sunshine Law, as amended respectively; and as such (b) confers jurisdiction on this Court in accord with the Pennsylvania Municipalities Planning Code or other lawful land use action such as mandamus;
2. The attached settlement stipulation does not involve any property that was not part of the underlying application or action before the associated municipal agency;
3. The attached settlement stipulation does not approve or grant relief from any ordinance regulation not properly before the associated municipal agency as part of the underlying application or action;
4. The attached settlement stipulation does not provide for this Court's continuing jurisdiction and expressly states that upon this Court's approval of the settlement stipulation, any and all underlying appeals shall be immediately marked "settled, discontinued and ended" by the Prothonotary; and
5. The attached settlement stipulation does not arise from a matter commenced by and immediately following the filing of a writ of summons praecipe under Pa.R.C.P. 1007(1), where no complaint is filed of record expressly identifying the underlying action as one involving a justiciable land use appeal.

In making this Verification, we the undersigned, understand that (1) any settlement stipulation lacking the above settlement criteria shall render the settlement null and void in its entirety, upon the proper motion and determination by this Court; and (2) any falsifications herein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

DATE:

6/4/19


ROBERT J. DANNEBERG JR.


Signed by Parties or
Counsel Authorized by Parties

LAND USE APPEAL
SETTLEMENT STIPULATION VERIFICATION

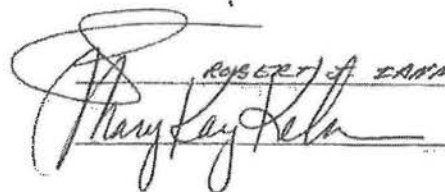
We, the undersigned, are competent and authorized to execute this Verification, as required by Local Rule 14 (i), verifying the following:

1. The attached settlement stipulation involves a justiciable land use appeal, which (a) arises from a properly advertised public meeting or hearing where a record certified in accordance with Local Rule of 14 (c) (iii) was made before the associated municipal agency, and the public and potential objectors had an opportunity to participate in accord with the Pennsylvania Municipalities Planning Code and Sunshine Law, as amended respectively; and as such (b) confers jurisdiction on this Court in accord with the Pennsylvania Municipalities Planning Code or other lawful land use action such as mandamus;
2. The attached settlement stipulation does not involve any property that was not part of the underlying application or action before the associated municipal agency;
3. The attached settlement stipulation does not approve or grant relief from any ordinance regulation not properly before the associated municipal agency as part of the underlying application or action;
4. The attached settlement stipulation does not provide for this Court's continuing jurisdiction and expressly states that upon this Court's approval of the settlement stipulation, any and all underlying appeals shall be immediately marked "settled, discontinued and ended" by the Prothonotary; and
5. The attached settlement stipulation does not arise from a matter commenced by and immediately following the filing of a writ of summons praecipe under Pa.R.C.P. 1007(1), where no complaint is filed of record expressly identifying the underlying action as one involving a justiciable land use appeal.

In making this Verification, we the undersigned, understand that (1) any settlement stipulation lacking the above settlement criteria shall render the settlement null and void in its entirety, upon the proper motion and determination by this Court; and (2) any falsifications herein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

DATE:

6/4/19

 ROBERT J. LANZETTA JR.

Signed by Parties or
Counsel Authorized by Parties

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 10.

SUBJECT: Shake Shack Land Development Plan Approval – LDS 716
MEETING DATE: January 24, 2022
BOARD LIAISON: Tanya C. Bamford, Chairwoman
INITIATED BY: ~~Bruce S. Shoupe, Director of Planning and Zoning~~
CAROLYN McCREARY - TOWNSHIP MANAGER

BACKGROUND:

Attached are Township Staff and Consultant reviews for the consideration of the plan for the Shack Shake land development located at the Airport Square Shopping Center at the former Wendy's Restaurant pad site.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

The Township Planning Commission recommended this project, subject to the Consultants and staff reviews.

ALTERNATIVES/OPTIONS:

Approve or deny this plan with the conditions as outlined in the attached resolution.

MOTION/RESOLUTION:

MOTION to approve Resolution #2022-05, granting conditional preliminary/final approval of the application for the land development located at Airport Square Shopping Center on Bethlehem Pike - Shake Shack LDS 716.

- 1) Motion by: _____ Second by: _____
- 2) Chair will ask for public comment.
- 3) Chair will call for vote.

RESOLUTION #2022-05

MONTGOMERY TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

A RESOLUTION GRANTING CONDITIONAL PRELIMINARY/FINAL APPROVAL OF THE APPLICATION FOR THE LAND DEVELOPMENT LOCATED AT AIRPORT SQUARE SHOPPING CENTER ON BETHLEHEM PIKE – SHAKE SHACK - LDS 716.

The Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, hereby resolves to grant conditional, preliminary/final approval of the subdivision land development plan for **Shake Shack** located at Airport Square Shopping Center, as more fully detailed on the plans listed on Exhibit "A" attached hereto and made part hereof and further conditioned upon the following being satisfied by the Applicant prior to the recording of the final plan:

1. Applicant shall resolve, to the satisfaction of the Township Engineer, all of the obligations and requirements of the **Gilmore Associates, Inc.** letters dated September 30, 2021 (engineering and *accessibility review*), November 12, 2021 engineering and *accessibility review*; **Montgomery Township Fire Services** comments dated September 29, 2021; **Montgomery Township Police Department** comments dated September 16, 2021 and November 11, 2021; **Montgomery County Planning Commission** comments dated October 6, 2021; **Montgomery Township Planning Commission** recommendation dated November 18, 2021; **Montgomery Township Zoning Officer's** review dated November 11, 2021.
2. At the time of development of the owner/successor or assigned shall enter into a Land Development Agreement with the Township and posting financial security in the amount of 110% of the total cost for all public improvements to the satisfaction of the Township Engineer and Township Solicitor for each lot of this subdivision and/or Land Development if required. As used herein, the term "public improvements" shall include, but shall not be limited to, streets, parking areas, drive aisles, curbs, water mains, sanitary sewer pipes, manholes and appurtenances thereto, storm water facilities, rain gardens (best management practice) and appurtenances, grading, erosion and sediment control, lighting, required trees, shrubs and landscape buffering, monuments, pins and sidewalks. The record plan shall indicate phasing if required. Public improvements shall require financial security be posted in the amount of 15% of the total public improvement cost, regardless of whether such public improvements are dedicated to the Township, for a period not less than 18 months after Township Engineer approval. If the end of maintenance period for trees and other plantings ends outside the time period specified in **205-49**, the maintenance period shall be extended to comply with this requirement and the appropriate financial security shall be provided to the satisfaction of the Township Solicitor.

3. Developer agrees it will pay the Township all reasonable cost of the Township for the preparation of the required Agreements, deed of dedication, and any easements, or releases and recording charges required to carry out the terms of this approval, as well as all engineering, inspection, and legal fees required by the Township in the approval of the Final Plan and its execution and administration during the building process. Such fees shall not exceed those charged to the Township by the engineering firm and attorney rendering the applicable service. In order to effect these reimbursements, Developer shall post a Cash Escrow as set forth by the Township Engineer. The Township shall provide monthly invoices for such costs. A seven and one-half (7.5%) charge will be applied to each monthly invoice to cover Township administration charges and costs. The fee will be deducted from the Developers Cash Escrow.
4. Executing, to the satisfaction of the Township Solicitor, the required Storm Water Management Facilities Maintenance and Monitoring Agreement and the required Landscaping Declaration of Covenants and Restrictions, with the Township if required.
5. Paying all outstanding Township Administrative, Consultant and Solicitors fees related to this project before plans and agreements are executed and recorded.
6. The Applicant shall satisfy the requirements of all Montgomery Township Codes, the Montgomery Township Municipal Sewer Authority and North Wales Water Authority. A copy of the Authorities' permits and/or agreements from the above must be provided to the Township.
7. The Applicant shall be responsible for obtaining all other Regulatory Authority Permits having jurisdiction over this project.
8. The Applicant acknowledges that Section 205-116 of the SALDO provides for the payment of a fee in lieu of the dedication of parkland for park and recreation purposes. The Applicant hereby agrees to accept the provisions of Section 205-116(A) (2) of the SALDO providing for the payment of \$0.50 per square foot for the first 10,000 sf and \$0.25 per square for each square foot thereafter for nonresidential development. This fee must be paid prior to the submission of an application for a building permit.
9. All storm water inlets and outfall structures shall be identified in accordance with the PADEP Municipal Separate Storm Sewer Systems requirements if required.
10. A note shall be placed on the plan listing any relief granted by the Zoning Hearing Board or waivers granted by the Board of Supervisors.

11. The Applicant must meet the requirements of the Zoning Hearing Board Opinion and Order # 21060004, dated July 29, 2021 and Order # regarding this development
12. The PADEP Sewage Planning Module approval must be granted prior to recording of plan and agreements if required.
13. Please See Section 205-22 of the Montgomery Township Code, where required. Sidewalks shall be required at any location where the Supervisors shall determine that sidewalks are necessary for public safety or convenience.

BE IT RESOLVED that the following nine (9) waivers have been requested by the applicant and are granted to the extent that they concur with the comments of the consultants:

1. Waiver from Section §205-25.C (3) which requires a softening buffer along all road frontages.

There is currently no buffer landscaping along the entire Route 309 frontage (approximately 2000 LF); therefore, a waiver is requested from adding landscaping along just the Wendy's frontage (approximately 150 linear feet)

The Consultants have no objection to this waiver requested provided a fee-in-lieu is provided in the amount of \$5,460.00.

☐ Granted ☐ Denied

2. Waiver from Section 205-52. D(1)(f) which requires the perimeter of all parking areas adjacent to a public street to be softened by a continuous hedge.

There is currently no buffer landscaping along the entire Route 309 frontage (approximately 2000 LF); therefore, a waiver is requested from adding landscaping along just the Wendy's frontage (approximately 150 linear feet).

The Consultants have no objection to this waiver requested provided a fee-in-lieu is provided in the amount of \$3,510.00.

☐ Granted ☐ Denied

3. Waiver from Section §205-10.H (6) which requires a dedicated loading space for all retail/wholesale/industrial uses requiring regular delivery by a semi-trailer truck.

Deliveries are made via the proposed ramp to the rear door of the building. Suppliers are provided with a 4hr window to complete deliveries, which are normally done overnight and early morning when Shake Shack is closed.

The Consultants have no objection to this waiver requested.

☐ Granted ☐ Denied

4. Waiver from Section §205-10.H(7)(b) which requires ADA spaces to be 12' wide by 20' long.

An eight (8') foot wide striped area is provided between the two (2) proposed eight (8') foot wide ADA spaces per ADA standards. This overall effective width of 24' for two (2) ADA spaces meets the townships requirement of two (2) spaces at 12' each. Regarding the stall depth requirement of 20', the proposed ADA spaces are being located in an area of existing stalls where the existing stall depth is 18'. These spaces are adjacent to a grassed area where a minimum of 2' vehicle overhang is provided.

The Consultants have no objection to this waiver requested.

☐ Granted ☐ Denied

5. Waiver from Section §205-17. A (7) which requires bollards to be placed along all parking spaces located adjacent and perpendicular to sidewalk.

The two (2) parking spaces placed near the front door on the south side of the building have curbing and a wall in between the parking spaces and the sidewalk. Therefore, no overhang into the sidewalk is possible and the wall provides protection to the building.

The Consultants have no objection to this waiver requested.

☐ Granted ☐ Denied

6. Waiver from Section §205-101 which requires a traffic study for all commercial developments.

This proposed 3304 Shake Shack restaurant replaces a former Wendy's restaurant of similar size (3045 sf). The increase in size is negligible and any increase in anticipated traffic on the surrounding road network would also be negligible.

The Consultants have no objection to this waiver requested.

☐ Granted ☐ Denied

7. Waiver from Section §205-10.H (4) & §205-25. A (3) which requires one-way drive aisles to be a minimum of 22'.

In order to better channel vehicles through the drive-thru area, the drive-thru is designed with 12' one-way drive-thru lane. This area is adequate to allow vehicles to navigate the drive-thru without impacting the surrounding curbing and a vehicle turning template has been provided. In addition, a 15' wide one-way driveway entrance is provided near the trash enclosure which also adequately provides enough width for cars to enter the pad site. Any wider may encourage two-way circulation in this area. Also, some of the existing parking spaces are being reused which are non-conforming 8 feet by 18 feet vs. 10 feet by 20 feet required.

The Consultants have no objection to this waiver requested.

☐ Granted ☐ Denied

8. Waiver from Section §205-78. B(1) & (2) which requires all physical features within 400' of the site to be provided.

In lieu of providing survey information for all physical features within 400' of the site, an Aerial Plan was provided showing the surrounding site area including the entire Airport Square Shopping center. This plan is in addition to the detailed survey information provided for the former Wendy's pad site as shown on the Existing Conditions Plan.

The Consultants offer the follow comments: §205-78. B (1) – No objection. The existing features and aerial mapping provided are adequate. The applicant shall provide any additional information determined to be necessary for review by the Township.

☐ Granted ☐ Denied

9. Waiver from Section §205-81 & §205-82 to allow a simultaneous preliminary & final application submission.

All information required for preliminary and final plan submission was included in the plan set provided to the township. Due to the limited scope of this re-development project, a waiver is requested from making separate preliminary then final submissions.

The Consultants offer the follow comments: §205-81 & 205-82 – No objection to concurrent preliminary and final plan processing.

☐ Granted ☐ Denied

This Resolution for LDS 716 shall become effective on the date upon which all of the above stated conditions are accepted by the Applicant in writing. If, for any reason, the Applicant fails to acknowledge the acceptance of the conditions contained in this Resolution within ten (10) days from the date of this Resolution, then the Preliminary/Final Plan approval granted herein shall become null and void, the waivers requested shall be deemed denied, and the plan shall be denied for failure to comply with Sections of the Township Zoning Ordinance and/or Township Subdivision and Land Development Ordinance for the reasons cited herein or as set forth in the letters referenced herein.

DULY PRESENTED AND ADOPTED by the Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, at a public meeting held this 24th day of January, 2022.

MOTION BY: _____

SECOND BY: _____ VOTE: _____

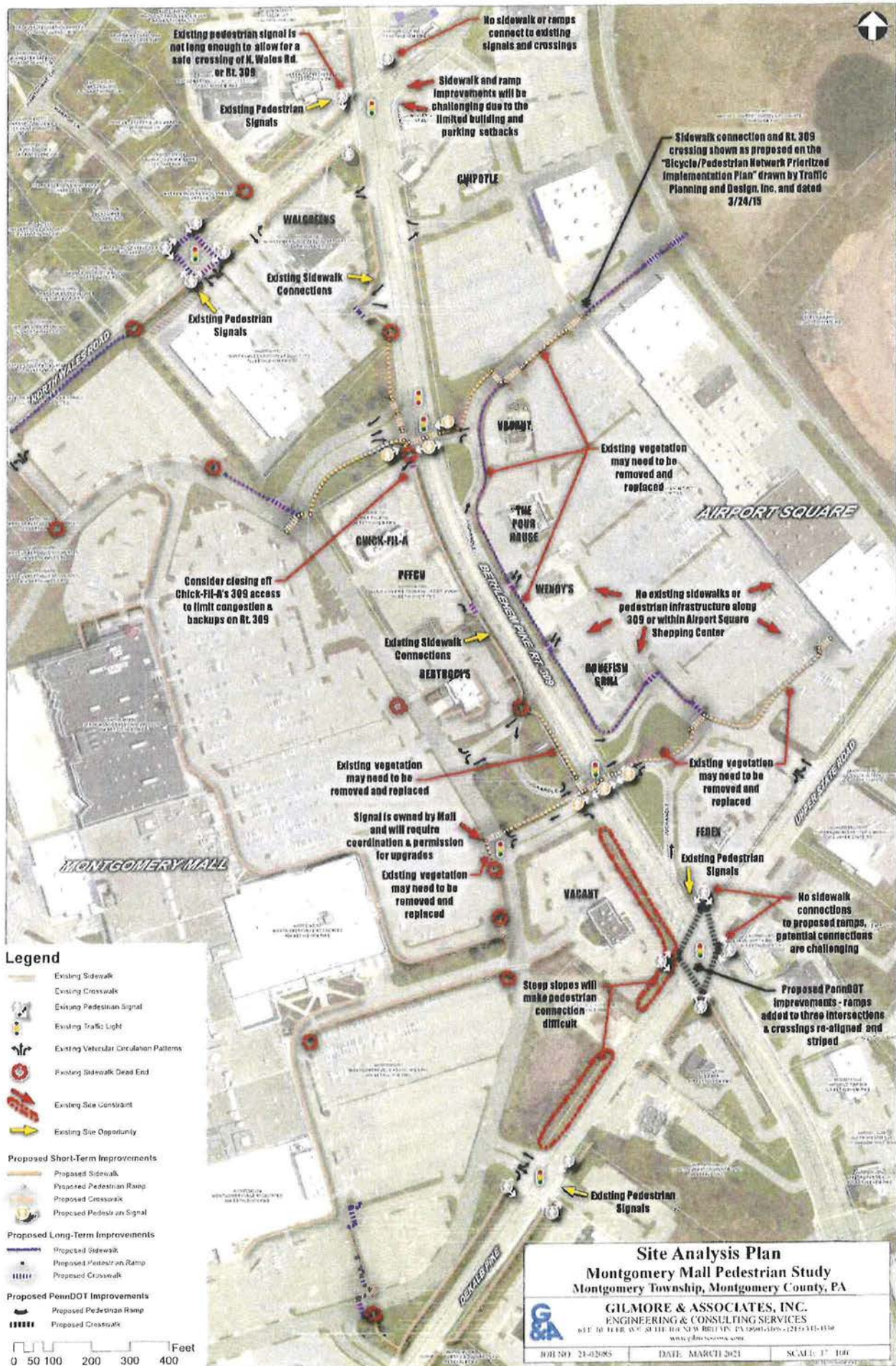
The above conditions are agreed to by _____ this
day of _____, 2022.

Applicant(s) Sign

Applicant(s) Print

PLANS-STUDIES

<u>DESCRIPTION</u>	<u>ORIGINAL DATE</u>	<u>REVISED</u>
1. Cover Sheet	4/16/21	8/16/21
2. Notes Sheet	4/16/21	8/16/21
3. Existing Condition and Demo	4/16/21	8/16/21
4. Overall Site Plan	4/16/21	8/16/21
5. Grading and Utility	4/16/21	8/16/21
6. Soil Erosion Sediment Control Plan	4/16/21	8/16/21
7. Soil Erosion/Sediment Notes Detail	4/16/21	8/16/21
8. Landscape Plan	4/16/21	8/16/21
9. Lighting Plan	4/16/21	8/16/21
10. Aerial Plan	4/16/21	8/16/21
11. Details	4/16/21	8/16/21





GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

November 12, 2021

File No. 2021-09033

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

Reference: **Preliminary/Final Land Development Application – LDS#716**
Shake Shack at 801 Bethlehem Pike, Airport Square Shopping Center
Gateway DC Properties c/o Wilder Companies, LTD
Tax Map Parcel Number: 46-00-00142-00-1; Block 12, Unit 11

Dear Bruce:

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

- A. Preliminary/Final Land Development Plans for Shake Shack – Gateway DC Properties c/o Wilder Companies prepared by Bohler Engineering PA, LLC (16 Sheets), dated February 19, 2021, last revised October 18, 2021.
- B. Comment Response Letter prepared by Bohler Engineering PA, LLC, dated October 28, 2021.
- C. Waiver Justification Memo, prepared by Bohler Engineering PA, LLC, dated October 28, 2021.
- D. Building Finishes and Renderings Plans for Shake Shack Montgomeryville prepared by Bergmeyer (4 Sheets), dated June 21, 2021.
- E. Route 309 Wayfinding Sign Plan prepared by Bohler Engineering PA, LLC, dated October 26, 2021.

The site is within the S – Shopping Center Zoning District, Airport Square Shopping Center, and is bounded by Bethlehem Pike (S.R. 309), Upper State Road, General Hancock Boulevard and Airport Square Road. The use of Retail & Restaurant with outdoor counter service, drive-thru, or curb service is permitted by right. The use of Outdoor Patio Seating is permitted by Special Exception granted by the Township on July 29, 2021. The overall project area consists of an existing 38.361 acre Airport Square Shopping Center parcel with 10 existing buildings which contain various retail, restaurant and service uses with associated parking and site improvements which are permitted uses in this zone. The site is served by public sewer and water facilities.

The Applicant, Gateway DC Properties, proposes to demolish the existing Wendy's building and parking to construct a new 3,304 square foot drive-through and fast food facility and a 985 square feet patio/outdoor dining. The use is permitted by right within the District; and the proposed outdoor dining area has been permitted by special exception. Also proposed are appurtenant utility modifications and landscaping. There is an overall reduction in impervious coverage. No changes are proposed to the Shopping Center's access or circulation. Please note, this review is of the Shake Shack restaurant building addition only, the Overall Site Plan indicates multiple retail expansions and the construction of a proposed Panera Restaurant, these have not been considered at this time.

We offer the following comments for consideration by the Montgomery Township Board of Supervisors. Our review includes consistency with the Township Comprehensive Plan, Township Zoning Ordinance (Chapter 230), Township Land Subdivision Ordinance (Chapter 205), Township Stormwater Management Ordinance (Chapter 206), and the Township Street Lighting Requirements (Chapter A237).

PLANNING REVIEW

1. Use

- a. As per ZO Table 230-A, the proposed fast-food restaurant with drive-thru use is permitted within the S Shopping Center Zoning District.
- b. As per ZO Section 230-156.4, an outdoor dining area is permitted as an accessory to a restaurant use by special exception in the S District.

2. Existing Conditions and Surrounding Land Uses

- a. The site is part of the existing Airport Square Shopping Center. The site is surrounded by commercial/retail uses.
- b. The site is located in the S Shopping Center District and has frontage along Bethlehem Pike.

3. Consistency with the Comprehensive Plan

As per the 2008 Comprehensive Plan Update the property is identified as Retail. The Vision Plan identifies the property as commercial. The proposed development is generally consistent with the Montgomery Township Comprehensive Plan.

4. Traffic and Pedestrian Circulation Patterns

- a. The property has several access drives from Bethlehem Pike, one access drive from Upper State Road, and two access drives from General Hancock Boulevard. No new access drives are proposed as part of this development.
- b. The plans show a drive-thru stacking lane for eight vehicles. It should be noted that if vehicles are stacked in excess of eight vehicles the line of vehicles will extend into the parking lot drive aisle. Vehicles stacked in the drive aisle may impede vehicle circulation within the parking area. In a response letter dated October 28, 2021, it was indicated the intent of the drive-thru is for pickup of mobile orders and no orders will be placed at the drive-thru, therefore long queue lines are not anticipated.
- c. No pedestrian sidewalks or walkways currently exist on the property. No sidewalks or walkways are proposed as part of this application.
- d. The Montgomery Mall Pedestrian Study Site Analysis Plan recommends some long-term improvements to the project site area including a pedestrian ramp and crosswalks along the frontage of Bethlehem Pike. The applicant should discuss these proposed improvements with the Township.

5. Wayfinding Signage

- a. The plans do not show the details of the proposed signage, including type, size, style, or specific sign text. In addition to showing the direction to Rt. 309 North or South, it would be helpful to include destination information on any signs that are proposed near the entrances or exits onto Rt. 309 and Upper State Road. Templates for wayfinding and destination signage that were developed for the Montgomery Mall area are included for reference.
- b. No wayfinding signage is proposed near the entrances for either of the jughandles located along Rt. 309 North. Wayfinding signage recommendations developed for the Montgomery Mall area include wayfinding signage with destination information at the entrances to both jughandles. If deemed acceptable by PennDOT standards and regulations, the applicant should include wayfinding and destination signage at these two locations.

LANDSCAPE REVIEW

Subdivision and Land Development Ordinance (Chapter 205)

6. §205-25.C(3) requires the provision and maintenance of a softening buffer along all road frontages. Seven (7) shade trees and fourteen (14) shrubs are required. A waiver has been requested.
7. §205-52.D(1)(f) requires the provision of a continuous low hedge around the outside perimeter of the parking lot where located within 100 feet of a public street. The required thirty-nine (39) shrubs have not been provided. A waiver has been requested.

8. §205-56.C – the plans shall be revised to provide the proposed shade trees at a minimum size of 3" caliper as specified in this section.

LIGHTING REVIEW

The applicant has addressed our previous comments. We do not have additional lighting comments currently.

TRAFFIC REVIEW

Subdivision and Land Development Ordinance (Chapter 205)

9. §205-10.G(2) – The current layout may cause backup of the drive-thru lane onto the intersecting internal circulation road. Queuing for the drive-thru must be further evaluated and addressed. The site plan indicates availability for eight (8) queued vehicles; however, the spacing presented is inadequate as it does not allow for any spacing between vehicles bumpers. Revise the plans to provide a standard 25 feet per stacked vehicle within the drive-thru lane. Regarding the previous concerns with queued vehicles backing into the main drive aisle, the applicant indicates that the drive-thru lane will be for pick-up of items ordered through their mobile app and that no orders will be placed within the drive-thru lane. They anticipate queues of 2-3 vehicles. We recommend adding a general note to the plan that all drive-thru orders are to be preordered via web application. No order board or kiosk will be provided in the drive thru lane. Any modifications to the operation of the drive-thru will need to be reviewed and approved by the Township. In addition, the plan should be revised to show the 25 feet per stacked vehicle, which in this case would accommodate 6 vehicles in lieu of the 8 vehicles shown on the plan.
10. §205-10.H(4) – As noted previously, parking stalls shall be 10 feet wide by 20 feet deep for commercial land uses. We note that the existing spaces are approximately 8 feet by 18 feet. As a portion of the parking area is being restriped, the Applicant should request a waiver from this requirement to maintain the existing non-conformity.
11. §205-10.H(6) – Indicate the location of the off-street loading area on the plans. Provide vehicle turning templates for the largest vehicle anticipated to ensure maneuverability within the site. The applicant is requesting a waiver from providing a dedicated loading space. They note that deliveries will be made at the rear of the building during off-peak hours (overnight and early morning). Vehicle turning templates should still be provided to show that the movement can be made by the largest anticipated delivery vehicle.
12. §205-10.H(7)(b) – We recommend the applicant obtain a waiver to allow accessible parking spaces meeting Federal standards rather than the dimensions required by the Township Ordinance. The applicant has requested a waiver from this section. The accessible spaces as depicted on the plans appear to comply with the Federal standards.
13. §205-25.D – As mentioned previously, improvements for the overall internal and external pedestrian connectivity for the shopping center should be discussed with the Township Planning consultant. The traffic signals at Route 309 and the shopping center are currently being redesigned to accommodate pedestrian crossings. Therefore, pedestrian connections/sidewalks accessing these signals from the Airport Square Shopping center should be considered with the proposed changes to the shopping center. A pedestrian connection along Route 309 to the signal just south of Bonefish Grill should be provided.
14. §205-101 – A traffic study is required for all commercial developments. We note that the applicant is requesting a waiver from this requirement.

General

15. Verify the elevations and/or slope of the ramp on the northeast corner of the building. Based on the elevations indicated, the slope appears to be less than 8% indicated.
16. Provide details for all proposed striping, including text legends (i.e., STOP and DO NOT ENTER text, etc.).
17. Update the sign details on Sheet 12 to indicate the dimensions proposed.
18. The vehicle turning template for the delivery truck shows that the parking areas will be utilized for maneuvering. Therefore, add a note on the plans indicating that deliveries will be made during overnight or early morning hours when the restaurant is closed to patrons to avoid conflicts.
19. Update the vehicle turning templates to demonstrate that firetrucks, garbage trucks and delivery trucks are able to access the site from either direction (left in/out and right in/out). Additionally, update the template for the passenger vehicle to show the right-in maneuver from the main shopping plaza drive aisle (traveling southbound) to the drive-thru lane.

20. As stated previously, eliminate the southeastern crosswalk or provide a pedestrian ADA facilities and refuge area on the parking side of the crossing. We note that the Applicant indicates that this item will be discussed with the Planning Commission. Ensure that the plans are consistent between sheets (i.e., the southeastern crosswalk is shown on Sheet 5 but is not shown on Sheet 4).

ENGINEERING REVIEW

Zoning Ordinance (Chapter 230)

The current plan appears to be in conformance with the Township's Zoning Ordinance.

Subdivision and Land Development Ordinance (Chapter 205)

21. §205-10.H(4) & 205-25.A(3) – Drive aisles are required to be a minimum of 22 feet wide. A waiver is required to permit the proposed 12-foot-wide drive-thru aisle and the 15-foot one-way entrance at the rear of the lease area. The applicant has requested a waiver from these sections. We note these reduced width drive aisles are not adjacent to parking and provided adequate circulation for the intended purpose.
22. §205-17.A(7) - Bollards are required to be placed along all parking spaces located adjacent and perpendicular to sidewalk. The Applicant has requested a waiver from this section stating that the two parking spaces placed near the front door on the south side of the building have curbing and a wall in between the parking spaces and the sidewalk.
23. §205-19 & 20 – The Applicant shall provide documentation of approval for the proposed public sewer and water services.
24. §205-29 – The Applicant shall obtain an adequacy review from the Montgomery County Conservation District.
25. §205-78.B(1) & (2) – The plans are required to include: the location, names, and widths of streets and alleys, including existing streets; the location and names of railroads; the location of property lines and names of owners; the location of watercourses, sanitary sewers, storm drains and similar features within 400 feet of any part of the land to be subdivided. A waiver has been requested to permit less information beyond the project boundary to the west.
26. §205-81 & 82 – The applicant has requested a waiver to permit the simultaneous processing of the preliminary and final plans.

Stormwater Management Ordinance (Chapter 206)

The current plan appears to be in conformance with the Township's Stormwater management Ordinance.

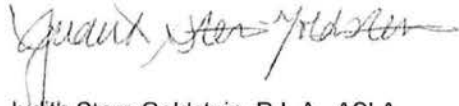
General

27. The Applicant should obtain all required approvals, permits, declarations of restrictions and covenants, etc. (e.g. PADEP, PennDOT, MCPC, Montgomery County Conservation District, Sewer Authority, Water Authority, Fire Marshal, etc.). Copies of these approvals and permits should be submitted to the Township and our office.
28. There is a 12" CMP that is shown directed towards the existing and new building but stops in the middle of the drive aisle on the south side of the building. The Applicant shall verify where this pipe goes with regards to demolition. The applicant is currently researching the routing of the existing storm pipes in and around the pad site.
29. The applicant has included several new landscaped islands where impervious cover now exists. It appears these new islands may eliminate several parking spaces. The parking information on the Overall Site Plan (Sheet 4) should be updated as needed so that the number of parking spaces reported is accurate. It appears that the number of parking spaces provided will comply with zoning requirements.
30. Site Accessibility review will be provided under separate cover.

In order to help expedite review of the plan resubmission, we request that the Applicant submit a response letter which addresses each of the above comments. Changes that have been made to the application that are unrelated to the review comments should also be identified in the response letter. Please note that revision and/or modification of the plans may require review and additional comment.

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/gja/sl

Enclosure: wayfinding and destination signage templates

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
Kelli Burke – Gateway DC Properties c/o Wilder Companies, LTD
Ronald E. Klos, Jr., P.E. – Bohler Engineering PA, LLC

← RT. 309 NORTH

9.5"
(typ)

Montgomeryville
Quakertown

8"
(typ)

51"

→ RT. 309 SOUTH

4"
(typ)

Spring House
Philadelphia

48"

RIGHT LANE

9.5"
(typ)

↑ Airport Square

8"
(typ)

LEFT LANE

9.5"
(typ)

↑ Chik-Fil-A

8" 51"
(typ)

← 309 South

4"
(typ)

← Spring House

48"

Montgomery Mall Area - Wayfinding Sign - Jughandle Template



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

November 12, 2021

File No. 2021-09033

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

Reference: **Waiver Request Review**
Preliminary/Final Subdivision and Land Development Application – LDS#716
Shake Shack at 801 Bethlehem Pike, Airport Square Shopping Center
Gateway DC Properties c/o Wilder Companies, LTD
Tax Map Parcel Number: 46-00-00142-00-1; Block 12, Unit 11

Dear Bruce:

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

A. Waiver Request Letter for Shake Shack, dated October 28, 2021.

Waivers Requested

1. §205-25.C(3) requires the provision and maintenance of a softening buffer along all road frontages. Seven (7) shade trees and fourteen (14) shrubs are required. The Applicant has stated that there is currently no buffer landscaping along the entire Route 309 frontage (approximately 2000 LF); therefore, a waiver is requested from adding landscaping along just the Wendy's frontage (approximately 150 linear feet). We have no objection to this waiver request provided a fee-in-lieu is provided. Seven (7) shade trees x \$600.00 = \$4,200.00. Fourteen shrubs (14) x \$90.00 = \$1,260.00. Total fee-in-lieu = \$5,460.00.
2. §205-52.D(1)(e) requires 1 shade tree to be planted for each 290 square foot planting island. The Applicant states that existing/proposed landscaping islands within this pad area currently contain trees/landscaping or there are existing utilities within the parking islands which would preclude trees from being planted. The required trees have been shown in the submitted landscape plan. It appears that this waiver is not required.
3. §205-52.D(1)(f) requires the perimeter of all parking areas adjacent to a public street to be softened by a continuous hedge. The Applicant has stated that there is currently no buffer landscaping along the entire Route 309 frontage (approximately 2000 LF); therefore, a waiver is requested from adding landscaping along just the Wendy's frontage (approximately 150 linear feet). We have no objection to this waiver request provided a fee-in-lieu is provided. Thirty-nine (39) shrubs x \$90.00 = \$3,510.00.
4. §205-10.H(6) requires a dedicated loading space for all retail/wholesale/industrial uses requiring regular delivery by a semi-trailer truck. The Applicant has stated that deliveries are made via the proposed ramp to the rear door of the building. Suppliers are provided with a 4hr window to complete deliveries, which are normally done overnight and early morning when Shake Shack is closed. We have no objection to this waiver request.
5. §Section 205-10.H(7)(b) requires ADA spaces to be 12' wide by 20' long. The Applicant has proposed accessible spaces that comply with Federal Standards. We have no objection to this waiver request.

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

6. §205-17.A(7) requires bollards to be placed along all parking spaces located adjacent and perpendicular to sidewalk. The Applicant has stated that the two parking spaces placed near the front door on the south side of the building have curbing and a wall in between the parking spaces and the sidewalk. We have no objection to this waiver request.
7. §Section 205-101 requires a traffic study for all commercial developments. The Applicant has stated that this proposed 3304 sf Shake Shack restaurant replaces a former Wendy's restaurant of similar size (3045 sf). The increase in size is negligible and any increase in anticipated traffic on the surrounding road network would also be negligible. We have no objection to this waiver request.
8. §205-10.H(4) & 205-25.A(3) requires one-way drive aisles to be a minimum of 22'. A waiver is required to permit the proposed 12-foot-wide drive-thru aisle and the 15-foot one-way entrance at the rear of the lease area. The applicant has requested a waiver from these sections. We note these reduced width drive aisles are not adjacent to parking and provided adequate circulation for the intended purpose. We have no objection to this waiver request.
9. §205-78.B(1) & (2) requires all physical features within 400' of the site to be provided. The Applicant has stated that in lieu of providing survey information for all physical features within 400' of the site, an Aerial Plan was provided showing the surrounding site area including the entire Airport Square Shopping center. This plan is in addition to the detailed survey information provided for the former Wendy's pad site as shown on the Existing Conditions Plan. We have no objection to this waiver request.
10. §Section 205-81 & 205-82 to allow a simultaneous preliminary & final application submission. The Applicant has stated that all information required for preliminary and final plan submission was included in the plan set provided to the township. Due to the limited scope of this re-development project, a waiver is requested from making separate preliminary then final submissions. We have no objection to this waiver request.

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/CEG/JPD/GJA/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
Kelli Burke – Gateway DC Properties c/o Wilder Companies, LTD
Ronald E. Klos, Jr., P.E. – Bohler Engineering PA, LLC



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

November 12, 2021

File No. 2021-09033

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

Reference: Preliminary/Final Land Development Application – LDS#716
Shake Shack at 801 Bethlehem Pike, Airport Square Shopping Center
Gateway DC Properties c/o Wilder Companies, LTD
Tax Map Parcel Number: 46-00-00142-00-1; Block 12, Unit 11

Dear Bruce:

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

I. SUBMISSION

- A. Preliminary/Final Land Development Plans for Shake Shack – Gateway DC Properties, Inc c/o The Wilder Companies, LTD. prepared by Bohler Engineering (15 Sheets), dated February 19, 2021, last revised August 16, 2021.

II. ACCESSIBILITY REVIEW COMMENTS

Based on our review, the following items do not appear to comply with the accessibility provisions of Pennsylvania's Uniform Construction Code, specifically the 2018 International Building Code (IBC), 2015 International Existing Building Code (IEBC), and/or the ICC A117.1-2009 Accessible and Usable Buildings and Facilities (ICC):

1. ICC §403 – A detail should be provided for the proposed patio to confirm the floor surface requirements of this section are met. Alternatively, a note should be added to the plan stating the patio surface will comply with the requirements of this section, including a maximum change in height of ¼ inch between pavers.
2. ICC §403 & §406 – The proposed accessible routes shall comply with the walking surface and curb ramp requirements. We offer the following comments with respect to the requirements of these sections:
 - a. The detectable warning surfaces should be added to the grading details located on the Details, Sheet 15.
 - b. Additional spot elevations should be provided between the leading edge of the detectable warning surface (DWS) and back of curb to show a maximum slope of 2% in the triangular area of the proposed curb ramp.
 - c. We note the plan proposes a curb ramp, as opposed to a ramp, along the eastern side of the proposed patio. In accordance with ICC §406.9, handrails are not required; however, handrails may be installed at the discretion of the Applicant.

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

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

Sincerely,



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

VJE/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
Kelli Burke – Gateway DC Properties c/o Wilder Companies, LTD
Ronald E. Klos, Jr., P.E. – Bohler Engineering PA, LLC



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

William Wiegman
DIRECTOR OF FIRE SERVICES
FIRE MARSHAL
EMERGENCY MANAGEMENT
COORDINATOR
FIRE MARSHALS OFFICE:
215-393-6936

November 11, 2021

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

Re: Shake Shack

Dear Bruce:

Thank you for allowing the Fire Marshal's Office to comment on the proposed land development plans of the: Shake Shack

Using the 2015 edition of the International Fire Code for guidance, the Fire Marshal's Office offers the following comments:

1. **503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities. **This item has been addressed in revision dated 10-18-21.**
2. **503.2.2 Authority.** The *fire code official* shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction. **Comment: Shall provide a minimum of 26 feet around building for emergency access. This item has been addressed in revision dated 10-18-21.**
3. **503.2.4 Turning radius.** The required turning radius of a fire apparatus access road shall be determined by the *fire code official*.
Comment: Shall provide truck turning template of MTFD ladder truck maneuvering around building.
4. **503.3 Marking.** Where required by the *fire code official*, *approved* signs or other *approved* notices or markings that include the words NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. "NO PARKING FIRE LANE" signage SHALL be provided at all fire lanes at intervals of not more than 50 ft. or as otherwise directed by the Fire Marshal's Office.
 - Fire apparatus roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a *fire lane*.

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

This item has been addressed in revision dated 10-18-21.

5. **505.1 Address identification.** New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 05. Inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure. **This item has been addressed in revision dated 10-18-21.**

GENERAL COMMENTS

6. Any gas services that are accessible/vulnerable to vehicular traffic SHALL have approved vehicle impact protection installed. **This item has been addressed in revision dated 10-18-21.**
7. All buildings of Truss Construction SHALL comply with the Montgomery Township Truss Ordinance #04-188. Truss emblems can be obtained through the Fire Marshal's Office or Code Enforcement Office. The Fire Marshal's Office SHALL be contacted in regards to placement of truss placard. **This item has been addressed in revision dated 10-18-21.**
8. Fire Department key boxes (Knox Box) SHALL be provided on buildings at an approved location. Knox Box forms are available through the Fire Marshals or Code Enforcement Office. **This item has been addressed in revision dated 10-18-21.**
9. All applicants are to contact the Code Enforcement Office when underground piping is being hydrostatically tested on site. Applicants are also reminded that flushing of the underground piping SHALL be witnessed by a township official prior to final riser connections per NFPA 13. **This item has been addressed in revision dated 10-18-21.**

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

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

Sincerely,



John Scheiter
Captain/Asst. Fire Marshal

Prepared By ANTHONY SIRNA

Quote Id : 21078, Revision Level: 25

Phone : 610-308-8657

Order Id:

Lead Unit Order Id:

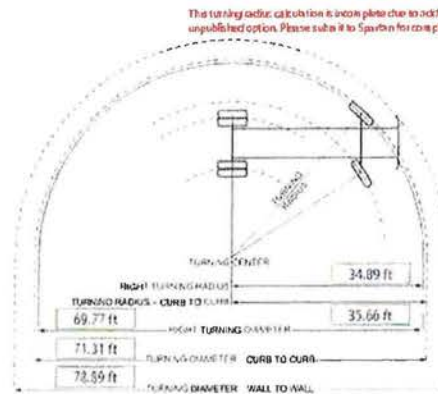
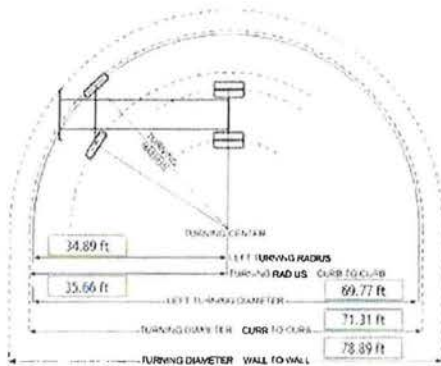
Prepared For

MONTGOMERYTOWNSHIP DEPT. OF
FIRE SERVICES

Sales Order Number: 21078

Lead Sales Order Number: 21078

Turning Radius



The turning radius calculation is incomplete due to addition of an unpublished option. Please submit to Spartan for completion.

The turning radius is an estimate given for reference only. Real world results depend on tire type, speed, weight distribution, alignment, weight balance, load, turn stop settings, etc. Spartan makes no claim as to the accuracy of this tool.

End User Name	Montgomery Township Dept. of Fire Services
Chassis Model	0100-012 Gladiator
Wheelbase	244.00 in
Bumper Extension	6.00 in
Bumper Width	104.40 in
Left hand outside tire turn angle	37.10 deg
Right hand outside tire turn angle	37.10 deg
Left hand Curb-to-Curb turning radius	35.66 ft, 10.87 m
Right hand Curb-to-Curb turning radius	35.66 ft, 10.87 m
Left hand Wall-to-Wall turning radius	39.45 ft, 12.02 m
Right hand Wall-to-Wall turning radius	39.45 ft, 12.02 m



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: November 4, 2021

Re: LD716

A review of the above-referenced land development was conducted on this date. Further clarification is needed regarding the anticipated food ordering method (ordering point on location or via internet application). Concern exists regarding the excessive queuing of vehicles in the drive-thru lane and the blocking of the shopping center traffic ways.

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

Planning Commission Meeting Minutes – November 18, 2021

In attendance: Jim Rall, Frank Davey, Rutuke Patel, Dave Fetzer, Tom Borghetti, Jay Glickman, and Steve Kremenecker. Also in attendance; Candyce Chimera, Rebecca Geiser, Damon Drummond, Bruce Shoupe and Marianne McConnell.

Absent: Leon McGuire, Dave Fetzer

Call to Order: 7:30pm

Approval of Minutes: On a motion made by Jim Rall and seconded by Frank Davey the minutes from June, July, August, and October 2021 minutes were approved.

Westrum Lifestyle Apartments Conditional Use Application – The applicant proposes the construction of a 225-unit lifestyle apartment building with associated parking. The existing 10-acre parcel sits within the LI-Limited Industrial district and is currently vacant. The lot does not have frontage along Bethlehem Pike or Stump Road. It sits behind the Rodeway Inn. Access is provided by proposed easements over adjacent properties to Stump Road and Bethlehem Pike (emergency access only to Bethlehem Pike through the Rodeway Inn parking lot). The plan also includes pedestrian connectivity to Stump Road and Bethlehem Pike.

The applicant's attorney, Carrie Nase-Poust, presented the application to the Commission members during the October meeting and has returned tonight to address the two concerns that the members raised:

1. **Stump Road Access** – The only exit out of the complex is at Stump Road. . Re-striping and widening of Stump Road are proposed for entering the site. It is a single lane to exit the site onto Stump Road. Traffic will be able to turn left onto Stump Road to exit the site and head towards Horsham Road or turn right onto Stump Road towards Bethlehem Pike/309. Concerns were raised previously about adding 300 additional cars onto Stump Road from this site, especially during peak times as this road is already heavily travelled and congested. Ms. Nase-Poust expressed to the PC members that several traffic studies were completed for this site and the number of vehicles that would turn left out of the site onto Stump Road would be approximately 6 in the am peak hours and 4 in the pm peak hours. The cuing from 309 down to the Stump Road access was also considered and part of the study.
2. **Proposed Pedestrian Crossing at Bethlehem Pike & Knapp Rd** – The applicant proposes a crosswalk area across Bethlehem Pike/309 to Knapp Road and pedestrian connectivity to Stump Road in order to comply with the pedestrian connectivity requirement. The Commission had concerns with the 309 crossing. The crosswalk area would be accessed through the Rodeway Inn parking lot. No refuge island was proposed between the northbound and southbound lanes on 309. The Commission members questioned whether this created an unsafe situation, especially for those who could not complete the crossing in the time provided. They also had concerns with accessing the crosswalk through the Rodeway Inn parking lot. The applicant has updated the plans to address these concerns. The applicant has proposed a 4-foot-wide sidewalk on the edge of the parking lot from the

site to 309. Curb stops at the parking stalls will be placed and a guardrail on the other side of the walkway will be installed. The applicant explained that the proposed crosswalk across 309 was designed on an angle and not straight across in order to allow the vehicles turning right off of Knapp Road onto southbound 309 to increase their visibility of pedestrians crossing. The applicant has also increased the timing at the signals for crossing 309 and Knapp Road and when a pedestrian presses the crosswalk button it will signal "no turn on red" for vehicles. The applicant's traffic consultant did not feel that a refuge area in the middle of 309 would be safer for pedestrians as it would leave people standing on 309 as cars travelled by. The crosswalk timing will be designed for children and elderly pedestrians.

The applicant presented additional changes to the original plan due to the review letters received from Township Staff and Consultants. The proposed pool was relocated to inside the courtyard area to allow for more privacy for residents and added additional parking spaces.

The Planning Commission members felt that the applicant addressed their concerns and overall felt the project was good and less intensive than a by right industrial use / warehouse that would involve increased truck traffic.

On a motion made by Jay Glickman and seconded by Frank Davey the Planning Commission recommends that the Board of Supervisors approve the Conditional Use application subject to Township Consultant and Staff review letters and with a condition that the applicant shall continue to work with the Township in regards traffic concerns and pedestrian mobility as part of the approval. All in favor.

Higher Rock Partners / WB Homes Townhomes Conditional Use Application – The property is located along Witchwood Drive between Stump Road and Bethlehem Pike. Higher Rock Partners proposes to subdivide the subject property from the overall 18-acre site for residential development. WB Homes Inc. proposes to construct 36 townhomes within the 4.58 acre undeveloped pad site. The proposed use is permitted by Conditional Use by a previously adopted text amendment. The site has access from Witchwood Drive with a shared entrance with the adjacent commercial use. Mr. Chris Canavan of WB Homes presented the application to the Planning Commission members. The proposed project generates low traffic volume in comparison to the more intensive non-residential uses allowed within this district. The traffic study determined that it would create an additional 18 trips in the morning peak hours and 24 trips in the afternoon / pm peak hours. The project also provides pedestrian connectivity to surrounding retail establishments and the 202 Parkway Trail.

The proposed townhouses are 3-story and 2100 to 2300 square feet in size with 1 or 2 car garages. Each home will have a driveway width allowing two cars to park side by side. No parking will be permitted on the street per the HOA documents. Currently they are proposing 12 overflow parking spaces and are researching possibilities to add more.

Mr. Canavan stated that all comments addressed within the Township plan review letters shall be addressed through the land development process. The applicant will work with the Township to comply with all comments or resolve to the Township's satisfaction. Significant landscaping will be installed along with a berm in the area of the retaining wall. The existing fencing shall be maintained by the HOA and existing Condominium agreement. This project will also have its own separate storm water management design and system for its 4+ acre site.

On a motion made by Jay Glickman and seconded by Frank Davey, the Planning Commission recommends that the Board of Supervisors approve the Conditional Use application subject to the Township's staff and consultant review letters. All in Favor.

Shake Shack / Airport Square Shopping Center Land Development Application – The 38.36-acre property is located at 801 Bethlehem Pike and is currently improved with a shopping center with 10 existing buildings with associated parking and site improvements. The Applicant, Gateway DC Properties, proposes to demolish the existing Wendy's fast food restaurant (currently vacant) and parking in order to construct a 3,304 square foot drive-through and fast food facility and a 985 square foot outdoor seating / patio area. The applicant's attorney, Mr. Jim Garrity, presented the project to the Planning Commission members. The proposed Shake Shack will have 80-85 seats inside and 40 seats outside. There is more than ample parking proposed for this pad site and exceeds code requirement. There is no direct access from Bethlehem Pike to this pad site. No menu / presell boards for the traditional drive-through are proposed as it is an online order and pickup only system. A bypass / escape lane is available to those who enter the drive-through not knowing an order must be previously placed. Mr. Garrity advised the Commission that the applicant as multiple waiver requests for this project as it is a redevelopment of a pad site from an overall developed site. The applicant is discussing with the Township Solicitor the multiple "fee in lieu of" requirements as to whether they are all appropriate fees to be charged to the applicant.

The Commission expressed one concern in regards to the location of the proposed handicap parking spaces. The vehicles would reverse out of the space into the oncoming cars of those exiting the drive-through. The applicant agreed to review other options for the handicap spaces.

The Commission discussed the multiple waiver requests and stated that each request is reviewed by the Township's staff and consultants and is ultimately the Board of Supervisors discretion.

On a motion made by Jay Glickman and seconded by Frank Davey, the Planning Commission recommends that the Board of Supervisors approve the Land Development application subject to the Township's staff and consultant review letters and comments. All in Favor.

Bharatiya Temple Phase 2 / 1612 County Line Road Land Development Application – The applicant's Civil Engineer, Mr. Rick Mast, presented the proposed project to the Commission. The applications includes two lots 1610 and 1612 County Line Road. Both parcels sit within the R-1 Residential District. The applicant proposes to consolidate the lots and construct the following on 1612 County Line Road: a one-story 554 square foot addition for storage onto the existing temple; a one-story 580 square foot kitchen addition onto the existing temple; a two-story 5,244 square foot (footprint) learning center building; covered pavilion, covered walkways; storm water management facilities, additional parking, and a 12 foot wide paved access drive connection to the adjacent lot.

The applicant made a previous application to the Zoning Hearing Board request relief, which was subsequently denied. The decision was appealed, and the project is now the subject of a Settlement Stipulation dated June 14, 2019. Conditions of the agreement include the requirement to consolidate the two lots into one parcel and provide additional landscaping, buffering, new fencing, and make repairs to the existing fencing.

The proposed lighting for the additional parking added to the rear of the property will be shielded to not impact the adjacent residential properties. All existing lighting on the site will be removed and replaced with led lights that face down.

The applicant stated that the comments in the review letters shall be a will comply or waiver request. The waiver requests shall be reviewed by the Township's staff and consultants and is ultimately the Board of Supervisors discretion.

On a motion made by Jay Glickman and seconded by Steve Kremenecker, the Planning Commission recommends that the Board of Supervisors approve the Land Development application subject to the Settlement Stipulation, Township's staff and consultant review letters and comments. All in Favor.

Adjournment: There being no further business to come before the Commission and on a motion made by Jim Rall and seconded by Jay Glickman, the meeting adjourned at 9:00 pm. The next meeting will be held at 7:30 pm in January 2022 at the Montgomery Township Building.

**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

SCOTT FRANCE, AICF
EXECUTIVE DIRECTOR

October 6, 2021

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

Re: MCPC #21-0253-001
Plan Name: Shake Shack
(1 lot, approx. 0.59 acres)
Situates: 801 Bethlehem Pike, near Upper State Road
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced land development plan in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on September 13, 2021. We forward this letter as a report of our review.

BACKGROUND

The applicant, Wilder Companies, LTD, proposes to demolish an existing closed Wendy's fast food restaurant and construct a Shake Shack fast food restaurant on a 0.59 acre pad site along the Bethlehem Pike frontage of the Airport Square Shopping Center. The existing building will be demolished and replaced with a 3,304-square foot restaurant, a 985 square foot attached outdoor dining patio, an eight-car stacking line for drive-through and online pickup orders, and crosswalks across the frontage road to access handicapped parking spaces. A total of seven existing parking spaces are proposed to be removed due to the improvements. The current zoning for this area in Montgomery Township is Commercial. Two additional trees and fifty-three additional shrubs are proposed to be planted as part of the redevelopment.

COMPREHENSIVE PLAN COMPLIANCE

Montgomery Township's *2008 Comprehensive Plan Update Vision Plan* identifies the Airport Square Shopping Center as a retail commercial area. The plan calls for the township to "increase and upgrade the quality of retail and services" in the commercial areas. The plan is compatible with Montgomery Township's comprehensive plan.



Montgomery County's comprehensive plan, *Montco 2040: A Shared Vision*, identifies this area as part of Regional Mixed-Use Center on the Future Land Use map, which extends north and south along Bethlehem Pike. The plan is supportive of development where infrastructure already exists. This proposal is compatible with *Montco 2040's* goal of redeveloping older retail properties.

RECOMMENDATION

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

REVIEW COMMENTS

LANDSCAPE DESIGN

The two additional trees that are proposed for this site are located along the frontage of Bethlehem Pike. We would recommend that the Township consider requesting additional plantings in landscaped islands around the site to match the rest of the Airport Square Shopping Center landscaping, including in the rear grass island separating the pad sites from the main Airport Square parking area. We recognize that there is an underground electric line below the traffic island, but we still urge consideration of installing the largest plants that would fit in the available area.

TRAFFIC

1. The Shake Shack restaurant chain has historically not utilized drive-through lanes for their restaurant operations, but is reportedly considering drive-through lanes for newly constructed restaurants after the COVID-19 pandemic. We recommend that the Township carefully discuss the restaurant's proposed business model with the applicant, as the proposed eight spaces of stacking distance may not be enough if customers are able to place orders on-site. While no menu board was shown on the provided plan set, other proposed Shake Shack restaurants with drive-through lanes appear to accept both on-site ordering and express online pickup.
2. If multiple types of drive-up access will be part of Shake Shack's business operations, we would encourage the applicant to install clear signage throughout the site to direct patrons to the correct locations, up to and including additional signage from the access points along northbound Bethlehem Pike.

CONCLUSION

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

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

Mr. Bruce Shoupe

October 6, 2021

municipal seal and signature of approval must be supplied for our files. Please print the assigned MCPC number (#21-0253-001) on any plans submitted for final recording.

Sincerely,

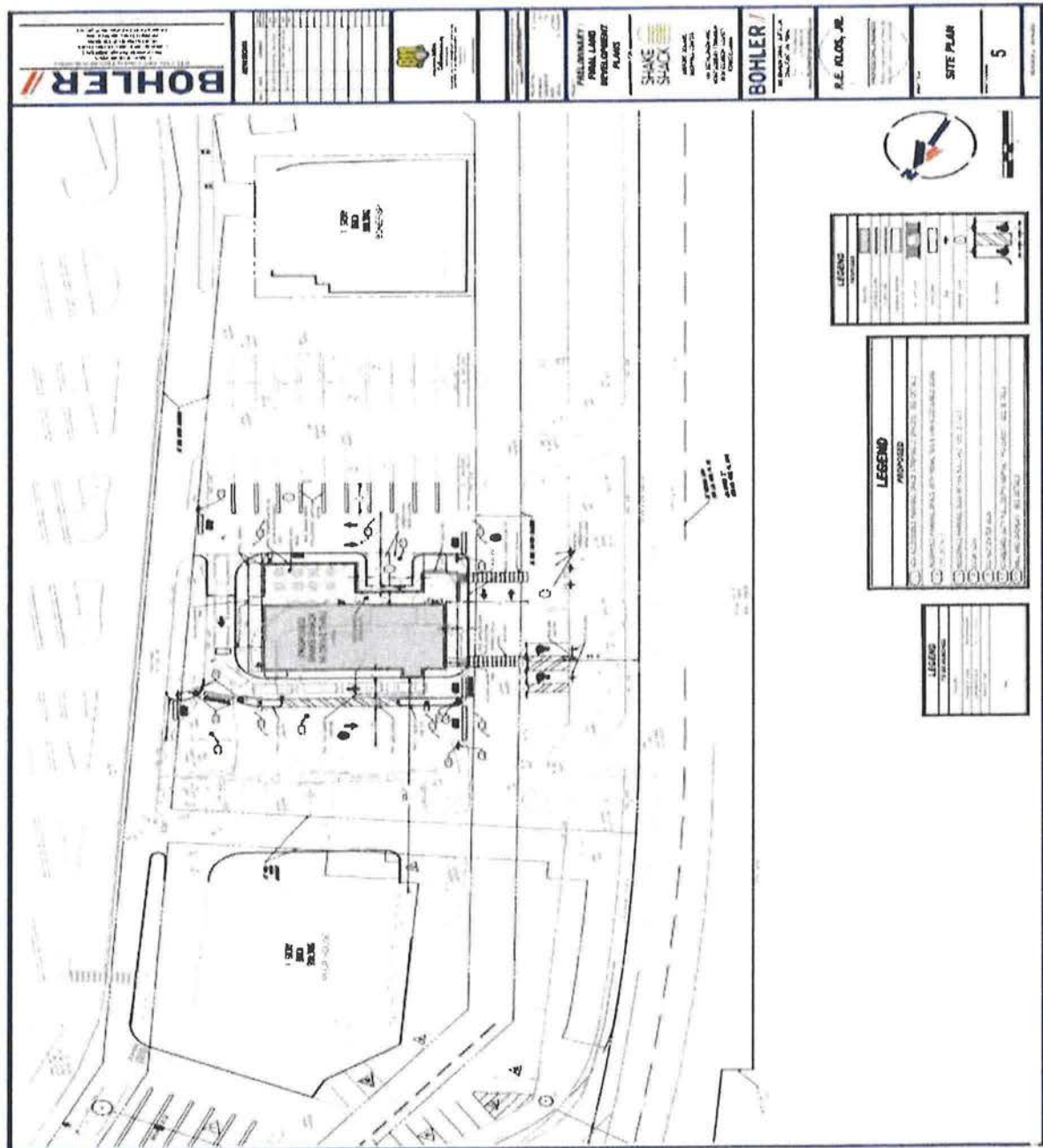
A handwritten signature in black ink that reads "Matthew Popek". The signature is written in a cursive, flowing style.

Matthew Popek, AICP
Transportation Planning Assistant Manager
mpopek@montcopa.org - 610-278-3730

c: Wilder Companies, LTD, Applicant
Kelli Burke, Applicant's Representative
Carolyn McCreary, Twp. Manager
Jim Rall, Chrm., Twp. Planning Commission

Attachments: (1) Site Plan
(2) Aerial

Site Plan – 801 Bethlehem Pike, Montgomery Township



Aerial - 801 Bethlehem Pike, Montgomery Township



Shake Shack
MCPC #210253001

Montgomery
County
Planning
Commission
Commissioner
Montgomery County Planning Commission
1000 Walnut St., 3rd Floor, Harrisburg, PA 17102
P: 717.261.3722 • F: 717.261.3723
www.montgomerycountypa.gov
Aerial photograph provided by Google Maps

*Airport Square Shopping Ctr
801 Bethlehem Pike
Shake Shack*

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

**APPEAL NO. 21060004
APPLICATION OF GATEWAY DC PROPERTIES FOR
SPECIAL EXCEPTION PURSUANT TO SECTION 230-86.A.; TABLE
230-A TO ALLOW OUTDOOR DINING IN "S" SHOPPING CENTER DISTRICT**

OPINION AND ORDER

Pursuant to the proper legal advertisement in Montgomery Newspapers on July 6, 2021 and July 12, 2021, and posting of the property on July 19, 2021, a public hearing was held on July 29, 2021, commencing at 6:30 p.m., at the Montgomery Township Administration Building, 1001 Stump Road, Montgomeryville, Pennsylvania.

Present for the Zoning Hearing Board at the hearing were Deborah Grasso, Chairman Mike Lyon, and Gregory R. Gifford, Esquire, substitute Solicitor for the Zoning Hearing Board. James Garrity, Esquire, was present as counsel for the applicant. Also present at the hearing were Bruce S. Shoupe, Director of Planning and Zoning for Montgomery Township, and Marianne McConnell, Zoning Officer. At the hearing, the Notes of Testimony were taken by Tim Kurek, an Official Court Reporter.

EXHIBITS

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

- B-1 Proof of Publication
- B-2 Posting date
- B-3 Notification of Residents
- B-4 Application with all attachments
- A-1 Letter dated July 9, 2021 – waiving the time limits for the hearing and scheduling the hearing for July 29, 2021

A-2 Site Plan

A-3 Renderings

FINDINGS OF FACT

1. The Subject Property is located in the "S" Shopping Center District of Montgomery Township, known as the Airport Square Shopping Center. The Subject Property was the former Wendy's pad site, and is proposed to be the site of a new Shake Shack. The shopping center is approximately 41.9 acres in size.

2. The Applicant, Gateway DC Properties, Inc., and through its management company, The Wilder Company, Ltd., is the owner of 801 Bethlehem Pike in Montgomery Township, commonly known as "Airport Square". The property is presently improved as a shopping center and has filed for a special exception as an arrangement with the Tenant for the operation of a principal restaurant with accessory outdoor dining area on a stand-alone pad site formerly occupied by Wendy's. The proposed new tenant is known as "Shake Shack".

3. The Applicant introduced testimony of Ronald Klos, a Civil Engineering expert, as well as Thomas Hunton, the area director for Shake Shack. The Applicant proposes to remove the existing building and install a 3,300 square foot new building, slightly to the South of the existing building, with accompanying outside seating.

4. The Applicant's experts testified regarding the eight-vehicle stacking drive thru lane, pick-up area, ordering app, and the location of approximately 46 additional parking spaces.

5. Although the subject site is part of a shopping center, including all of the shopping center parking spaces, the proposed 46 spaces are the logical use spaces for the proposed Shake Shack. The property will have two ingress driveways, with no exit lanes onto State Route 309.

6. Including the new building with patio, the total required parking spaces would be approximately 42 spaces.

7. The outdoor seating area would have no roof or walls, but would be protected by a low retaining knee wall, with a fence built on top of the retaining wall. The outdoor seating would also have the normal curbing and would fit the natural grading of the site.

8. The Board heard testimony from Thomas Hunton, the area director of Shake Shack, regarding the operations of the proposed site, including their ordering app for pick-up of orders.

CONCLUSION OF LAW

1. The Applicant requested the Zoning Hearing Board to allow outdoor dining by special exception pursuant to Section 230-86.A; Table 230-A.

2. The Zoning Hearing Board has the authority to grant a special exception pursuant to the guidelines of Montgomery Township Zoning Code and the Pennsylvania Municipal Planning Code, including, but not limited to, fitting the general purpose and intent of the Zoning Code, suitability of the outdoor seating, and the fact that the outdoor seating will not adversely affect the public health, safety, or general welfare of the community.

DETERMINATIONS

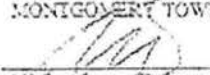
1. The Zoning Hearing Board finds that the proposed special exception for outdoor dining is reasonable and complies with the special exception standards set forth in the Montgomery Township Ordinance.
2. The Board is further persuaded that the special exception for outdoor dining will be sound in that it is conditioned expressly upon approval by the Township Code enforcement office, fire department, and approvals through Sub Division and Land Development.
3. The Zoning Hearing Board finds that the granting of the special exception is not detrimental to the public welfare, and instead will enhance the general public's use of the property.


ORDER

Now this 30th day of August, 2021, the Applicant's request for a special exception to allow outdoor seating is approved with the following conditions:

1. That the outdoor seating shall be consistent with the testimony and documentation presented at the Hearing;
2. That the Applicant must comply with all other Montgomery Township Zoning regulations, as well as all State and Federal Building Codes.

ZONING HEARING BOARD OF
MONTGOMERY TOWNSHIP


Michael Lyon, Chairman


Deborah Grasso

IN AND BEFORE THE ZONING HEARD BOARD OF
MONTGOMERY TOWNSHIP
MONTGOMERY TOWNSHIP, PENNSYLVANIA

APPEAL NO. 11100001
AN APPLICATION OF GATEWAY D.C. PROPERTIES, INC. FOR A VARIANCE
REGARDING ARTICLE XVII, SECTION 230.88(C) OF THE MONTGOMERY
TOWNSHIP ZONING CODE

OPINION AND ORDER

AND NOW, this 19th day of April, 2012, the Zoning Hearing Board of Montgomery Township hereby grants the variance relief requested by Joseph Zadlo, as agent for Gateway D.C. Properties to increase the building coverage in the shopping center, located at 801 Bethlehem Pike, North Wales, PA 19454, from 16.2% to 18.3% subject to the representations, conditions and restrictions acknowledged by the Applicant at the public hearing conducted commencing on February 7, 2012.

MONTGOMERY TOWNSHIP
ZONING HEARING BOARD

By: _____

Kenneth Souder, Chairman

By: _____

Mary Kay Kelm, Vice Chairman

By: _____

Laurence Poll, Alternate Member

**ZONING ORDINANCE
PLAN REVIEW
Shake Shack – LDS 716**

DATE: November 11, 2021

DEVELOPMENT NAME: Shake Shack
LOCATION: 801 Bethlehem Pike – Airport Square Shopping Center
LOT NUMBER & SUBDIVISION: Proposed new building
ZONING DISTRICT: Shopping Center District
PROPOSED USE: Non-Residential - Restaurant
ZONING HEARING BOARD APPROVAL REQUIRED? YES
CONDITIONAL USE APPROVAL REQUIRED? NO

	Required	New Building	Conforms	
USE				
HEIGHT	Max 35 ft.	<35	Y	
LOT SIZE	5 AC min.	38.361Ac	Y	
SETBACKS				
Building	50 ft. UROW	79.04 ft	Y	
BUILDING COVERAGE	Max 15%	18.3% entire lot	Y	V 2/7/12
IMPERVIOUS COVERAGE	Max 75%	81.54 Entire Lot (NC)	Y	NC
GREEN AREA	Min 25%	18.46% entire lot	Y	NC

ADDITIONAL COMMENTS


ZONING OFFICER
Zoning Plan Review file


DATE

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # **11**.

SUBJECT: New Zoning Hearing Board Applications
MEETING DATE: January 24, 2022
BOARD LIAISON: Tanya C. Bamford, Chairwoman
INITIATED BY: Carolyn McCreary, Township Manager

BACKGROUND:

Attached are summaries of the applications which will be before the Zoning Hearing Board at their February 2nd meeting.

Potential Action of the Board:

The Board may remain neutral on the applications and let the Zoning Hearing Board render a decision based on the testimony presented.

The Board may send the Solicitor's office to oppose an application. This action would require a motion, second and vote of the Board.



Montgomery Township Zoning Hearing Board

Meeting Date: February 2, 2022 – 6:30 pm

The agenda for the scheduled hearing is as follows:

1. 6:30 pm - Application #21110002 Caliber Capital, LLC / 739 Bethlehem Pike (continued from January 2022) – The applicant is equitable owner of the 46,914 square foot property located at 739 Bethlehem Pike. The property is currently improved with a 8,225 square foot two-story vacant building (former Fabric Store / Schoolhouse). The applicant proposes to demolish the existing building and construct a new 3,680 square foot one-story car wash with 23 automobile wash parking spaces with double lane stacking for 16 vehicles. The proposed use is permitted by Conditional Use and the applicant has made a separate application to the Board of Supervisors which is currently pending. The applicant requests the following relief:

- a. Variance from Section 230-78A to allow a less than 25-foot wide landscaped area along the side yards of the property.
- b. Determination that Section 230-78G which requires adequate off-street parking and loading space does not require the applicant to provide a loading space; or in the alternative, a variance from Section 230-78G to allow for no loading space as the proposed car wash does not need a loading space for the operation of its business.

2. 7:15 pm - Application #22010001 700 Moons LLC / Bethlehem Pike – The applicant, 700 Moons LLC, is the equitable owner of the 2.18-acre undeveloped property located along Bethlehem Pike, between the Pine Tree Ridge townhouse development and the Lansdale Chrysler auto dealership. The property sits within the C-Commercial zoning district. The applicant proposes to construct a two-story mixed use, retail and office, building with associated parking, storm water management, and retaining walls on the site. The applicant seeks relief from the following provisions of the Code of Montgomery Township for their proposed project: (1) a Variance from Section 230-77D to permit a reduction of the rear yard setback to 25 feet where 40 feet is required, (2) If required, a variance from Section 230-76B to permit a retaining wall 18 feet in height with 20 feet from the boundary line adjacent to a residential district, (3) a Variance from Section 230-134C(2) to permit the parking ratio of 5 spaces per 1,000 square feet of total floor area.

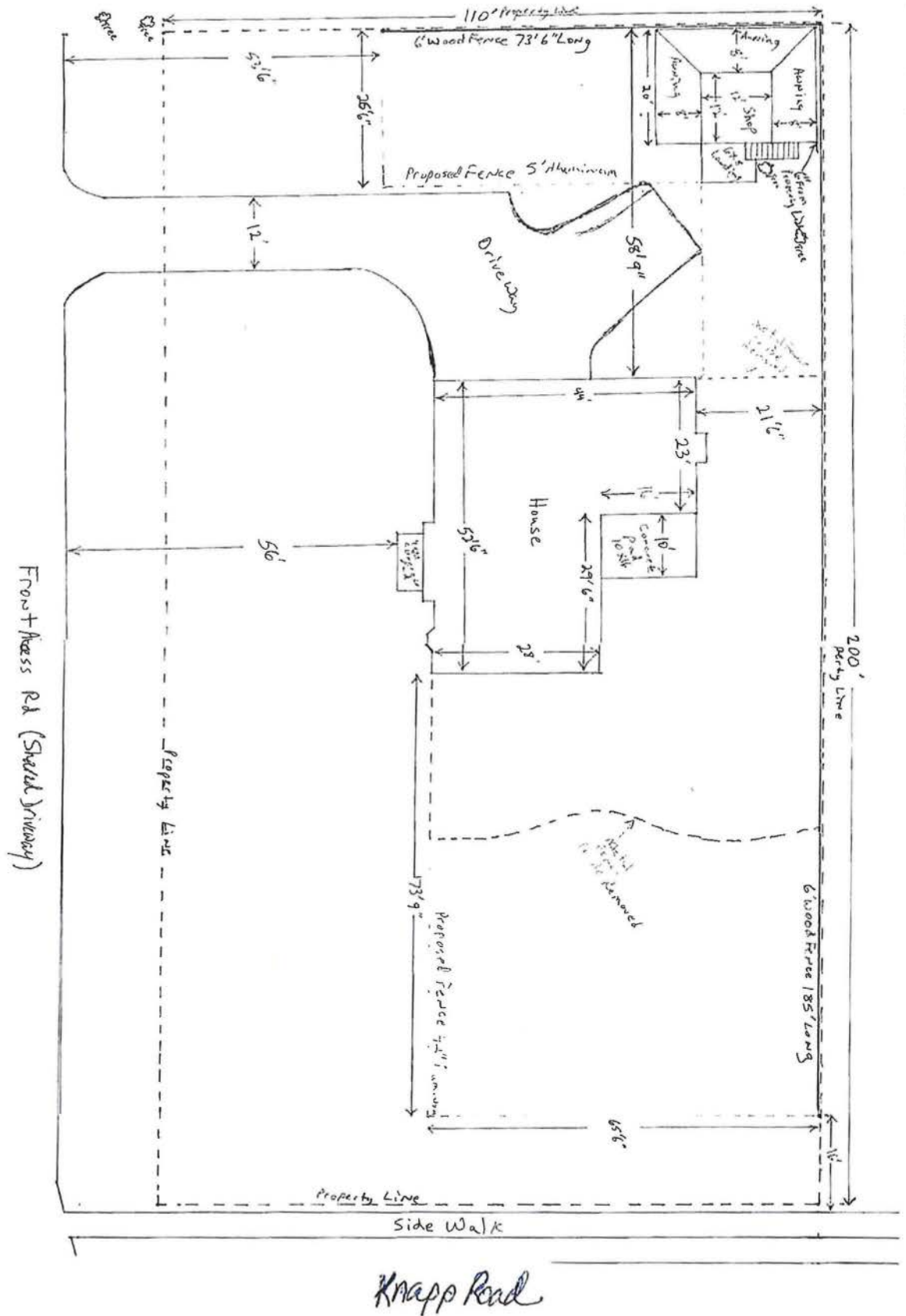
3. 8:00 pm - Application #22010003 TruMark Financial Credit Union / 1200 Welsh Road – The applicant has leased and occupied a 2,498 square foot freestanding building for the past 20 years within the Montgomery Commons Shopping Center located at 1200 Welsh Road. The applicant has extended their lease agreement to 2032. An existing non-conforming freestanding sign has been in place and utilized by TruMark for the past 20 years. The applicant proposes to remove the existing sign and replace with a new larger sign. The existing sign is 24 square feet in size, 7 feet in height, and set back 21 feet from the edge of road / curb line. The new proposed freestanding sign is 46 square feet in size, 11 feet in height, set back 21 feet from the edge of road / curb line. The applicant is requesting a variance from the provisions of Section 230-127A(4) of the Code of Montgomery Township to allow an additional freestanding sign along Welsh Rd as one per street frontage is allowed.

4. 8:15 pm - Application # 22010001 Huang / 211 Knapp Road – The applicant owns and resides in a single family home located at 211 Knapp Road. The property is 22,000 square foot in size and sits within the R2 Residential District. The applicant had begun construction of a two-story structure with roof overhangs and landing with stairs when they were advised of the requirement to obtain a permit.

The applicant submitted the application which was subsequently denied as the proposed structure does not meet the minimum side and rear yard setback requirements. The proposed structure is a two-story 12x12 "shed" with 8x12 roof overhangs around 3 sides and a 6x8 landing with stairs from the 2nd floor. The footprint of the proposed structure is 560 square feet in size plus the landing and stairs. The structure would sit 6 inches from the side and rear property lines, where a minimum of 15 feet and 30 feet is required respectively. The applicant seeks variances from the provisions of Sections 230-33C&D of the Code of Montgomery Township for this 560 square foot two-story structure.

****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****

4. 211 Knapp Rd.









MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 12.

SUBJECT: Ordinance #22-327 – Amendment to Fire Department Ordinance:
Appointment of Fire Chief
MEETING DATE: January 24, 2022
BOARD LIAISON: Annette M. Long, Supervisor
INITIATED BY: Carolyn McCreary, Township Manager
Bill Wiegman, Director of Fire Services

BACKGROUND:

The Township Manager and Director of Fire Services have been working to eliminate any conflicting language in the fire services agreement and ordinance while the volunteers of FDMT are simultaneously updating their bylaws. This is being done to support the vision of One Department, One Mission.

PREVIOUS BOARD ACTION:

The Board authorized the advertisement of this ordinance amendment at the December 13, 2021 public meeting.

BUDGET IMPACT: None

RECOMMENDATION:

Staff recommends the Board adopt the ordinance amendment.

MOTION/RESOLUTION:

Motion to adopt Ordinance No. 22-327 changing the title of the Director of Fire Services to Fire Chief and reflecting this change in the duties as described.

- 1) Motion by: _____ Second by: _____
- 2) Chairwoman will ask for public comment.
- 3) Chairwoman will call for vote.

**MONTGOMERY TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 22-327

AN ORDINANCE OF MONTGOMERY TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 17 OF THE MONTGOMERY TOWNSHIP ORDINANCE-FIRE DEPARTMENT, SECTION 17-3 APPOINTMENT AND DUTIES OF TOWNSHIP FIRE CHIEF; REPEALING ALL INCONSISTENT ORDINANCES, OR PARTS THEREOF; AND PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE

WHEREAS, the Montgomery Township Board of Supervisors, wishes to eliminate any conflicting language in the fire services agreement and Ordinance; and

WHEREAS, amending the Ordinance to change the title of the Director of Fire Services to Fire Chief and reflecting this change in the duties as described will support the vision of One Department, One Mission.

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

I. Chapter 17. Fire Department

§ 17-3. Appointment and Duties of Township Fire Chief.

- A. There shall be a Township Fire Chief (the "Fire Chief") who will be employed by the Township and appointed by the Board of Supervisors.
- B. The Fire Chief shall answer to the Township Manager for the efficient and effective operation of the Department, which includes the Fire Marshal, Deputy Fire Marshals, fire fighters employed by the Township, volunteer fire fighters, and the Emergency Management Coordinator.
- C. The Fire Chief shall be responsible for the following:
 - 1. Directing and coordinating the provision of Firefighting, Fire Protection, Fire Marshal services, and emergency management activities to the Township;
 - 2. Developing and enforcing standard operating guidelines based on recognized procedures and practices in the fire services field;
 - 3. Coordinating the resources necessary to control large-scale and complex emergencies, when such action is necessary to protect life and/or property;
 - 4. Such other duties which may be assigned from time to time by the Township Manager.

- D. The Fire Chief, in consultation with the Incident Commander or Deputy Fire Chief, shall have the authority to initiate evacuations and exclude the public from the immediate vicinity of an emergency or place of danger.
- E. The Fire Chief shall have the authority to suspend from the Department without pay for a period of up to three (3) work days, any fire fighter employed by the Township who violates the recognized procedures and practices or other rules of the Department. Prior to imposing any such suspension, the Fire Chief shall report the cause and circumstances of the action to the Township Manager. The Fire Chief may temporarily suspend with pay and without prior notice to the Township Manager, any fire fighter employed by the Township if the Fire Chief believes it is necessary for the good of the Township. The Fire Chief shall notify the Township Manager of any temporary suspension within twenty-four (24) hours of the suspension. Fire fighters employed by the Township may appeal disciplinary actions in accordance with the terms of any applicable collective bargaining agreement.
- F. When provided for in the by-laws of a volunteer fire company servicing the Township, the Fire Chief shall also be available for non-binding consultation with fire company leadership on matters involving the discipline of volunteer fire fighters, including but not limited to suspension and expulsion from membership of the fire company.

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 24th day of January 2022.

Attest:

**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

Carolyn McCreary, Secretary

Tanya C. Bamford, Chairwoman

MONTGOMERY TOWNSHIP LEGAL NOTICE

On Monday, January 24, 2022, at 7:00 p.m. the Montgomery Township Board of Supervisors, during its scheduled meeting at the Township Building located at 1001 Stump Rd., Montgomeryville, PA 18936, will hold a hearing to consider amending the Township Code to change the title of the Director of Fire Services to Fire Chief and reflecting this change in the duties as described, the title and summary of which appears below:

AN ORDINANCE OF MONTGOMERY TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 17 OF THE MONTGOMERY TOWNSHIP ORDINANCE-FIRE DEPARTMENT, SECTION 17-3 APPOINTMENT AND DUTIES OF TOWNSHIP FIRE CHIEF; REPEALING ALL INCONSISTENT ORDINANCES, OR PARTS THEREOF; AND PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE

The amendment will amend the Township Code to change the title of the Director of Fire Services to Fire Chief and will further reflect this change in the duties described.

A copy of the full text of the proposed ordinance is available for inspection and copying by the public by appointment at the Township Building, located at 1001 Stump Rd., Montgomeryville, PA 18936, the offices of this newspaper, and the Montgomery County law library.

The public is invited to attend and will be given an opportunity to provide comments regarding this proposed ordinance. Persons with disabilities, wishing to attend the public meeting and requiring auxiliary aid, service or other accommodations to participate, should contact the Montgomery Township Director of Administration & Human Resources at 215-393-6900.

CAROLYN MCCREARY
TOWNSHIP MANAGER

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 13.

SUBJECT: Request Authorization to Purchase Replacement Police Vehicles
MEETING DATE: January 24, 2022
BOARD LIAISON: Tanya C. Bamford, Chairwoman
INITIATED BY: J. Scott Bendig, Chief of Police

BACKGROUND:

In 2022, the Police Department is scheduled to replace three police vehicles. After researching available models and powertrains, the Police Department proposes purchasing three 2022 Ford Police Interceptor Utility models and equipment as approved in the 2022 Final Budget.

The 2022 Ford Police Interceptor Utility models will replace the following police vehicles:

- 2016 Chevrolet Tahoe with 92,332 miles and 13,674 engine hours.
- 2016 Ford Police Interceptor Utility with 108,848 miles and 7,957 engine idle hours.
- 2014 Dodge Charger with 91,086 miles and 5,932 engine idle hours.

Due to manufacturer production delays, the Department is requesting authorization to place the order for the vehicles at this time. Attached are quotes dated August 9, 2021, from Fred Beans Ford Lincoln, an authorized vendor under the Co-Stars Cooperative Purchase Program (Contract # 013-142), to provide the requested vehicles at a total cost of \$108,000.00. This cost is 12% off the manufacturer's total suggested retail price of \$122,460.00 and represents a savings of \$14,640.00. The equipment meets the specifications prepared by the Police Department.

Attached are quotes dated September 2, 2021, from Havis Inc., an authorized vendor under the Co-Stars Cooperative Purchase Program (Contract # 012-161), to provide the requested vehicle equipment and installation at a total cost of \$41,179.95. This cost is over 22% off the manufacturer's total suggested retail price of \$53,359.99 and represents a savings of \$12,180.04. The equipment meets the specifications prepared by the Police Department.

The total cost to replace these three police vehicles, including equipment and installation, is \$149,179.95.

BUDGET IMPACT:

A total of \$157,000.00 was included in the 2022 Approved Final Budget-Police Department Capital Replacement to purchase police vehicles and emergency lighting.

RECOMMENDATION:

It is recommended that the Board of Supervisors approves the awarding of the contracts for the referenced purchases per the 2022 approved Final Budget.

MOTION/RESOLUTION:

Motion to award the contract for the purchase of three 2022 Ford Police Interceptor Utility vehicles from Fred Beans Ford Lincoln, an authorized vendor under the Co-Stars Cooperative Purchase Program, at a total cost of \$108,000.00 per their quote dated August 9, 2021.

- 1) Motion by:_____ Second by:_____
- 2) Chairwoman will ask for public comment.
- 3) Chairwoman will call for a vote.

Motion to award the contract for the purchase and installation of equipment for these vehicles from Havis, Inc., an authorized vendor under the Co-Stars Cooperative Purchase Program at a total cost of \$41,179.95 per their quote dated September 2, 2021.

- 4) Motion by:_____ Second by:_____
- 5) Chairwoman will ask for public comment.
- 6) Chairwoman will call for a vote.

Prepared for: Mr. JEFF SARNOCINSKI, MONTGOMERY TWP PD
Office: 215-362-2301 | Fax: 215-362-6383
Email: JSARNOCINSKI@MONTGOMERYTWP.ORG

2022 Police Interceptor Utility AWD Base (K8A)

Price Level: 215



Client Proposal

Prepared by:
JASON SIGAFOOS
Office: 215-348-2901X1821
Date: 08/09/2021



Fred Beans Ford of Doylestown | 876 North Easton Road, Doylestown, Pennsylvania, 18901
Office: 215-348-2900

Prepared for: Mr. JEFF SARNOCINSKI

MONTGOMERY TWP PD

Prepared by: JASON SIGAFOOS

08/09/2021

Fred Beans Ford of Doylestown | 876 North Easton Road Doylestown Pennsylvania |

18901



2022 Police Interceptor Utility AWD Base (K8A)

Price Level: 215

As Configured Vehicle

Code	Description	MSRP
Base Vehicle		
K8A	Base Vehicle Price (K8A)	\$40,980.00
Packages		
500A	Order Code 500A <i>Includes:</i> - 3.73 Axle Ratio - GVWR: 6,840 lbs (3,103 kgs) - Tires: 255/60R18 AS BSW - Wheels: 18" x 8" 5-Spoke Painted Black Steel Includes polished stainless steel hub cover and center caps. - Unique HD Cloth Front Bucket Seats w/Vinyl Rear Includes reduced bolsters, driver 6-way power track (fore/aft. up/down, tilt with manual recline, 2-way manual lumbar), passenger 2-way manual track (fore/aft. with manual recline) and built-in steel intrusion plates in both driver/passenger seatbacks. - Radio: AM/FM/MP3 Capable Includes clock, 4-speakers, Bluetooth interface with hands-free voice command support (compatible with most Bluetooth connected mobile devices), 1 USB port and 4.2" color LCD screen center stack smart display.	N/C
Powertrain		
99B	Engine: 3.3L V6 Direct-Injection (FFV) <i>(136-MPH top speed). Note: Deletes regenerative braking and lithium-ion battery pack; adds 250-Amp alternator, replaces H7 AGM battery (800 CCA/80-amp) with H7 SLI battery (730 CCA/80-amp) and replaces 19-gallon tank with 21.4-gallon.</i>	-\$3,450.00
44U	Transmission: 10-Speed Automatic (44U)	N/C
STDAX	3.73 Axle Ratio	Included
STDGV	GVWR: 6,840 lbs (3,103 kgs)	Included
Wheels & Tires		
STDTR	Tires: 255/60R18 AS BSW	Included
STDWL	Wheels: 18" x 8" 5-Spoke Painted Black Steel <i>Includes polished stainless steel hub cover and center caps.</i>	Included
Seats & Seat Trim		
9	Unique HD Cloth Front Bucket Seats w/Vinyl Rear <i>Includes reduced bolsters, driver 6-way power track (fore/aft. up/down, tilt with manual recline, 2-way manual lumbar), passenger 2-way manual track (fore/aft. with manual recline) and built-in steel intrusion plates in both driver/passenger seatbacks.</i>	Included

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

Prepared for: Mr. JEFF SARNOCINSKI

MONTGOMERY TWP PD

Prepared by: JASON SIGAFOOS

08/09/2021

Fred Beans Ford of Doylestown | 876 North Easton Road Doylestown Pennsylvania |

18901



2022 Police Interceptor Utility AWD Base (K8A)

Price Level: 215

As Configured Vehicle (cont'd)

Code	Description	MSRP
Other Options		
PAINT	Monotone Paint Application	STD
119WB	119" Wheelbase	STD
STDRD	Radio: AM/FM/MP3 Capable <i>Includes clock, 4-speakers, Bluetooth interface with hands-free voice command support (compatible with most Bluetooth connected mobile devices), 1 USB port and 4.2" color LCD screen center stack smart display.</i>	Included
66A	Front Headlamp Lighting Solution Recommend using ultimate wiring package (67U). <i>Includes LED low beam/high beam headlamp, wig-wag function and (2) red/blue/white LED side warning lights in each headlamp (factory configured: driver's side white/red/passenger side white/blue). Wiring and LED lights included (in headlamps only; grille lights not included). Controller not included.</i> <i>Includes:</i> - Grille LED Lights, Siren & Speaker Pre-Wiring	\$895.00
86T	Tail Lamp/Police Interceptor Housing Only <i>Pre-existing holes with standard twist lock sealed capability (does not include LED strobe) (eliminates need to drill housing assemblies).</i>	\$60.00
43D	Dark Car Feature <i>Courtesy lamps disabled when any door is opened.</i>	\$25.00
17T	Switchable Red/White Lighting in Cargo Area <i>Deletes 3rd row overhead map light.</i>	\$50.00
60A	Grille LED Lights, Siren & Speaker Pre-Wiring	Included
43A	Rear Auxiliary Liftgate Lights Recommend using ready for the road package (67H) or ultimate wiring package (67U). <i>Red/blue LED lights. Located beneath liftgate glass in applique panel. LED lights only. Wiring and controller not included.</i>	\$395.00
51R	Driver Only LED Spot Lamp (Unity)	\$395.00
87R	Rear View Camera Not recommended with option (47E) 12.1" integrated computer screen. <i>Displayed in rear view mirror. Note: This option replaces the standard display in the center stack area. Note: Camera can only be displayed in the center stack (std) or the rear view mirror (87R).</i> <i>Includes:</i> - Electrochromic Rear View Mirror Video is displayed in rear view mirror.	N/C

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

Prepared for: Mr. JEFF SARNOCINSKI

MONTGOMERY TWP PD

Prepared by: JASON SIGAFOOS

08/09/2021

Fred Beans Ford of Doylestown | 876 North Easton Road Doylestown Pennsylvania |

18901



2022 Police Interceptor Utility AWD Base (K8A)

Price Level: 215

As Configured Vehicle (cont'd)

Code	Description	MSRP
68G	Rear-Door Controls Inoperable <i>Locks, handles and windows. Note: Can manually remove window or door disable plate with special tool. Note: Locks/windows operable from driver's door switches.</i>	\$75.00
18D	Global Lock/Unlock Feature <i>Door-panel switches will lock/unlock all doors and rear liftgate. Eliminates overhead console liftgate unlock switch and 45-second timer. Also eliminates the blue liftgate release button if ordered with remote keyless entry.</i>	N/C
59B	Keyed Alike - 1284x	\$50.00
549	Heated Sideview Mirrors	\$60.00
60R	Noise Suppression Bonds (Ground Straps)	\$100.00

Emissions

425	50 State Emission System	STD
Flexible Fuel Vehicle (FFV) system is standard equipment for vehicles equipped with the 3.3L V6 Direct-Injection engine.		

Interior Color

96_01	Charcoal Black	N/C
-------	----------------	-----

Exterior Color

UM_01	Agate Black	N/C
-------	-------------	-----

SUBTOTAL	\$39,635.00
Destination Charge	\$1,245.00
TOTAL	\$40,880.00

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

Prepared for: Mr. JEFF SARNOCINSKI

MONTGOMERY TWP PD

Prepared by: JASON SIGAFOOS

08/09/2021

Fred Beans Ford of Doylestown | 876 North Easton Road Doylestown Pennsylvania |

18901



2022 Police Interceptor Utility AWD Base (K8A)

Price Level: 215

Warranty

Standard Warranty

Basic

Distance	36,000 miles	Months	36 months
----------	--------------	--------	-----------

Powertrain

Distance	100,000 miles	Months	60 months
----------	---------------	--------	-----------

Corrosion Perforation

Distance	Unlimited miles	Months	60 months
----------	-----------------	--------	-----------

Roadside Assistance

Distance	60,000 miles	Months	60 months
----------	--------------	--------	-----------

Hybrid Electrical Components

Distance	100,000 miles	Months	96 months
----------	---------------	--------	-----------



Sales Quote

Page 1 of 5

Sales Quote SQ107160
 Sales Quote Date: 9/2/2021
 Quote Exp. Date:

Sell To:

Montgomery Township Police Dept
 Jeff Sarnocinski
 1001 STUMP ROAD
 MONTGOMERYVILLE, PA 18936
 United States

Ship To:

Montgomery Township Police Dept
 Jeff Sarnocinski
 1001 STUMP ROAD
 MONTGOMERYVILLE, PA 18936
 United States

Inside Sales Rep: Havis Sales - 800-524-9900
Cust. Service Rep: Justin Filafferro 215-957-0720 x 3148
Independent Rep:

Ship Via: Havis Internal Transfer
Shipping Service: Internal Service
Incoterms: Free on Board - Origin
Freight Terms: Prepaid
Shipping Advice: Complete
Payment Terms: Net 30 Days

Order Comments: EQUIPMENT FOR 2022 FORD INTERCEPTOR UTILITY - Car 47-1 **QUOTE IS PER CAR**

Line No.	Order Qty.	U/M	No.	Catalog No./Description	MSRP	Disc.	Net Price	Total Price
10000	1	Each	20410	SE-1K0574ITU20WD PRISONER TRANSPORT PARTITION,6VS,INUT,SP	1,079.00	10	971.10	971.10
20000	1	Each	20458	SE-WINDOW BARRIERS-VS-STEEL WNDW BARRIER,STEEL,SUV,VERTICAL,SPEC VEH	279.00	10	251.10	251.10
30000	1	Each	20408	SE-12VS REAR,PRITN,STNRY WNDW,W/VINYL METAL SCRNL	519.00	10	467.10	467.10
45000	1	Each	20426	SE-DVWS DBL VERT WPN SYS W/2 UNIV LOCKS,SPEC KEY	489.00	10	440.10	440.10
50000	1	Each	14136	C-VS-1012-INUT CON,VS,22TMS,35DG,HC,INUT,20-21,	508.00	40	304.80	304.80
60000	1	Each	14089	CUP2-1001 CON,ACSY,CUPHLDR,4MS,IM,DUAL,	63.50	40	38.10	38.10
70000	1	Each	23426	C-ARPB-1014 DEVMT,PRNTR,BRO,ARM,EM,LPD,FLP,H-ADJT,	311.52	40	186.91	186.91
80000	1	Each	13994	C-SW-1 SW,RCKR,SPST,20AMP,12V,BLK,W-LT,LED,SP	21.63	40	12.98	12.98
90000	1	Each	14076	C-TTP-INUT-4 TRNK,BOTTM,PLT,INUT,20-21,	302.41	40	181.45	181.45
100000	1	Each	14066	C-TTP-INUT-1201 TRNK,TOP,PLT,200LBF,RAISED,INUT,20-21,	844.60	40	506.76	506.76
105000	1	Each	20370	SBX-1006 STRG,DRWR,UNV,LRG,NO-LCK,	1,071.52	40	642.91	642.91



Havis Inc. | 75 Jacksonville Road | Warminster, PA 18974 | P: 800.524.9900 | F: 215.957.0729 | www.havis.com



Sales Quote

Page 2 of 5

Sales Quote SQ107160
Sales Quote Date: 9/2/2021
Quote Exp. Date:

Sell To:

Montgomery Township Police Dept
Jeff Sarnocinski
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936
United States

Ship To:

Montgomery Township Police Dept
Jeff Sarnocinski
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936
United States

Inside Sales Rep: Havis Sales - 800-524-9900
Cust. Service Rep: Justin Filaferro 215-957-0720 x 3148
Independent Rep:

Ship Via: Havis Internal Transfer
Shipping Service: Internal Service
Incoterms: Free on Board - Origin
Freight Terms: Prepaid
Shipping Advice: Complete
Payment Terms: Net 30 Days

Order Comments: EQUIPMENT FOR 2022 FORD INTERCEPTOR UTILITY - Car 47-1 **QUOTE IS PER CAR**

Line No.	Order Qty.	U/M	No.	Catalog No./Description	MSRP	Disc.	Net Price	Total Price
107500	1	Each	20375	SBX-3003	187.48	40	112.49	112.49
110000	1	Each	18947	STRG,DRWR,UNV,STNDRD,LID, KNM01029-SUV	160.55	40	96.33	96.33
120000	1	Each	10504	ANTI-SLIP MAT,3/16x45-5/8x45-3/8, C-DMM-3015	502.41	40	301.45	301.45
130000	1	Each	13863	DEVMT,MNTR,DSH,SO,FLP,INUT,20-21, C-MD-119	340.55	40	204.33	204.33
140000	1	Each	23374	ACTADP,HDM,SLIDE,TS,SP C-OHC-INUT-1	149.87	40	89.92	89.92
150000	1	Each	10334	CON,4MS,OHC,HC,INUT,20-21,EXPL, C-3329-UNV	167.63	40	100.58	100.58
160000	1	Each	10762	DEVMT,KYBRD,UNVMT,MULTDEV, C-EB40-CCS-1P	33.53	100	0.00	0.00
170000	1	Each	10640	BRKT,EQUIP,1PC,4MS,SP C-EB30-APS-1P	30.28	100	0.00	0.00
180000	1	Each	10604	BRKT,EQUIP,1PC,3MS,SP C-EB25-MRD-1P	30.28	100	0.00	0.00
190000	2	Each	10821	BRKT,EQUIP,1PC,2.5MS,SP C-FP-05	11.90	100	0.00	0.00
200000	1	Each	10822	PLT,0.5MS, C-FP-1	11.90	100	0.00	0.00
210000	1	Each	10825	PLT,1MS, C-FP-2	11.90	100	0.00	0.00
				PLT,2MS,				



Havis Inc. | 75 Jacksonville Road | Warminster, PA 18974 | P: 800.524.9900 | F: 215.957.0729 | www.havis.com



Sales Quote

Page 3 of 5

Sales Quote SQ107160
Sales Quote Date: 9/2/2021
Quote Exp. Date:

Sell To:

Montgomery Township Police Dept
Jeff Sarnocinski
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936
United States

Ship To:

Montgomery Township Police Dept
Jeff Sarnocinski
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936
United States

Inside Sales Rep:

Havis Sales - 800-524-9900

Cust. Service Rep:

Justin Filaferro 215-957-0720 x 3148

Independent Rep:

Order Comments: EQUIPMENT FOR 2022 FORD INTERCEPTOR UTILITY - Car 47-1 **QUOTE IS PER CAR**

Ship Via:

Havis Internal Transfer

Shipping Service:

Internal Service

Incoterms:

Free on Board - Origin

Freight Terms:

Prepaid

Shipping Advice:

Complete

Payment Terms

Net 30 Days

Line No.	Order Qty.	U/M	No.	Catalog No./Description	MSRP	Disc.	Net Price	Total Price
220000	1 Each		10829	C-FP-35 PLT,3.5MS,	14.06	100	0.00	0.00
230000	1 Each		10830	C-FP-4 PLT,4MS,	14.06	100	0.00	0.00
240000	2 Each		10824	C-FP-15 PLT,1.5MS,	11.90	100	0.00	0.00
250000	1 Each		15745	GS-CH-24213 COLE HERSEE SOLENOID,12V,200A, SPST	125.00	25	93.75	93.75
260000	1 Each		25009	WG-GP02225-130-KIT2 BRKT,4RE,VISTA CAM/CAMERA MNT,VISOR POST,EXPL,SP	95.00	0	95.00	95.00
270000	1 Each		21588	WH-IJ2DEDE LIBERTY II WC LIGHTBAR,54",DEDE Line Notes: DUO BAR W/TAKE DOWN & ALLEY LIGHTS - FLOOD OPTION - AMBER DIRECTIONAL - MKEZ105 MOUNT KIT - PREEMPTOR IN BAR	2,700.00	0	2,700.00	2,700.00
280000	1 Each		21479	WH-CCSRN3 CENCOM SAPPHIRE SIREN SYSTEM,SP	1,424.00	100	0.00	0.00
290000	1 Each		21863	WH-SA315P ROUND SPEAKER 123dB NYLON COMPOSITE	328.00	100	0.00	0.00
300000	1 Each		21902	WH-SAK66D SA315 BRKT F/EXPLORER,DRIVER SIDE	41.00	100	0.00	0.00
310000	1 Each		21500	WH-D844000 DOMINATOR,TIR3,8 LT,4RED/4BLUE,SP, Line Notes: R/B/R/B/R/B/R/B HATCH WINDOW LIGHT	675.00	40	405.00	405.00



Havis Inc. | 75 Jacksonville Road | Warminster, PA 18974 | P: 800.524.9900 | F: 215.957.0729 | www.havis.com



Sales Quote

Page 4 of 5

Sales Quote SQ107160
Sales Quote Date: 9/2/2021
Quote Exp. Date:

Sell To:

Montgomery Township Police Dept
Jeff Sarnocinski
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936
United States

Ship To:

Montgomery Township Police Dept
Jeff Sarnocinski
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936
United States

Inside Sales Rep: Havis Sales - 800-524-9900
Cust. Service Rep: Justin Filaferro 215-957-0720 x 3148
Independent Rep:

Ship Via: Havis Internal Transfer
Shipping Service: Internal Service
Incoterms: Free on Board - Origin
Freight Terms: Prepaid
Shipping Advice: Complete
Payment Terms: Net 30 Days

Order Comments: EQUIPMENT FOR 2022 FORD INTERCEPTOR UTILITY - Car 47-1 **QUOTE IS PER CAR**

Line No.	Order Qty.	U/M	No.	Catalog No./Description	MSRP	Disc.	Net Price	Total Price
320000	2 Each		21983	WH-VTX609C VERTEX SUPER LED CLEAR Line Notes: REVERSE LIGHTS	113.00	40	67.80	135.60
330000	2 Each		21780	WH-MCRNTJ MICRON,STUD MOUNT,RED/BLUE Line Notes: GRILL LIGHTS	133.00	40	79.80	159.60
340000	2 Each		21603	WH-IONJ ION SUPER LED, RED/BLUE SPLIT Line Notes: CARGO WINDOW LIGHTS	140.00	40	84.00	168.00
345000	1 Each		21378	WH-60CREGCS INTERIOR LIGHT, 6" RED/CLEAR,SURF MNT Line Notes: MOUNTED OVER CENTER CONSOLE	204.00	40	122.40	122.40
350000	1 Each		16954	GS-PG-1000 MICROTUBE EXTREME RANGE PRE-EMPTER	424.00	0	424.00	424.00
360000	1 Each		17369	POWER-104 KIT,HRDW,WIRE,WHELEN,INSTALL	370.19	40	222.11	222.11
370000	1 Each		20742	TSD-131-0010 ELEC,CIRCUIT BRKR,100AMP,MANL,RESET,	58.50	25	43.87	43.87
380000	2 Each		10192	AX-CMUHF MINI UHF MALE CRIMP ON FOR RG58C	6.08	25	4.56	9.12

EQUIPMENT FOR 2022 FORD INTERCEPTOR UTILITY - Car



Havis Inc. | 75 Jacksonville Road | Warminster, PA 18974 | P: 800.524.9900 | F: 215.957.0729 | www.havis.com



Sales Quote

Page 5 of 5

Sales Quote SQ107160
Sales Quote Date: 9/2/2021
Quote Exp. Date:

Sell To:

Montgomery Township Police Dept
Jeff Sarnocinski
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936
United States

Ship To:

Montgomery Township Police Dept
Jeff Sarnocinski
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936
United States

Inside Sales Rep: Havis Sales - 800-524-9900
Cust. Service Rep: Justin Filaferro 215-957-0720 x 3148
Independent Rep:

Ship Via: Havis Internal Transfer
Shipping Service: Internal Service
Incoterms: Free on Board - Origin
Freight Terms: Prepaid
Shipping Advice: Complete
Payment Terms: Net 30 Days

Order Comments: EQUIPMENT FOR 2022 FORD INTERCEPTOR UTILITY - Car 47-1 **QUOTE IS PER CAR**

Line No.	Order Qty.	U/M	No.	Catalog No./Description	MSRP	Disc.	Net Price	Total Price
----------	------------	-----	-----	-------------------------	------	-------	-----------	-------------

QUOTE IS PER CAR

PLEASE CHECK YOUR QUOTE FOR ACCURACY.

Subtotal: 9,486.86
Tax: 0.00
Estimated Freight: 0.00
Total: 9,486.86

This document is not a Sales Order. Please read quotation thoroughly and verify that it fits your specifications. If this quote fulfills your requirements, please submit a copy of this quote or reference the Sales Quote Number with your purchase order. No customer order can be generated without a written purchase order.





Sales Quote

Page 1 of 2

Sales Quote SQ107168
Sales Quote Date: 9/2/2021
Quote Exp. Date: 11/17/2021

Sell To:

Montgomery Township Police Dept
Jeff Sarnocinski
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936
United States

Ship To:

Montgomery Township Police Dept
Jeff Sarnocinski
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936
United States

Inside Sales Rep:

Havis Sales - 800-524-9900

Cust. Service Rep:

Justin Filaferro 215-957-0720 x 3148

Independent Rep:**Order Comments:**

LABOR FOR 2022 FORD INTERCEPTOR UTILITY - CAR 47-1 **QUOTE IS PER CAR** INCLUDES STRIPPING OF OLD TAHOE

Ship Via:

Havis Internal Transfer

Shipping Service:

Internal Service

Incoterms:

Free on Board - Origin

Freight Terms:

Prepaid

Shipping Advice:

Complete

Payment Terms

Net 30 Days

Line No.	Order Qty.	U/M	No.	Catalog No./Description	MSRP	Disc.	Net Price	Total Price
----------	------------	-----	-----	-------------------------	------	-------	-----------	-------------

10000	60	Each	20462	SHL	76.00	0	76.00	4,560.00
-------	----	------	-------	-----	-------	---	-------	----------

SHOP-LABOR

Line Notes: LIGHTBAR W/STRAP KIT - SIREN SPEAKER
W/BRACKET - GRILL LIGHTS IN OEM LOCATION - HATCH
WINDOW LIGHT - CARGO WINDOW LIGHTS - ACTIVATE
HEADLIGHT FLASHER & SYNC FACTORY LIGHTING - TAILLIGHT
HIDEAWAY LIGHTS - PRE EMPTOR ON PARK KILL IN LB

SEE LABOR COMMENTS

Line Notes: REMOTE SIREN SWITCHBOX - FRONT SINGLE
TRANSPORT PARTITION - REAR CARGO BARRIER - GUNLOCK ASSY
- C/S MODEM & ANTENNA - WINDOW GUARDS - (2) C/S
RADIO'S - COMPUTER MOUNTING SYSTEM - CONSOLE &
CONSOLE ACCESSORIES

SEE LABOR COMMENTS

Line Notes: FLIP UP TRUNK TRAY WITH EQUIPMENT TRAY -
MASTER SWITCH POWERED BY CHARGE GUARD - C/S VIDEO
SYSTEM - C/S FLASHLIGHT CHARGER - PRINTER ARMREST
MOUNT & SCANNER - OVERHEAD CONSOLE - DOME LIGHT OVER
CONSOLE - REMOVE ALL EQUIPMENT FROM OLD TAHOE

LABOR FOR 2022 FORD INTERCEPTOR UTILITY - CAR



Havis Inc. | 75 Jacksonville Road | Warminster, PA 18974 | P: 800.524.9900 | F: 215.957.0729 | www.havis.com



Sales Quote

Page 2 of 2

Sales Quote SQ107168
Sales Quote Date: 9/2/2021
Quote Exp. Date: 11/17/2021

Sell To:

Montgomery Township Police Dept
Jeff Sarnocinski
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936
United States

Ship To:

Montgomery Township Police Dept
Jeff Sarnocinski
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936
United States

Inside Sales Rep:

Havis Sales - 800-524-9900

Cust. Service Rep:

Justin Filaferro 215-957-0720 x 3148

Independent Rep:**Order Comments:**

LABOR FOR 2022 FORD INTERCEPTOR UTILITY - CAR 47-1 **QUOTE IS PER CAR** INCLUDES STRIPPING OF OLD TAHOE

Ship Via:

Havis Internal Transfer

Shipping Service:

Internal Service

Incoterms:

Free on Board - Origin

Freight Terms:

Prepaid

Shipping Advice:

Complete

Payment Terms

Net 30 Days

Line No.	Order Qty.	U/M	No.	Catalog No./Description	MSRP	Disc.	Net Price	Total Price
----------	------------	-----	-----	-------------------------	------	-------	-----------	-------------

QUOTE IS PER CAR INCLUDES STRIPPING OF OLD TAHOE

PLEASE CHECK YOUR QUOTE FOR ACCURACY.

Subtotal: 4,560.00
Tax: 0.00
Estimated Freight: 0.00
Total: 4,560.00

This document is not a Sales Order. Please read quotation thoroughly and verify that it fits your specifications. If this quote fulfills your requirements, please submit a copy of this quote or reference the Sales Quote Number with your purchase order. No customer order can be generated without a written purchase order.



ISO 9001 CERTIFIED
QUALITY MANAGEMENT SYSTEM

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 14.

SUBJECT: Township Manager's Employment Agreement
MEETING DATE: January 24, 2022
BOARD LIAISON: Tanya C. Bamford, Chairwoman
INITIATED BY: Carolyn McCreary, Township Manager

BACKGROUND:

As two years have passed since the initial agreement, the Board is now being asked to renew the employment agreement for another two years, which is the maximum term permitted by state law for municipal managers.

The original agreement was drafted on behalf of the Township by the Township's labor attorney and has been updated by the Solicitor's office and discussed by the Board of Supervisors in Executive Session.

MOTION/RESOLUTION:

Motion to approve the employment agreement for the Township Manager for the period of 01/01/22 to 12/31/23 and authorize the Chairwoman to execute the agreement on behalf of the Township.

- 1) Motion by: _____ Second by: _____
2) Chairwoman will ask for public comment.
3) Chairwoman to call for vote.

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

SUBJECT: Board of Supervisors' Public Meeting Guidelines
MEETING DATE: January 24, 2022
BOARD LIAISON: Tanya C. Bamford, Chairwoman
INITIATED BY: Carolyn McCreary, Township Manager

BACKGROUND:

In preparation for the Reorganization meeting and the start of 2022, staff reviewed the guidelines for the public meetings and hearings before the Board of Supervisors. These printed guidelines were available to those attending the meeting and found next to the agendas in the back of the meeting room. The guidelines were established in 1999 and revised in 2009.

The Solicitor has recommended that they be formalized by a resolution which would consolidate multiple documents, making it easier for the Board to refer to, and for the public to find on the Township website.

RECOMMENDATION:

Staff recommends the Board of Supervisors memorialize the previously established guidelines by adopting a resolution.

MOTION/RESOLUTION:

Motion to adopt Resolution No. 2022-03 Memorializing the guidelines established for the Board of Supervisors' public meetings.

- 1) Motion by: _____ Second by: _____
- 2) Chairwoman will ask for public comment.
- 3) Chairwoman will call for vote.

MONTGOMERY TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA
RESOLUTION 2022-03

**A RESOLUTION FORMALLY MEMORIALIZING THE GUIDELINES PREVIOUSLY
ESTABLISHED FOR THE BOARD OF SUPERVISORS' PUBLIC MEETINGS**

WHEREAS, the Montgomery Township Board of Supervisors wishes to memorialize guidelines established for its public meetings; and

WHEREAS, these guidelines were established on March 8, 1999, revised on August 21, 2013 and updates on January 4, 2022; and

WHEREAS, it is the recommendation of the Township Solicitor that this be done by a resolution presented at a public meeting; and

WHEREAS, pursuant to the Pennsylvania Sunshine Act, 65 Pa. Cons. Stat. §710.1, municipalities may adopt reasonable rules and guidelines for public comment periods to maintain an orderly process, including by imposing time limits;

NOW, THEREFORE, Montgomery Township adopts the following rules and guidelines for participation at its public meetings and hearings.

1. All official action and deliberations by a quorum of the Board of Supervisors shall take place at meetings that are open to the public unless closed under Sections 707 (relating to exceptions to open meetings) or 708 (relating to executive sessions) of the Sunshine Act: Open Meetings Law. *See*, 65 Pa.C.S. §704 [Open meetings].
2. The Board of Supervisors shall provide a reasonable opportunity at each advertised regular meeting and advertised special meeting for residents and/or taxpayers of Montgomery Township to comment on matters of concern, official action, or deliberation which are or may be before the Board of Supervisors prior to taking official action. The Board of Supervisors has the option to accept all public comment at the beginning of the meeting. If the Board of Supervisors determines that there is not sufficient time at a meeting for the residents and/or taxpayers of Montgomery Township to comment, the Board of Supervisors may defer the comment period to the next regular meeting or to a special meeting occurring in advance of the next regular meeting. *See*, 65 Pa.C.S. §710.1(a) [Public Participation. General Rule].
3. In order to participate in a meeting, members of the audience are asked to raise their hand and wait to be acknowledged by the Chairperson of the Board of Supervisors prior to addressing the Board of Supervisors. Once acknowledged by the Chair of the Board, state your name and address. At times, the Board of Supervisors may require a signature on a sign-in sheet to be recognized to speak. This may be required when the Board of Supervisors is faced with a major issue, there is large public attendance, or it is facing time constraints.

4. A recognized speaker is to come to the front of the room and use a microphone for speaking so that they can be heard by other members of the audience and the Board of Supervisors. This will also ensure that a summary of their comments can be reflected in the written minutes of the open meeting.
5. The Board of Supervisor's meeting minutes must include date, time, and place of the meeting, the names of the members present, the substance of all official actions and a record of all votes, and the name and address of all citizens who appear officially at the meeting and the subject of their testimony. Minutes will include the nature of an individual's comments, not word-for-word statements. The minutes are not meant to be a transcript of a public meeting and will provide only a summary of individuals' comments.
6. The Board of Supervisors hereby sets a time limit for each individual speaker of five (5) minutes and may also set an overall time limit for all comments by the audience when there is a complex issue or a large turnout. This is done to permit the greatest number of individuals to express their views in a reasonable time frame. If appropriate, the Board of Supervisors may waive the time limit.
7. Members of the audience are requested to limit their statements to comments which have not already been made by others.
8. Please refrain from making personal attacks or statements about Board Members or other members of the public or Township staff.
9. Please refrain from calling out or speaking out of turn. When more than one person speaks at a time, neither the Board nor other members of the audience can benefit from hearing your comments and it is difficult to note your comments for the minutes.
10. Please be advised that all regular and special meetings of the Board of Supervisors are recorded for replay on the Township cable channels.

RESOLVED, at the duly convened meeting of the Board of Supervisors of Montgomery Township conducted on this 24th day of January 2022.

Tanya C. Bamford, Chairwoman

Candyce Fluehr Chimera, Vice-Chairwoman

Annette M. Long, Member

Beth A. Staab, Member

Audrey R. Ware, Member

Attest: Carolyn McCreary, Secretary

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 16.

SUBJECT: Proposed Advisory Committee Bylaw Amendments
MEETING DATE: January 24, 2022
BOARD LIAISON: Tanya C. Bamford, Chairwoman
INITIATED BY: Carolyn McCreary, Township Manager

BACKGROUND:

As we worked on preparations for the reappointment of volunteers to our various committees for the Reorganization meeting, I learned each committee has a set of bylaws which appear to follow a template for consistency. However, most have not been reviewed since 2009. Additionally, with the ongoing pandemic and the appointment of new committee members and formation of new committees (HRC, Ready For 100) it seemed like a good time to review them and determine if we should make any recommendations for updates. They would then be circulated to all the committees with an acknowledgment to be signed by each member.

Proposed changes include:

- The elimination of language noting a specific day and/or time a committee must meet.
- The inclusion of language concerning postings made on social media or in print as a representative of the Township.
- The prohibition of using the Township seal or other designation without proper consent.

Additionally, I respectfully suggest the Board consider removing the mission statement from the Parks & Recreation Advisory Board's bylaws as it is the only committee with a separate mission statement, and its purpose is clearly defined in the bylaws. Any mission statement should be a *Township* mission statement and is something we are planning to develop in 2022.

I have modified one set of bylaws to serve as an example and for discussion purposes.

RECOMMENDATION:

Staff recommends the Board of Supervisors consider adding this additional language and remove any references to a specific date or time for meetings to be held so long as the meeting frequency reflects what is noted in the bylaws.

MOTION/RESOLUTION:

Motion to amend the bylaws as described.

- 1) Motion by: _____ Second by: _____
- 2) Chairwoman will ask for public comment.
- 3) Chairwoman will call for vote.

MONTGOMERY TOWNSHIP ADVISORY COMMITTEE

AUTUMN FESTIVAL COMMITTEE

BYLAWS¹

A. AUTHORIZATION

The Autumn Festival Committee, originally known as the Community Day Committee, was established in the year 2000.

The Autumn Festival Committee By-laws were amended by resolution of the Supervisors of Montgomery Township on January 5, 2009.

B. PURPOSE

The purpose of the Autumn Festival Committee ("Committee") shall be to build relationships with the local businesses by securing donations, sponsorships and support. In addition, the Committee will provide input on the main events of the Festival. In this capacity, the Committee shall regularly report to and advise the Board of Supervisors of Montgomery Township ("Supervisors") regarding the results of sponsorships, donations and planned events for the Autumn Festival.

The Committee shall also perform other duties and responsibilities as directed by the Supervisors.

C. MEMBERSHIP

The Committee shall consist of seven (7) residents of Montgomery Township. All seven (7) members shall be appointed by motion of the Supervisors. Only the resident members shall have voting rights.

Staff may serve as a liaison to the Committee. A member of the Supervisors may also serve as liaison to the Committee. Neither the Staff liaison, nor the Supervisor liaison shall have voting rights.

¹ Effective: 1/5/09

Revised: _____

Committee Members shall attend regularly scheduled meetings and actively participate in discussions, particularly those requiring consensus Committee recommendations.

After three consecutive absences, without reasonable excuse, the Supervisors shall declare that the Committee Member has been derelict and/or neglectful and his/her seat vacant and appoint another member to the Committee. ~~The Chairman of the Committee shall be responsible for reporting the attendance of all meetings, in writing, to the Township Manager.~~ Attendance of committee members will be recorded in the meeting minutes.

Formatted: Strikethrough

An agenda will be distributed to the Committee Members prior to each meeting. Committee Members are expected to prepare in advance for all meetings, including reading of agenda packet materials.

D. TERMS

Committee Members shall serve a one-year term from the first meeting of the Supervisors in January to the first meeting of the Supervisors in January of the subsequent year. At the expiration of the term of any Committee Member, the Supervisors shall appoint a successor. A Committee Member may be reappointed annually by the Supervisors.

A copy of the bylaws shall be presented to and acknowledged by the member at the time of appointment.

The position of any Committee Member residing within the Township at the time of appointment, but thereafter moves his/her residence from the Township shall automatically become vacant. The Supervisors shall appoint a successor to fill the vacancy. Such appointment shall be only for the unexpired portion of the term.

E. OFFICERS

Officers shall be elected at the first meeting in January. Officers will serve for one year and until their successors have been duly elected and qualified. Rotation of the Officers among the members is strongly recommended.

The Officers of the Committee shall consist of:

- ~~Chairman~~ — The ~~Chairman~~ shall preside at meetings of the Committee and perform all other duties required by law and these bylaws.
- ~~Vice-Chairman~~ — The ~~Vice-Chairman~~ shall preside at meetings of Committee in the absence of the Chairman.

Formatted: Strikethrough

Formatted: Strikethrough

Formatted: Strikethrough

Formatted: Strikethrough

A staff representative shall prepare the agenda and record the minutes of regular and special meetings under the direction of the ~~Chairman~~, provide notice of all meetings to Committee Members, attend to correspondence of the Committee, and such other duties as are

Formatted: Strikethrough

normally carried out by a staff representative. Once the minutes are prepared and before the staff representative disseminates the information, the staff representative should forward the minutes to the Chairman for review. In the absence of the staff representative, the Vice-Chairman shall assume the duties associated with the staff representative, as detailed within this section.

Formatted: Strikethrough

Formatted: Strikethrough

F. CONFLICTS OF INTEREST

Committee Members shall not participate in matters in which they have a direct or indirect financial interest.

Committee Members shall also refrain from any use of their membership that gives the appearance of being motivated by a desire for private gain.

Committee Members are not permitted to submit a proposal for services on their behalf or on their employer's behalf.

Committee Members are required to disclose any possible conflicts of interest to a Chairman or Committee Liaison immediately and shall recuse themselves from discussion or voting on the item.

G. MEETINGS

The Supervisors recommend the Committee meet ~~on the second Wednesday of every month~~, but meetings can be bimonthly or quarterly depending upon the Committee's work load.

Formatted: Strikethrough

All regular and special meetings of the Committee shall be scheduled, advertised, and conducted in accordance with the requirements of the provisions of the Pennsylvania Sunshine Act. The schedule of the regular monthly meetings shall be advertised annually by the Township Manager's office in accordance with the requirements of Pennsylvania law.

Recommendations to the Supervisors are made based on consensus. No minimum quorum is required. The Committee Members shall initiate proposals to the Supervisors via recommendation by a consensus of members (residents and employees) present at the meeting. Upon consensus agreement, members shall authorize the Chairman to create and submit a recommendation to the Supervisors for approval.

The minutes shall include all motions presented to the Committee, including the vote tally, for and against a motion, listing the number of resident votes. The Chairman will deliver all recommendations to the Supervisors.

Meetings are advertised and open to the public. Executive sessions can be conducted as are authorized by Pennsylvania law. Minutes of the meeting shall be prepared and forwarded to all members of the Committee prior to the date of any scheduled meeting. In all matters

of parliamentary procedure not specifically governed by the bylaws, Roberts Rules of Order shall prevail.

A special meeting may be called by the Chair~~man~~ or by the Township Manager upon appropriate compliance with the provisions of Pennsylvania [Sunshine](#) law.

H. RULES AND REGULATIONS

All members of the Committee are required to follow the rules, regulations and procedures as set forth by the Township with respect to, but not limited to, ordinances, resolutions and adopted policies.

All members of the Committee must comply with state and federal laws.

I. CONDUCT AND PERFORMANCE

The Township has certain expectations for volunteer conduct and performance. When behavior and performance falls below these expectations, a Committee Member may be relieved of his/her advisory position. The Committee Chair~~man~~ is responsible for the conduct and performance of Committee Members. ~~At least on an annual basis, the Chairman is responsible for evaluating the conduct and performance of all Committee Members. The Chairman shall ensure that the Township Manager is forwarded copies of these evaluations.~~ Decisions to relieve Committee Members of their appointments shall be made by the Supervisors, in accordance with applicable law.

Formatted: Strikethrough

Formatted: Strikethrough

The Township's Rules of Conduct at all regular and special meetings of the Committee shall apply to all matters under consideration by the Committee except for ceremonial matters and are as follows:

1. Committee Members shall treat staff members, each other and members of the public with respect and courtesy.
2. Disagreements shall not result in personal comments or attacks against a staff member, another Committee Member, or members of the public.
3. When any Committee Member is recognized to speak at a Committee meeting, the Committee Member shall address the Chairman.
4. When two or more members address the Chairman at the same time, the Chair~~man~~ shall name the member who is to be the first to speak.
5. When speaking, a member shall confine his or her remarks to the topic under debate or discussion.

Formatted: Strikethrough

Participation by members of the public shall be governed by the Township's ~~Guidelines for resolution regarding~~ public participation in Board of Supervisors meetings.

Formatted: Strikethrough

As is noted in ~~these Guidelines~~, this resolution members of the public are asked to refrain from making personal attacks or statements about Committee Members, other members of the public or Township staff. Members of the public shall treat Committee Members, staff members and each other with respect and courtesy.

Formatted: Strikethrough

Committee member may not post content on any social media platform as representing the Township without the expressed permission of the Township via the Board of Supervisors liaison to the committee or Township Manager.

Committee members may not utilize any official Township seal or logo without the expressed permission of the Township via the Board of Supervisors liaison to the committee or Township Manager.

J. AMENDMENTS

Amendments to these bylaws may be adopted revised or replaced by a majority vote of the Supervisors, following a recommendation by the Township Staff or the Committee.

K. REPEALER

Any bylaws that previously may have been adopted and approved for the Committee are hereby repealed.

Board of Supervisors Chairman

Committee Representative

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Date

Date

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 17.

SUBJECT: Reappointment of Kim Greene to the Parks & Recreation Advisory Board
MEETING DATE: January 24, 2022
BOARD LIAISON: Tanya C. Bamford, Chairwoman
INITIATED BY: Carolyn McCreary, Township Manager

BACKGROUND:

As a result of a change in her email address Kim Greene did not receive our communications inquiring if she desired to be reappointed. Following up on the January 12th committee meeting Ms. Greene contacted the Township and advised she would like to continue to serve on this committee.

RECOMMENDATION:

Staff recommends the Board of Supervisors reappoint Kim Greene to the Parks & Recreation Advisory Board.

MOTION/RESOLUTION:

Motion to reappoint Kim Greene to the Parks and Recreation Advisory Board with the term expiring on January 1, 2027.

- 1) Motion by: _____ Second by: _____
- 2) Chair will ask for public comment.
- 3) Chair will call for vote.

New Business

Manager's Report

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

Item # **18a.**

SUBJECT: Volunteer Appreciation Event
MEETING DATE: January 24, 2022
BOARD LIAISON: Tanya C. Bamford, Chairwoman
INITIATED BY: Carolyn McCreary, Township Manager

BACKGROUND:

In the past the Township has recognized its volunteers at a dinner or brunch. This event was discontinued and instead gifts of appreciation were purchased for the volunteers. The last one was held in 2018, a Sunday brunch.

Staff is seeking the Board's consensus to explore options to resume holding something to thank the residents who serve on our various committees. We would then report back to the Board at an upcoming meeting with suggestions and pertinent cost details.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD INFORMATION SUMMARY
Item # 18b.

SUBJECT:	Application for Disaster Assistance – Streambank Erosion
MEETING DATE:	January 24, 2022
BOARD LIAISON:	Tanya C. Bamford, Chairwoman
INITIATED BY:	Carolyn McCreary, Township Manager

BACKGROUND:

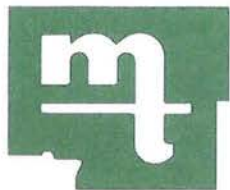
Shannon Drosnock, Director of the Montgomery Township Municipal Sewer Authority (MTMSA) advised me about severe streambank erosion caused by significant flooding in the Little Neshaminy Creek caused by Tropical Storm Ida.

The Township Engineer met Ms. Drosnock and me at the wastewater treatment plant and walked along the creek adjacent to the property. He photographed the areas and noted the erosion along with the debris which had been transported due to the record rainfall and velocity of the water traveling through this area.

MTMSA and the Township have sent a letter to the Natural Resources Conservation Service (NRCS) requesting Federal assistance under the provisions of the Flood Control Act to restore the damaged areas.

BUDGET IMPACT: There is no impact to the Township's budget at this time except for the time billed by the Township Engineer which is accounted for in our general operations.

Should we receive funding, we cannot undertake any activities to remediate the area prior to signing an agreement with NRCS.



TOWNSHIP

MUNICIPAL SEWER AUTHORITY

1001 STUMP ROAD, MONTGOMERYVILLE, PA 18936-9605

TELEPHONE (215) 393-6930

FAX (215) 362-8711

December 8, 2021

Denise Coleman
Natural Resources Conservation Service
359 East Park Drive, Suite 2
Harrisburg, PA 17111-2747

Dear Ms. Coleman:

We request Federal assistance under the provisions of section 216 of the Flood Control Act of 1950, Public Law 81-516 or section 403 of the Agricultural Credit Act of 1978, Public Law 95-334, to restore damages sustained in Montgomery County by Tropical Storm Ida on September 1-2, 2021. This work is needed to safeguard lives and property from an imminent hazard of damage to the Montgomery Township Municipal Sewer Authority (MTMSA) infrastructure.

Rainfall from Tropical Storm Ida caused significant flooding of the Little Neshaminy Creek. The flooding caused significant stream bank erosion as well as transported a large amount of debris to reaches of the stream within the vicinity of the MTMSA Waster Water Treatment Plant (WWTP). The length of MTMSA property along the stream has experienced severe streambank loss. However, two areas were especially impacted by Tropical Storm Ida. At the plant effluent point, scour has exposed the pipe and undermined the endwall. Exacerbating the flooding situation is the fact that the existing buffer along this length of the Little Neshaminy Creek is populated by a larger number of Ash trees that has succumbed to the Emerald Ash Borer. There are not as many trees and healthy root systems to aid in stabilizing the banks of the creek. We believe that stream stabilization and buffer reforestation will provide a great benefit to the creek but also to MTMSA. This would help to maintain safe operations going forward.

There is another reach of the creek on MTMSA property near the inflow grinder pump station that has been eroded and riddled with debris washed downstream. Ida brought significant flooding that saw water overtop and enter into the grinder pump inflow well mixing with raw sewage. This reach of the creek could use significant cleanup of storm debris, streambank resoration, and some buffer plantings to prevent worsening stream blockages.

We are a unit of local government with a legal interest in or responsibility for the values threatened by the watershed emergency. We understand, as sponsors of emergency watershed protection measures, that our responsibilities will include:

- Contributing a share of the project costs, as determined by NRCS, by providing funds or eligible services necessary to undertake the activity.
- Obtaining any necessary real property rights, water rights, and regulatory permits.
- Agreeing to provide for any required operation and maintenance of the completed emergency measures.

We have exhausted or have insufficient funding or other resources available to provide adequate relief from applicable hazards. We acknowledge that NRCS will not provide funding for activities undertaken by a sponsor prior to the signing of an agreement between NRCS and the sponsor.

The names, addresses, and telephone numbers of the administrative and technical contact persons in our organization are as follows:

Shannon Q. Drosnock
MTMSA, Executive Director
1001 Stump Road
Montgomeryville, PA 18936

Carolyn McCreary
Montgomery Township, Manager
1001 Stump Road
Montgomeryville, PA 18936

Please contact them for any additional information that you might need in assessing our request.

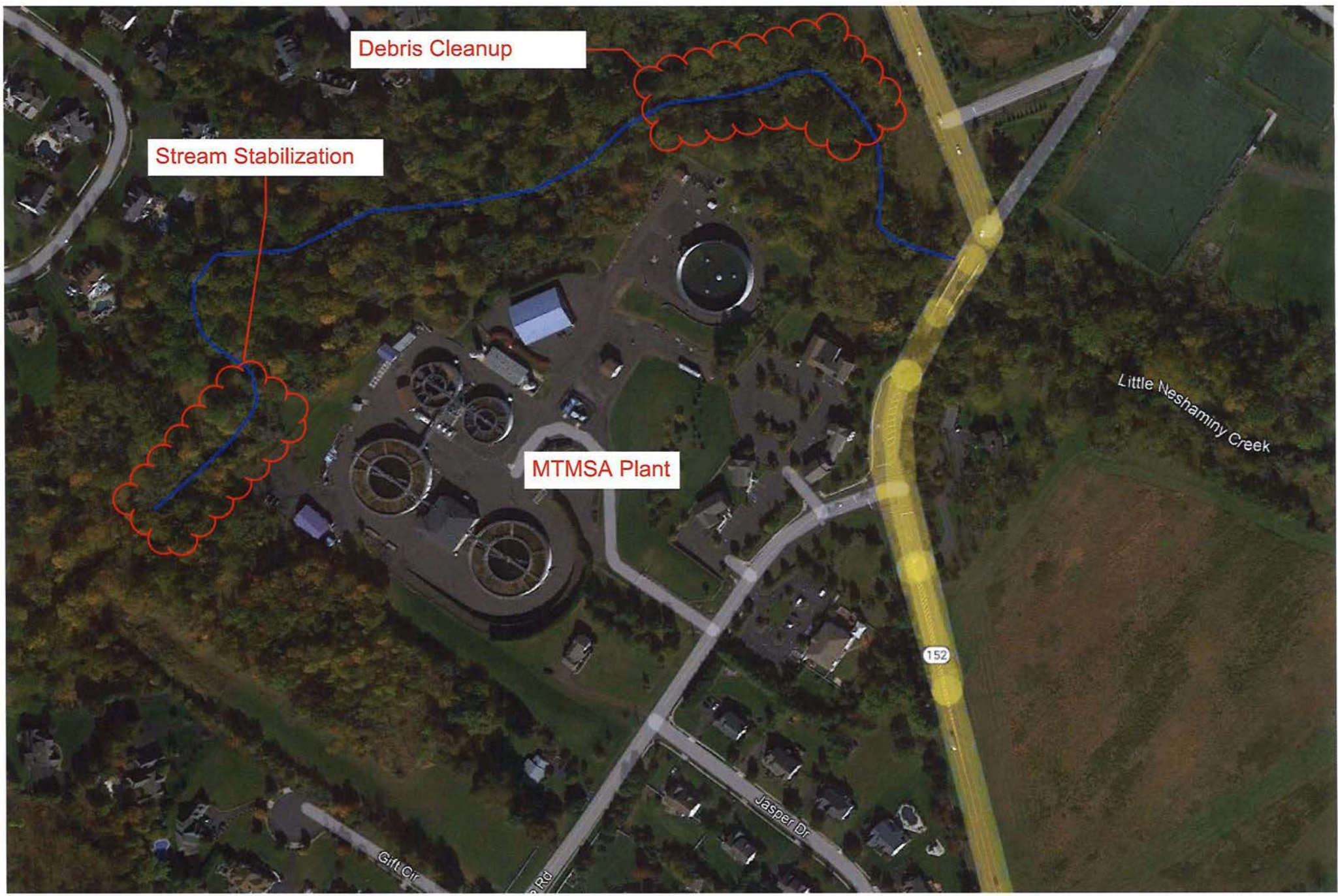
Sincerely,



Shannon Q. Drosnock
MTMSA, Executive Director
1001 Stump Road
Montgomeryville, PA 18936

Cc:

Rosalynd Orr
District Conservationist
USDA-NRCS
Perkasie Field Office
1000 East Walnut Street, Suite 702
Perkasie, PA. 18944
Phone: 267-354-2181
Fax: 855-836-9282
rosalynd.orr@usda.gov



Debris Cleanup

Stream Stabilization

MTMSA Plant

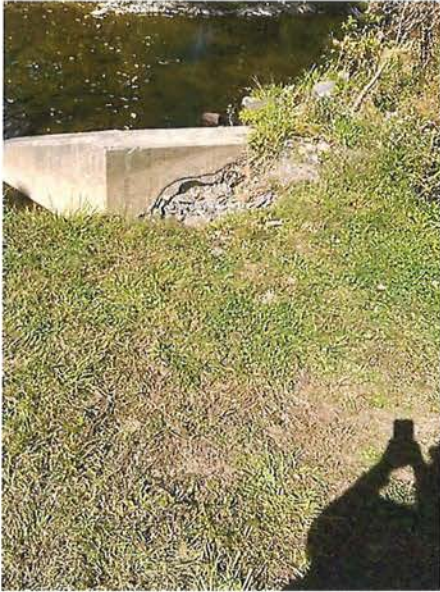
Little Neshaminy Creek

152

Jasper Dr

Gitt Cr

Streambank Restoration Area



Stream Debris and Flooding





MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY
Item # 18c.

SUBJECT: Resolution 2022-04 Supporting the PA Commission for the US
Semiquincentennial
MEETING DATE: January 24, 2022
BOARD LIAISON: Tanya C. Bamford, Chairwoman
INITIATED BY: Carolyn McCreary, Township Manager

BACKGROUND:

The Pennsylvania Commission for the United States Semiquincentennial known as America250PA was established by the Pennsylvania legislature and Governor Wolf. America250PA is part of a nationwide effort to plan, encourage, develop and coordinate the commemoration of the 250th anniversary of the United States' founding, which will culminate on July 4, 2026, 250 years after the Declaration of Independence was signed in Philadelphia.

America250PA is comprised of current and former Pennsylvania leaders, including private citizens and industry representatives.

RECOMMENDATION:

Staff recommends the Board of Supervisors adopt Resolution 2022-04, endorsing America250PA.

MOTION/RESOLUTION:

Motion to adopt Resolution 2022-04, endorsing America250PA and supporting the commissions mission to educate, preserve, innovate and celebrate as well as its goal to engage all citizens across Pennsylvania's 67 counties through events, programs and initiatives leading up to the semiquincentennial in 2026.

Montgomery Township applauds America250PA's goal of inspiring the Commonwealth's next generation as well as the commission's effort to make the nation's 250th anniversary an inclusive, once-in-a-lifetime experience for all Americans.

- 1) Motion by: _____ Second by: _____
- 2) Chairwoman will ask for public comment.
- 3) Chairwoman will call for vote.

RESOLUTION NO. 2022-04

**RESOLUTION OF THE MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
SUPPORTING THE PENNSYLVANIA COMMISSION
FOR THE UNITED STATES SEMIQUINCENTENNIAL**

WHEREAS, the Pennsylvania General Assembly and Governor Wolf created the Pennsylvania Commission for the United States Semiquincentennial (America250PA) in 2018 to plan, encourage, develop, and coordinate the commemoration of the 250th anniversary of the United States in 2026 and Pennsylvania's integral role in that event, and the impact of its people on the nation's past, present and future; and

WHEREAS, America250PA hopes to engage all citizens of the Commonwealth, from all 67 counties, bring the Commonwealth's history into the conversation so Pennsylvanians can better understand the origins and multiple perspectives of issues facing our Commonwealth and nation today, and use history to encourage and inspire future leaders, celebrate the contributions of Pennsylvanians to not only the Commonwealth's history, but also to our Nation's history.

WHEREAS, America250PA wishes to leave a lasting impact on the next generation of Pennsylvanians and to spark an interest which will ignite the drive for them to appreciate all of the triumphs, trials and tribulations which contributed to the Commonwealth for which they are now writing their own history; and

WHEREAS, America250PA will have numerous officially recognized programs, projects, and events over the next four years to inspire future leaders and celebrate all Pennsylvanians' contributions to the United States over the past 250 years.

NOW, THEREFORE, BE IT RESOLVED, that the Township hereby endorses America250PA and its EPIC mission to Educate, Preserve, Innovate and Celebrate the rich history and diversity of the state; and

RESOLVED, ADOPTED, and APPROVED, this 24th day of January, 2022 at a regular public meeting of the Board of Supervisors of Montgomery Township.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

Tanya C. Bamford, Chairwoman

Candyce Fluehr Chimera, Vice Chairwoman

Annette M. Long, Supervisor

Beth A. Staab, Supervisor

Audrey R. Ware, Supervisor

Attest: Carolyn McCreary, Township Mgr.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 19.

SUBJECT:	Other Business – Department Reports
MEETING DATE:	January 24, 2022
BOARD LIAISON:	
INITIATED BY:	Tanya C. Bamford, Chairwoman

BACKGROUND:

Township staff has prepared reports for the month of December. 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
December 2021

Administrative Matters (Township Manager)

- Participated in fourth (and final) session of mediation training for the HRC.
- Held staff meeting to discuss preparations and processes for annual Reorganization meeting.
- Met with MTMSA Director and Township Engineer to discuss streambank erosion issues in vicinity of the wastewater treatment plant.
- Attended DVHT Executive Committee meeting.
- Participated in Wissahickon Partnership Management Committee meeting.
- Met with Human Resource Director to discuss outstanding issues.
- Held staff/Township professionals' meeting with attorney representing Shake Shack.
- Met with Township Engineer and a resident regarding Stump Road sidewalk project.
- Met with Finance Director to discuss outstanding issues and operations.
- Met with representatives Penn Medicine re: potential land development project in the Township.
- Held staff meeting with Township professionals to discuss Penn Medicine's proposed project.
- Reviewed committee vacancies and terms with Deb Rivas.
- Held agenda preparation meetings with Department Heads.

Human Resources

- Attended/responded to various inter-department meetings and discussions:
 - Met with Township Manager for an Admin-HR catch up
 - 2022 budget and salary coordination and review with department heads.
- Coordinated annual service anniversary certificates and accompanying gift cards and provided for distribution.
- Conducted reference checks on possible applicant tracking/onboarding vendor
- Reviewed and presented to BOS meeting applicant tracking and onboarding vendor recommendation.
- Participated in the preparing and taping of a department head "thank you" video to all employees.
- Review of monthly employee e-blast birthdays and anniversaries
- Conducted in-person interview of potential front desk person-recreation
- Coordination of paperwork, online Clearinghouse registration and scheduling of drug and alcohol testing with vendors for CDL permit holder.
- Coordination of pictures and news of any special 2021 moments to be included in a special employee ENews.
- Coordination of occupational and non-occupational absences with employee(s) and DVWCT and DVMMA.
- Training: Attendance to PSU Customer Relations and Dealing with Difficult People virtual class; attended a virtual Women at Work webinar; attended virtual training on new CDL truck driver regulations in effect February 2022.

December 2021 Public Information Coordinator Report

Good evening,

For the December 2021 Public Information Coordinator Report, I have attached reports on the growth of social media through 2021. Tracking these insights allow the Township to determine the direction of future content, including new content designed to engage the community. The included reports highlight the growth of our Facebook, Instagram, and Twitter platforms as well as displaying a snapshot of the top posts. One interesting note is that while the Montgomery Township Police Department Facebook page on the surface shows a decrease in individual people reached, it remains the social media page with the highest public engagement. I am happy to report that social media engagement has seen an overall increase throughout 2021.

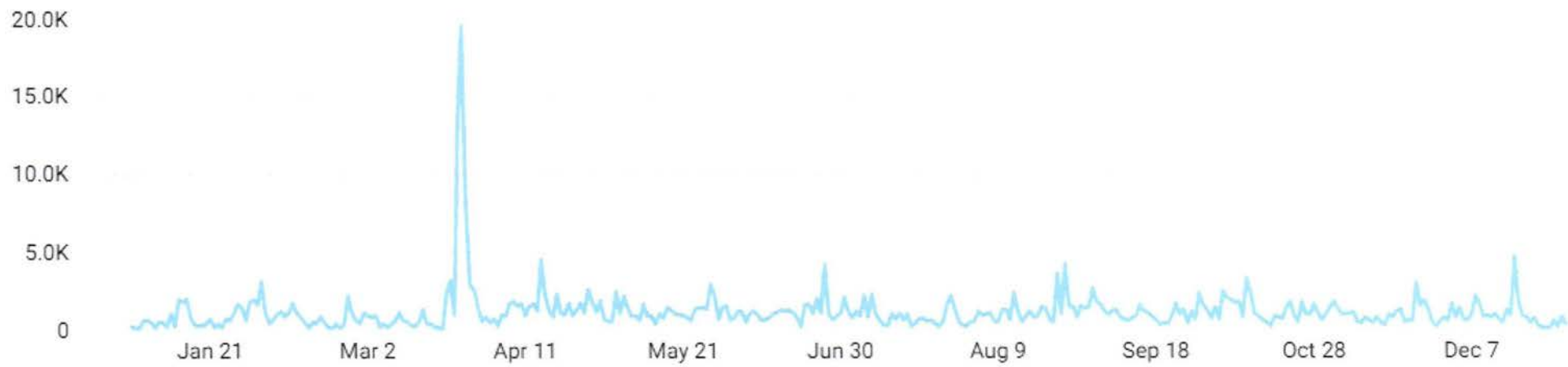
Derek J. Muller

Public Information Coordinator

Results

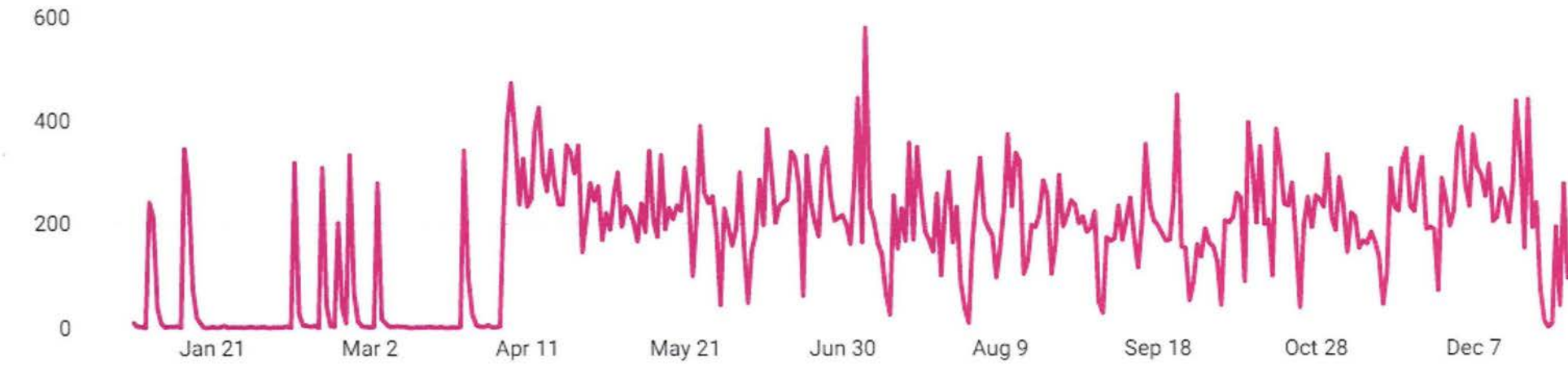
Facebook Page Reach ⓘ

106,911 ↑ 9%



Instagram Reach ⓘ

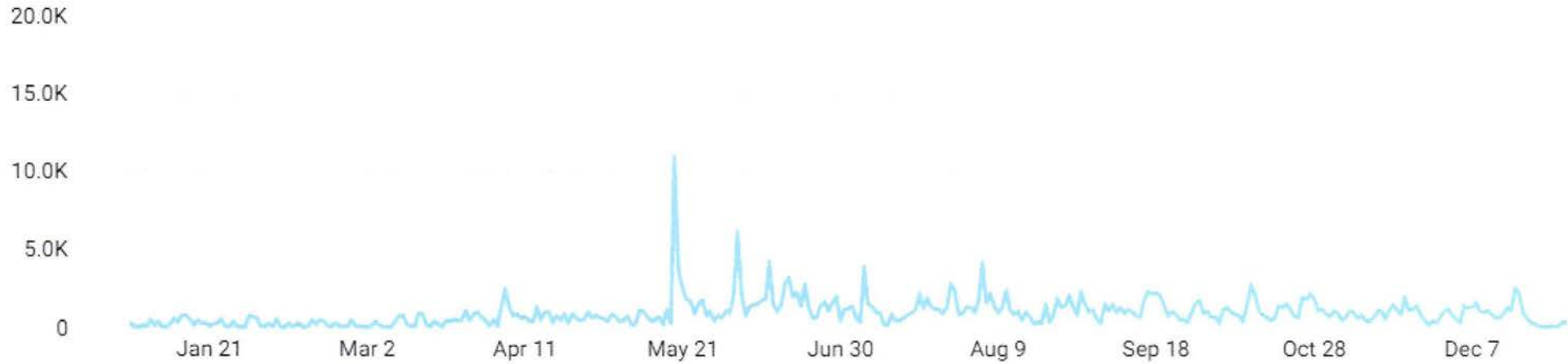
2,144 ↑ 89.2%



Results

Facebook Page Reach ⓘ

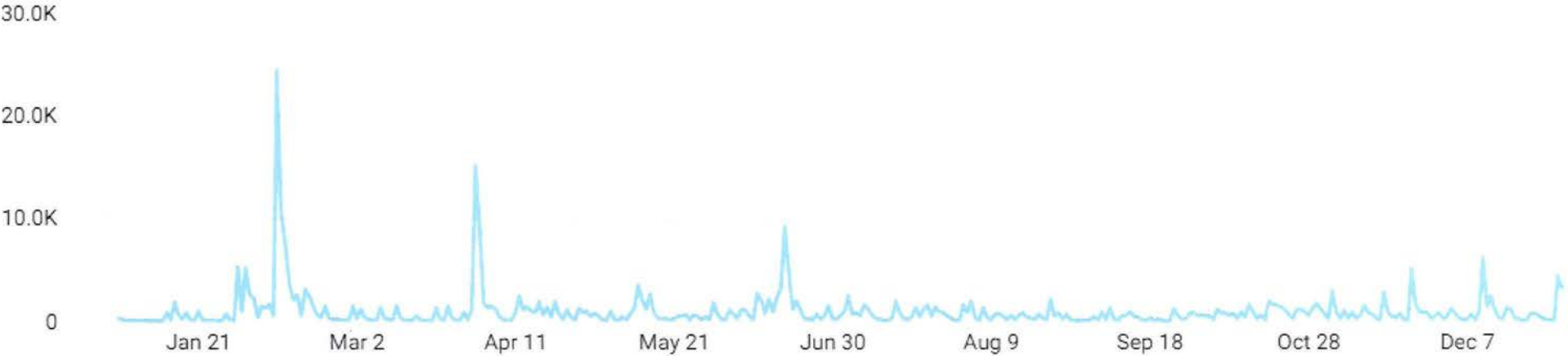
88,982 ↑ 41.6%



Results

Facebook Page Reach ⓘ






116,319 ↓ 67.8%



Top Posts of 2021




Facebook/Instagram

Montgomery Township, PA

Recent content	Type	Reach	Likes and reactions	Comments	Shares	Results	Cost per result	Link clicks
	Post	5.8K	251	24	12	--	--	917
	Post	5.4K	166	13	11	--	--	231
	Post	2.4K	119	54	7	--	--	128
	Post	1.9K	100	4	4	--	--	229
	Post	2.6K	97	1	8	--	--	90

Need help? Talk to us

Montgomery Township Community and Recreation Center

Recent content	Type	Reach	Likes and reactions	Comments	Shares	Results	Cost per result	Link clicks
	Post	14.5K	522	262	77	--	--	2.5K
	Post	15.1K	511	164	64	--	--	2.3K
	Post	4.8K	200	69	7	--	--	1.2K
	Post	4.6K	167	33	8	--	--	1.1K
	Post	6K	147	29	42	--	--	839

Montgomery Township Police Department

Recent content	Type	Reach	Likes and reactions	Comments	Shares	Results	Cost per result	Link clicks
 The Montgom... Nov 16, 2021	Post	6K	499	46	9	--	--	846
 JOIN OUR TEA... Feb 10, 2021	Post	41.7K	420	185	318	--	--	2.8K
 UPDATE 04/... Apr 1, 2021	Post	25.7K	398	80	384	--	--	1.2K
 Please take ti... Dec 11, 2021	Post	8.3K	376	36	33	--	--	492
 Recently, our ... Jun 17, 2021	Post	8.8K	371	26	19	--	--	799

Need help? Talk to us

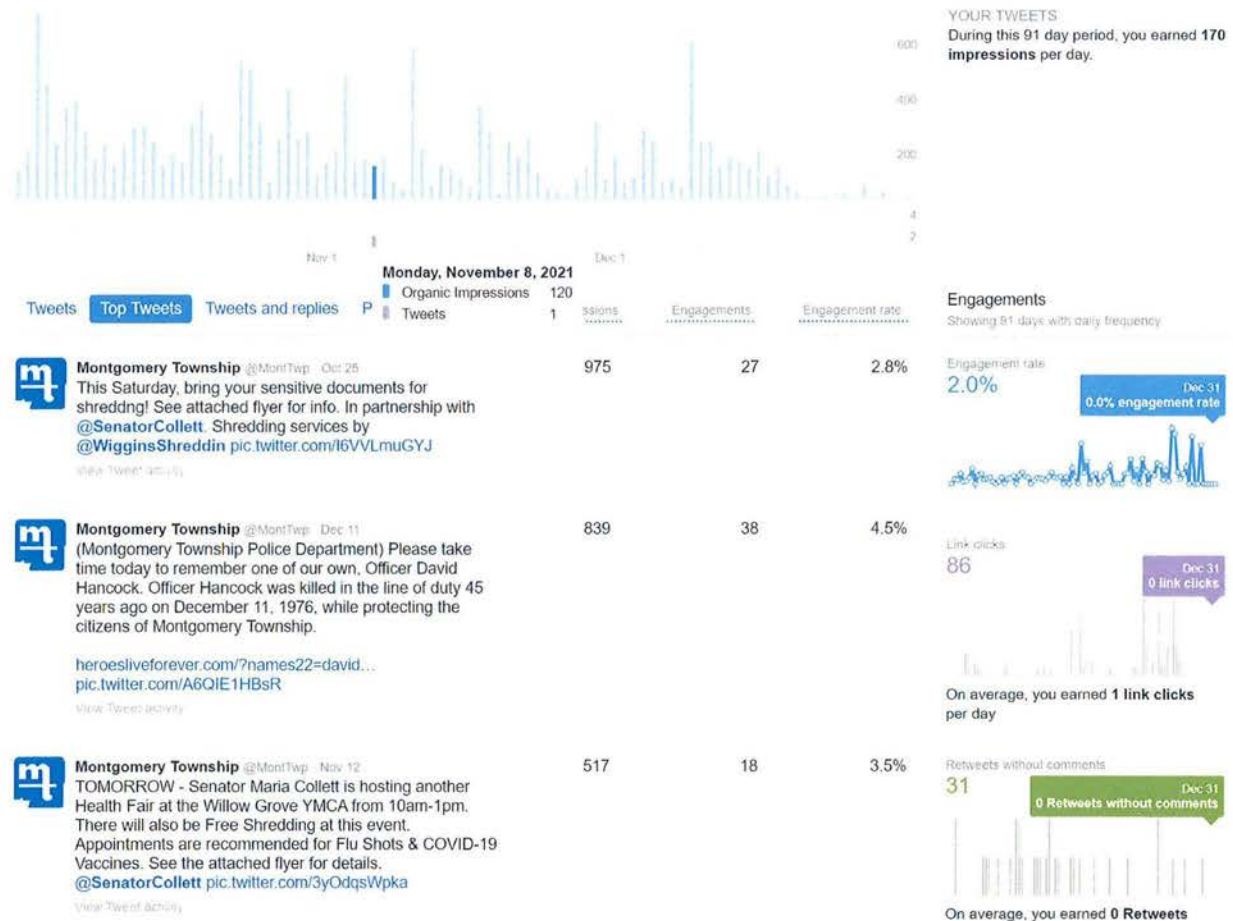
Twitter (Final Quarter of 2021)

Tweet activity

Oct 2 - Dec 31, 2021

Export data

Your Tweets earned **15.5K impressions** over this **91 day** period



Community and Recreation Center Report

December 2021

The month of December 2021 was the busiest month for participation and attendance at the Montgomery Township Community Recreation Center (Mont CRC) since the onset of the COVID-19 health crisis. Program participation and membership purchases are trending in the right direction – upward.

Below is a review of highlighted program activity and facility usage for the month of December 2021:

- The programming highlight of December was the visit of our good friend from the North Pole on Saturday, December 18th. Breakfast and a photos with Santa was exciting for all. The Senior Volunteer Committee of Montgomery Township was a huge help in making the event a success. The group assisted in serving breakfast service to 120 people at two separate sittings.
- Montgomery Youth Basketball began recreation league play during December. Games are currently being played Mondays, Fridays, Saturday and Sundays. Their presence on the courts is a positive sign indicating that families are returning to the facility in large numbers.
- The monthly Red Cross CPR class attracted 6 students to the December session.
- Youth “FUN-damental” Tennis lesson were conducted during the first two weeks of the month. Additional indoor tennis lessons will continue in January 2022.
- Our chess program restarted during December. We are anticipating an excellent turnout for the winter 2022 season.
- Pickle ball players are utilizing the facility in large numbers. The sounds of the game can be heard almost constantly from 7:00am to 3:00pm weekdays.
- Group Exercise classes continue to thrive in the gymnasium. The extra space for social distancing has been very popular for the participants.

- Local Business usage of the community room during December included
 - A) Greater Montgomery County Chamber of Commerce
 - B) AES Technologies
 - C) Lakeside services

- Holiday themed canvas painting classes were offered for families and children on December 3rd and 5th. Similar them based canvas painting events are scheduled throughout January and February.

Physical Facility Updates:

- 1) *****Expanded CRC operating hours effective January 3rd, 2022 are as follows:

Monday through Friday: 5:30am to 9:00pm

Saturday and Sunday: 8:00am to 5:00pm

The entire staff of the CRC is looking forward to turning the page on a rather “unpredictable” 2021. We all sincerely hope that 2022 is a New Year of stability, healthy/positive growth, and a complete return to *normalcy* throughout 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: 01/24/2022

Subject: January Finance Committee Report

Attached is a revenue and expenditure report as of 12/31/21 for the Montgomery Township 2021 budget. The numbers presented have not been audited and year end accruals still need to be entered. Final numbers will change based on those entries.

2021 Budget Summary – as of 12/31/21:

The General Fund total revenues are \$14,041,229 or 103.54% of total budget. Major revenue sources comprise \$11,629,160 of the total revenues.

General Fund Revenue Highlights:

- Total real estate collections are at 103.76%.
- Earned Income Tax (\$5,699,456) is at 108.56% of budget (\$5,250,000). During the years of 2018-2020 average collections was \$5,333,938. There were 3 main contributors to the increase the Township saw in 2021, which are:
 - 1) The payments for the residents working for the pharmaceutical companies in the area grew by over \$100,000 in 2021 vs. 2020. This can be attributed to the push to develop COVID vaccines and the manufacturer of the same.
 - 2) There are several Philadelphia based institutions that now have their employees working from their homes. Since they are not subject to the city's non-resident wage tax, they are having their local taxes withheld and remitted. The largest of these are the University of Penn, Temple University and Thomas Jefferson. These 3 alone contributed \$23,000 + in EIT in 2021. The caveat for these is that if the employees do return to work in the city in the future, these funds would be lost due to the credits due to them.

3) There have been several individuals who received larger than normal yearend bonus in early 2021, the largest of which resulted in \$21,000 + in additional revenue to the township. Since in most cases they are one year increases that should not be counted on annually.

- Local Services Tax (\$506,930) is at 101.39% of budget (\$500,000). During the years of 2018-2020 average collections was \$431,595. This tax is payable by all individuals who hold a job or profession within the Township. This is a positive sign for the township as this is an indication of the employment levels within the Township.
- Both Mercantile and Business Privilege Taxes are at 100.21% (\$1,803,749) and 109.57% (\$986,097). Combined Mercantile and Business Privilege Taxes are 2.12% less than 2020 actual. In preparing the 2021 budget, staff had budgeted a 6% decrease.
- On an accrual accounting basis, R.E. Transfer Tax is at \$1,104,989 or 140.00% of budget. This is a combination of all properties sold within the Township. During the year there were several commercial properties that sold that helped increase this number over prior years. Though 2021 had strong residential sales, it should not be an indicator of future years. The only other times with R.E. Transfer Tax over \$1 million was in 2017 (\$1,089,755) and 2013 (\$1,060,556). The 10-year average for sales is 564 parcels and \$906,858 in transfer tax.

Total expenditures are \$13,263,284 or 98.54% of total budget. All Departments categories were under budget, except for the following:

- Legal Services – \$17,437
- Engineering – \$15,501
- Fire Protection – \$10,794
- Emergency and VMSC – \$3,476
- Snow and Ice Removal - \$628
- Traffic - \$73,467
- Street Lighting - \$10,162
- Interfund Transfers - \$481,774 (approved by BOS as a transfer to Capital Reserves)

In the 2021 budget, Snow and Ice Removal, Traffic and Street Lighting expense categories were shifted to the Highway Aid Fund (Fund 35). During the year the Township worked with PennDOT to ensure expenditures could be expensed from Fund 35. If not, those items were expensed from the General Fund, causing those categories to go over budget.

Fund 04 – Fire Protection Fund

Total Revenues: \$893,203
Total Budget: \$899,500
Percent of Budget: 99.30%

Total Expenditures: \$1,032,150
Total Budget: \$1,198,500
Percent of Budget: 86.12%

The Township had budgeted the utilization of \$299,000 of fund balance in 2021. Prior to audited numbers, \$138,947 of fund balance will need to be used. Three line items were lower than budgeted, contributing to overall expenditures being below budget: Salaries and Wages (\$40,053), Medical/Rx/Dental (\$72,932) and Equipment Maintenance (\$19,026).

Fund 05 – Parks and Recreation Fund

Total Revenues: \$477,506
Total Budget: \$458,500
Percent of Budget: 104.15%

Total Expenditures: \$479,623
Total Budget: \$463,000
Percent of Budget: 103.59%

The Township had budgeted the utilization of \$4,500 of fund balance in 2021. Prior to audited numbers, \$2,117 of fund balance will need to be used.

Fund 07 – Street Lights Fund

Total Revenues: \$207,161
Total Budget: \$137,500
Percent of Budget: 150.66%

Total Expenditures: \$135,407
Total Budget: \$136,500
Percent of Budget: 99.20%

Revenues in this fund were \$69,661 higher than budget. This was due to a rebate the Township received for the LED streetlight conversion project.

Fund 08 – Community Recreation Center

Total Revenues: \$476,200
Total Budget: \$982,000
Percent of Budget: 48.49%

Total Expenditures: \$851,761
Total Budget: \$972,500
Percent of Budget: 87.58%

A year end journal entry still is needed to transfer \$477,000 from Debt Service, which would bring total revenues to \$953,200 or 97.07% of budget.

Fund 23 – Debt Service Fund

Total Revenues: \$297,950
Total Budget: \$295,000
Percent of Budget: 101.00%

Total Expenditures: \$63,750
Total Budget: \$479,000
Percent of Budget: 13.31%

A year end journal entry still is needed to transfer \$477,000 to Community Recreation Center, which would bring total expenditures to \$540,750 or 112.89% of budget. In October of 2021 the Township started making monthly interest payment on the new G.O. Bond issuance, causing this fund to go over budget.

Fund 35 – Highway Aid Fund

Total Revenues: \$673,695
Total Budget: \$655,000
Percent of Budget: 102.85%

Total Expenditures: \$605,373
Total Budget: \$1,144,500
Percent of Budget: 52.89%

The Township had budgeted \$685,000 in line item 35-439-4450, Contracted Services, for the 2021 road paving program. The bid came in lower than budget (\$232,840).

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

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

EMERGENCY RESPONSES

December 2021

Staffing	Number of Calls	Average Turnout	FFs on Scene	Time of Apparatus
All Staff	47	11	6.9	6:49
Combo Hours	18	8	5.7	5:16
Stipend Hours	6	7	5.8	6:28
Volunteer Only	23	14	7.1	8:41

2021 Yearly Report

Staffing	Number of Calls	Average Turnout	FFs on Scene	Time of Apparatus
All Staff	595	10	6	6:55
Combo Hours	268	9	5.2	5:11
Stipend Hours	73	10	6.9	7:00
Volunteer Only	254	12	6.9	8:50

SIGNIFICANT FIRE INCIDENTS

- December 04, 2021 Dwelling Fire- 149 Forest Trail Drive, Montgomery
- December 14, 2021 Vehicle Rescue- Horsham and Chestnut Roads, Horsham
- December 21, 2021 Dwelling Fire- 702 E. Hancock Street, Lansdale

ADMINISTRATIVE

Meetings attended (in person/phone/virtual) during the December:

- DFS Staff Meetings & Individual Meetings with Staff
- Department Heads Meetings with Township Manager
- Meetings with Township Staff
- Township Board of Supervisors Meetings
- Meetings with local County Fire Marshals, Fire Chiefs, and Fire Officers
- Meetings with various vendors for equipment and services
- Meetings with Township Code Enforcement Officials
- Meetings with officers and members of the FDMT
- Montgomery County Emergency Management Meeting
- Plan Review Meetings & Tour of Luxor in Bala Cynwyd, PA
- Meetings with Public Works
- Meetings with ESO for data migration to the new RMS
- Final Inspection of Tower 18 with Spartan & Smeal
- Communications Meeting with Chief Bendig & Vendor
- Meeting with Staff from Jefferson Health
- Meeting with Director of CRC and FDMT President
- Meetings for interviews with FDMT Operational Officer Candidates
- Meetings with Montgomery Mall Management

COMMUNITY RELATIONS

Activities were conducted for Fire Prevention and Other Special Events

- December 18, 2021 Montgomery Township Santa Run
- December 23, 2021 Public Safety Santa Delivery to Montgomery Elementary

FIRE MARSHAL'S OFFICE

Inspections:

- Initial Life Safety Inspections - 22
- Life Safety Re-Inspections -23
- Closed Out Life Safety Inspections -37
- 2021 Fire Inspection Totals
 - Initial Life Safety Inspections - 208
 - Life Safety Re-Inspections - 227
 - Closed Out Life Safety Inspections - 188
 - Knox Boxes - 28
 - Smoke Alarm Distribution/Installation - 41

Fire Marshal Follow Up:

- CAES - 305 Richardson Road, Montgomery
- AYR Wellness - 801 Horsham Road, Montgomery

Plans Review Update:

- Westrum Luxury Apartments - FMs Wiegman & Scheiter performed a walk though and site visit of Luxor Apartments in Bala Cynwyd, PA
- Higher Rocks Townhouse Development
- Village of Windsor

TRAINING

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

- December 14, 2021 ESO RMS Property and Inspection Training

DEPARTMENTAL OPERATIONS

- Truck Committee performed Final Inspection of Tower 18 at Spartan/Smeal in Snyder Nebraska
- FDMT is updating Criminal Histories, Child Abuse Clearances, and Driver's License Checks for volunteers.
- FDMT elected Vince Zirpoli as the Deputy Chief. DC Zirpoli interviewed and selected the FDMT Operational Officers for 2022.
- Department wide hose testing was completed for all apparatus and station hose.
- December 20, 2021 FDMT Holiday Party for Career & Volunteer Staff
- Department continues to transition to ESO for Fire Record Management System
- New Members of the FDMT
 - Firefighter Michael Kunzig
 - Fire Police Officer Edward Pratt

OFFICE OF EMERGENCY MANAGEMENT & COMMUNITY RISK REDUCTION

- The Department began the process of creating a Continuity of Operations Plan (COOP) for the Township
- EMC and Deputy EMC met with vendor to increase emergency communications in township including repeaters and transitioning to a digital radio system.
- 2020 Federal Fire Prevention Grant for Community Smoke Alarm and CO Detector Distribution
 - Staff is preparing for a launch of distribution events in April 2022

DECEMBER 2021 FIRE CALL REPORT

TYPE OF CALL	FDMT	AWAY	TOTALS	TOTAL (YTD)
FIRE ALARM	14	6	20	212
OTHER (GOOD INTENT)	0	0	0	2
BUILDING FIRE	0	0	0	36
FIRE POLICE	0	0	0	34
DUMPSTER	0	0	0	1
VEHICLE RESCUE	0	1	1	9
VEHICLE ACCIDENT S/B	2	0	2	18
VEHICLE FIRE	0	0	0	10
DWELLINGS	3	5	8	42
ELECTRICAL OUTSIDE	3	0	3	20
COVER OTHER COMPANY	0	0	0	3
ODOR GAS (INSIDE)	2	1	3	19
ODOR GAS (OUTSIDE)	0	0	0	8
CO	2	0	2	22
ASSIST EMS	4	0	4	72
ASSIST PD	0	0	0	5
INVESTIGATION	3	0	3	51
RIT	0	0	0	0
HAZ MAT	0	0	0	2
HELICOPTER	0	0	0	2
RESCUE (OTHER)	0	0	0	7
BRUSH/TRASH/RUBBISH	1	0	1	17
APPLIANCES	0	0	0	3
TOTAL	34	13	47	595



Montgomery Township Inter-Office Memo

To: Carolyn McCreary, Township Manager
From: Richard Grier, Director of IT
Date: January 14, 2022
Subject: December 2022 Information Technology activities

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

- Setup new email group for Police Arraignment scheduling. Trained Lt. on group admin
- Replaced broken ethernet adapter for public works gas pump reporting system (Gasboy)
- Attended full day "App in a Day" Microsoft power apps training for in-house app development
- Attended conference calls from Ruckus and Aruba for Wi-Fi vendor selection
- Progressed on Co-Management project which will allow IT to manage devices anywhere
- Spun up Viva Learning in Teams as a potential Learning Management Software (LMS) option
- Attended and processed December 13th BOS meeting for broadcast.
- Replace failed hard drive in backup server (Excalibur)
- Setup new rugged laptop for Fire Chief to access County systems
- Ordered new Verizon phones to migrate remaining DPW staff off T-Mobile/Sprint
- Mitigated all digital systems from potential Log4j attack
- Renewed FortiGate warranty for all firewalls and switches
- Moved all Township cellphones and patrol car modems to new Public Safety network and price plan
- Completed update of IT Director Job Description for HR

Scheduled Projects for January 2022

- Complete 365 training for Police staff (Only 3 members left)
- Complete Wi-Fi review and demo proof-of-concept devices
- Move forward with Multi-Factor Authentication for all staff
- Complete Co-Management configuration for all remote devices

DEPARTMENT OF PLANNING & ZONING

December 2021

Permits Submitted – 54

(December 2020 – 92)

YTD Permits Submitted – 1405

(2020 YTD – 1321)

Permit Fees Collected - \$ 46,118

(December 2020 – \$48,683)

2021 YTD Permit Fees - \$ 652,557

(YTD 2020 - \$863,891)

Violations / Complaints Investigated – 20

Permits Issued – 72

Zoning Hearing Board Applications heard: 1

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	42 of 42 Building Permits Issued 42 C/O Issued
Firefox Phase 2 (Walnut Creek)	630	Bethlehem Pike			APPROVED WITH CONDITIONS	58 of 58 Building Permits Issued 58 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	651	Montgomery Glen Drive	7/27/2016		Opened	Opened July 2021
Montgomeryville Nissan – Nappen	991	Bethlehem Drive	8/3/2016	1/19/2017	APPROVED WITH CONDITIONS	Phase 2 Building Construction Complete
Higher Rock – Phase 1 & 2	694	Bethlehem Pike			Phase 1 Completed Phase 2 Under Construction	Design Center and Office Building under construction
FedEx Ground	696	Welsh Road	3/23/18	11/17/2016	Pending Final Completion of LD	Construction Completed
Pete's Carwash	699	Welsh Road	7/6/18	6/20/19	Preliminary Approval Granted	Project Under Construction
Montgomery Realty Assoc. - 744 Bethlehem Pike	701	744 Bethlehem Pike	10/29/18		REVISED PLANS SUBMITTED 5/20/19	Building Permits Issued October 2021
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	Conditional Approval June 14, 2021 Solicitor Preparing Agreements
Redners Gasoline Filling Station	709	1200 Welsh Road			Conditional Use Granted	LD Approval Granted – Project on hold by Applicant

Non-Residential Certificates of Occupancies Issued

Rakuichi Ramen	111 Garden Golf Blvd	Restaurant
Spray Products Corporation	1350 Welsh Road	Warehouse - storage



MONTGOMERY TOWNSHIP POLICE DEPARTMENT



Monthly Activity Report for December 2021

Crime Data:	Total Calls for Service:	2,682
	Total Part I Crimes:	34
	Total Part II Crimes:	117
	Total Criminal Arrests:	55
Crash Data:	Total Crashes:	98
	Reportable Crashes:	28
	Non Reportable Crashes:	70
	Injuries:	12
Traffic Enforcement Activities:	Traffic Stops:	688
	Traffic Citations:	374
	Warning Notices:	13
	Field Contact Cards:	484
	Traffic Complaints Received:	38
	Selective Enforcements:	104
Other Police Activities:	Assist Fire Department:	24
	Building Alarms:	116
	Direct Patrols:	505
	Lockouts:	13
	Medical Assistance:	145
	School Walk-Through:	13
	Vacant Home Checks:	20
	Training Hours:	262
Specialty Unit Usage:	Canine Unit:	35
	Mobile Incident Response Team:	0
	Montgomery County SWAT-CR:	0
Personnel Overtime:	Court Overtime:	6
	Regular Overtime:	24.25
	Reimbursed Highway Grant Overtime:	15.5
	Reimbursed Special Duty Overtime:	0
	Non-Sworn Overtime:	76
	Sworn Comp Time:	19.5
	Non-Sworn Comp Time:	0

Montgomery Township Police Department
Monthly Activity Report
December 2021

COMMENDATIONS:

On December 1, 2021, an email was received from Lori Whitman-Messinger thanking Officer English for helping locate her father after he went missing.

On December 1, 2021, a letter was received from Chief John Hearn of the Newtown Township Police Department thanking Chief Bendig for his assistance with a recent promotional process.

On December 2, 2021, a letter was received from Veronica Hillman of the Montgomery County Department of Health and Human Services thanking Department personnel for their fundraising efforts for their 2021 Thanksgiving Drive.

On December 9, 2021, a message was received from George Devlin thanking Officer Jenkins for his handling of a recent school bus complaint.

On December 10, 2021, a card was received from the Hornberger family, thanking Department personnel for their efforts.

On December 11, 2021, an email was received from Lieutenant Jeffrey Kratz of the Towamencin Township Police Department thanking Officer Woch and canine Major for a recent track of a wanted subject who fled from a vehicle crash.

On December 14, 2021, a card was received from the residents of the Montgomery Greene Development, thanking Department personnel for keeping their neighborhood safe.

On December 20, 2021, a call was received from Lorraine Whitman thanking Officer English for his professionalism and compassion when she reported her husband missing.

On December 21, 2021, township residents Emily and George Maute stopped at the station to thank Officer Schreiber and Officer Hernandez for their courteousness and professionalism during a recent medical call.

On December 21, 2021, a card was received from township resident Kathleen Hansell thanking Department personnel for their service to our community.

On December 27, 2021, a letter was received from Robin Arnold of Congregation Beth Or thanking Department personnel for their dedication, caring, and commitment to keeping our community safe.

Montgomery Township Police Department
Monthly Activity Report
December 2021

On December 30, 2021, a letter was received from township resident Dianna Rutledge thanking Officer Johnson for his compassion and thoroughness in investigating a recent fraud complaint.

EDUCATION:

On December 1 and December 2, 2021, Officer Rushin attended SWAT-CR training at the Montgomery County Public Safety Training Campus.

From December 14, 2021, to December 16, 2021, Officer Hernandez attended Crisis intervention Specialist Training at Montgomery County Emergency Service in Norristown, PA.

On December 20, 2021, Officer Rose, Officer Beebe, Officer Byrne, and Officer Eufrasio attended Addiction and Connection to Treatment/Law Enforcement Treatment Initiative (LETI) training at the Montgomery Township Community Recreation Center.

NOTED INCIDENTS:

On December 3, 2021, officers conducted a traffic stop on a white Nissan on Bethlehem Pike at Advanced Lane for a motor vehicle violation. Officers approached the vehicle and spoke with the driver, noting his inconsistent statements and observing drug paraphernalia in plain view. Officers requested consent to search the vehicle, which the operator denied. A police canine was utilized for an exterior search of the vehicle, indicating the presence of drugs. The vehicle was impounded, and a search warrant was completed. The search warrant was approved, and a search of the vehicle was conducted, yielding cocaine and heroin. The operator was charged with violations of the Drug Act.

On December 4, 2021, officers responded to a home on Colt Circle for a home invasion robbery. The initial investigation revealed that the homeowner arrived home from work around 10:00 pm and entered her residence. A short time later, three subjects forced entry into the residence. One subject assaulted the homeowner as the other two searched the residence. The homeowner was struck numerous times in the head with a handgun that the subject had in his possession. The homeowner was bound with zip ties around her wrists and ankles. The subjects took a safe along with a currency collection before fleeing. Since the incident, the investigating detective has been working with several law enforcement agencies in the tri-state area. Suspects have been developed as a result of intelligence gathered from the Department's fixed license plate reader located on Bethlehem Pike. Search warrants have been executed on various cell phone towers in the area to collect additional evidence. This investigation is ongoing.

Montgomery Township Police Department
Monthly Activity Report
December 2021

On December 6, 2021, officers conducted a traffic stop on a silver Kia on Bethlehem Pike at Line Street for a motor vehicle violation. Officers approached the vehicle and spoke with the vehicle occupants. Officers noted drug paraphernalia in plain view in the passenger door handle. Officers requested to search the vehicle, which was granted. Before starting the search, officers spoke to the passenger about the heroin paraphernalia observed in plain view. During the conversation, the passenger voluntarily handed officers 58 bags of heroin from his pocket that he had just purchased in Philadelphia. The vehicle was searched, and additional drug paraphernalia was located. The passenger was subsequently taken into custody and charged with violations of the Drug Act.

On December 10, 2021, officers responded to Target on Witchwood Drive for a report of a robbery that had just occurred. A subject entered the electronics department and began looking at phones. While looking at phones, the subject threatened the sales associate, stating that he had a gun, demanding that she give him a cellphone. The subject took the phone and other prepaid phones, then fled the store, entering an occupied white Nissan SUV waiting in the fire lane. A review of the store video revealed that the driver of the Nissan SUV had entered the store before the offense and made a purchase utilizing a credit card. The credit card information was obtained, and officers determined that the credit card owner also is the registered owner of a Nissan SUV. This investigation is ongoing.

On December 14, 2021, officers responded to Lowe's Home Improvement on Cowpath Road for a report of a retail theft in progress. Two suspects took \$4,000.00 in electric wire from the store without paying, entered a U-Haul van. While en route to the store, officers observed the vehicle traveling Southbound on Bethlehem Pike at a high rate of speed. Additionally, officers noted that a black Chevrolet SUV traveling closely to the U-Haul van. As officers attempted to pull behind the U-Haul to conduct a traffic stop, the SUV closed the gap and blocked officers from getting behind the van. As the vehicles approached Bethlehem Pike at Witchwood Drive, the U-Haul failed to stop for a steady red traffic signal. Officers attempted to stop the U-Haul van, but it continued driving on Bethlehem Pike at a high rate of speed. Officers terminated the pursuit of the U-Haul. Other officers were able to get behind the SUV and initiated a traffic stop on the vehicle in the area of Bethlehem Pike at Welsh Road. The SUV stopped behind other vehicles stopped for a traffic signal, but neither attempted to pull over or shift the vehicle into park. Officers ordered the SUV driver out of the vehicle. The driver failed to comply, and as traffic began to move forward, the SUV fled at a high rate of speed. No pursuit was initiated. Officers contacted U-Haul and determined the identity of the renter of the vehicle. Through video surveillance of the retail theft, officers positively identified one of the subjects. A warrant was issued for the subject charging him with theft and related offenses. The investigation to identify the other subjects is ongoing.

Montgomery Township Police Department
Monthly Activity Report
December 2021

On December 16, 2021, the Department's fixed license plate reader on Bethlehem Pike alerted officers that a stolen vehicle was traveling southbound on Bethlehem Pike, passing Hartman Road. The vehicle, a black Volkswagen, was reported stolen by the Hope Mills Police Department in North Carolina. Officers located and conducted a felony traffic stop on the vehicle on Bethlehem Pike. The driver was arrested and charged with receiving stolen property and related offenses.

On December 18, 2021, officers responded to the Quality Inn on Bethlehem Pike for a report of water leaking into a hotel room. Upon arrival, officers contacted hotel staff, who advised they attempted to contact the guest renting the room above numerous times but received no answer. Due to the circumstances, officers entered the room and located the guest. Once entering, officers noticed lacerations on the guest's forearms, a white rope tied in a noose-like manner attached to the fire sprinkler, numerous bottles of alcohol, and a prescription bottle for Lorazepam located in the room. Officer also noted that the bathtub was overflowing, causing the water leak. When questioned, the guest advised that she was attempting to take her life through various methods. The guest was transported to Lansdale Hospital for medical treatment, and an involuntary mental health commitment was filed.

On December 19, 2021, officers responded to a home on Cricklewood Circle for a subject attempting to take his life. Officers were advised that the subject had started a Facebook Live video, emptying six prescription bottles into a glass drinking cup. The subject then ingested the pills. Officers arrived on the scene and contacted the caller, who showed officers a posted video from the subject's Facebook account. Officers contacted the subject, who confirmed he was trying to end his life. The subject was transported to Lansdale Hospital for medical treatment, and an involuntary mental health commitment was filed.

On December 19, 2021, the Department's fixed license plate reader located on Bethlehem Pike alerted officers that a white Dodge with an expired registration was traveling on Bethlehem Pike near Hartman Road. A check of several databases revealed that the registered owner had numerous active arrest warrants for fleeing/attempting to elude officers, as well as a probation violation. Officers located the vehicle traveling northbound on Bethlehem Pike and visually confirmed the identity of the vehicle operator as the wanted person. Officers conducted a traffic stop of the vehicle on Cowpath Road and Morgan Lane. Officers approached the vehicle and spoke with the operator. As officers spoke with the operator, they noted drug paraphernalia in plain view on the floorboard. Officers requested consent to search the vehicle, which was granted. A search of the vehicle yielded marijuana and cocaine. Both the operator and passenger were taken into custody for violations of the Drug Act. The passenger had no prior drug offenses.

Montgomery Township Police Department
Monthly Activity Report
December 2021

and was offered and agreed to participate in the Law Enforcement Treatment Initiative (LETI) Program.

On December 26, 2021, officers responded to the Metropolitan American Diner and Bar on Upper State Road for a reported assault. Upon arrival, officers contacted the victim, who reported being attacked in the parking lot by an acquaintance. The victim had injuries on his face and chest consistent with the described assault. Officers spoke with the acquaintance, who related that he believed that the victim was aggressively approaching him, so he punched him to defend himself. However, after the initial punch, and even though the victim retreated, he continued to attack him even after the two had separated multiple times. The acquaintance was arrested and charged with simple assault, disorderly conduct, and related offenses.

On December 27, 2021, officers responded to Adult World on Upper State Road for a report of a \$350.00 theft. During the theft, the subject advised the employee who tried to stop him that he would stab him if he refused to let him go. The employee allowed the subject to leave the store. Officers canvassed the area and were able to locate the subject at the Staybridge Suites. The subject was taken into custody without incident and charged with robbery, terroristic threats, and related offenses.

On December 28, 2021, three subjects from Chicago were charged with forgery and related offenses. On June 30, 2020, officers were contacted by an investigator for Univest Bank and Trust regarding counterfeit checks being passed at Univest Bank locations, including the Montgomeryville branch on Bethlehem Pike. Six checks were passed, totaling \$28,679.00. The checks were made out to various subjects. Officers obtained video surveillance of the transactions from these branch locations. Officers compared the video footage to each of these transactions to the subjects' state identification photos and were able to identify each of them as the subjects who cashed the fraudulent checks. The investigating officer obtained a search warrant for the subjects' phone records. Through these records, the officer placed the subjects' at each location where the checks were cashed. All three of these subjects are part of an interstate ring, traveling to various states to commit similar crimes. One subject has been arrested in Charleston, North Carolina, and extradited to Pennsylvania. The second subject has been indicted on federal charges regarding these fraud schemes. The third suspect has not yet been apprehended.

ITEMS OF INTEREST:

During December, officers launched DARE instruction in the Township's elementary schools.

Montgomery Township Police Department
Monthly Activity Report
December 2021

On December 1, 2021, and December 15, 2021, Lieutenant Peoples and Administrative Assistant Hassan attended the Montgomery Township Bridge Program meetings. During these meetings, Department personnel discuss mental health services for Montgomery Township residents in need with representatives from Montgomery County Access Services.

On December 9, 2021, Officer Johnson attended Tough Customer Talk meetings. Officer Johnson presented cases involving local veterans. This meeting is run by the Montgomery County Office of Veteran Affairs, which assists in procuring resources for veterans in need of assistance.

On December 9, 2021, Officer Johnson attended the Montgomery County Advisory Council to Senior Services meeting.

On December 13, 2021, Officer Johnson attended the North Penn Area Hub. Officer Johnson presented cases involving Montgomery Township citizens at risk or in crisis to assist them in finding care and support from appropriate community agencies.

On December 14, 2021, members of the Department attended the Horsham Township Police Department's Project Blue Light ceremony, commemorating fallen Montgomery County officers.

On December 16, 2021, Officer Johnson and Communication Specialist Supervisor Adrianna Ciliberto participated in the Patty Simons Food Drive Parade to Norristown Salvation Army.

On December 23, 2021, Department personnel participated in the Township's Christmas parade of vehicles for students from Montgomery Elementary.

On December 28, 2021, Department personnel participated in a North Penn Police Athletic League Canvas Painting event.

UPCOMING EVENTS:

Applications are being accepted for the Montgomery Township Citizen's Police Academy, to commence in March 2022.

Montgomery Township Public Works Department

Monthly Report – December 2021

PARKS/OPEN SPACE:

- The entire crew performed routine maintenance & repairs, trash removal, playground inspection and equipment maintenance.
- Scott D., Larry & Dale completed installing the insulation for the exterior kitchen wall and soffit at the Stump Road Firehouse.
- Chris & Scott Y. assisted with the cleaning and restocking of the Administration & Police building.
- Larry, Dale, Chris & Scott Y. took down four (4) dead trees on Township property throughout the month.
- Scott Y. & Chris took down the awnings on the tot-lots at Friendship Park and CRC for the winter season.
- Scott D., Larry, Dale, Scott Y. & Chris helped relocate all the snowplows from summer storage to the PW Garage for installation.
- Chris took his CDL permit test on December 10th and passed.
- Scott Y., Chris & Dale began stump grinding for various Township owned trees located in mowing areas that were taken down.
- Scott D., Larry, Dale, Chris, Scott Y. continued assisting with the salt spreaders and snowplows in preparation of the winter season. Darren readied the machines for clearing the Township owned sidewalks.
- J. S. Beer Tree Service came in to trim several large Oak trees that were overhanging the roadway on Claremont Drive.

ROADS:

- Bill, Bryan & Joe continued street sweeping as part of our MS4 Stormwater program.
- Steve, Bill, Joe, Kevin & Bryan relocated all the snowplows from summer storage to the PW Garage for installation.
- Bill, Steve, Scott S., Joe & Bryan equipped several Township trucks with salt spreaders and snowplows in preparation for the winter season.
- Scott S., Steve, Bryan & Joe performed pothole repairs at various locations throughout the Township.
- Joe, Steve & Bill regraded and repaired the rear parking lot at the PW Garage.
- Steve, Bill, Bryan & Joe hauled leaves to Britton Industries for recycling as part of our MS4 Stormwater program.
- Bryan & Joe assisted with the cleaning and restocking of the Administration & Police building.
- Scott S., Steve, Bill, Bryan & Joe began trimming trees hanging over the roadway impeding the plowing/salting operation
- Steve performed routine drainage clearing throughout the Township.
- Kevin performed routine maintenance on several Township vehicles and helped coordinate snow equipment installation and testing.

FACILITIES:

- Todd, Dave & Don assisted with the cleaning and restocking of the Administration & Police building.
- 12/1/21 – 147 Country Club Drive – Don & Dave replaced a streetlight fixture that was struck by a vehicle.
- Don & Dave reinstalled the baby changing station that was falling off the wall in the men's room at Spring Valley Park.
- Todd, Don & Dave replaced the "Watch Children" signs with "School Crossing" signs on Bridle Path Road.
- Replaced a burnt-out red light at 5-Points to keep the intersection from going into flash.
- 12/20/21 – Route 309 & Hartman Road – Not Cycling – Dave increased the camera sensitivity for the jug handle.

- 12/21/21 – Doylestown Road & Montgomery Glen Drive – Don & Dave reattached a pedestrian stub pole that was hit by a truck.
- 12/30/21 – Dave turned off the sports lights at Spring Valley Park until spring.
- Dave worked with Gilmore, Rhythm Engineering and Tony Still to address ongoing traffic signal issues.

SNOW/ICE EVENTS:

- None to Report

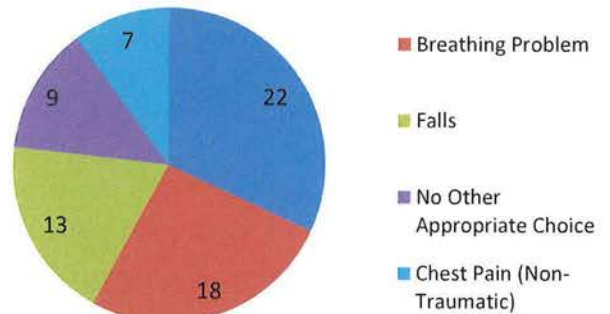
Montgomery Township

Monthly EMS Service Report | December 2021
VMSC/Montgomery Township

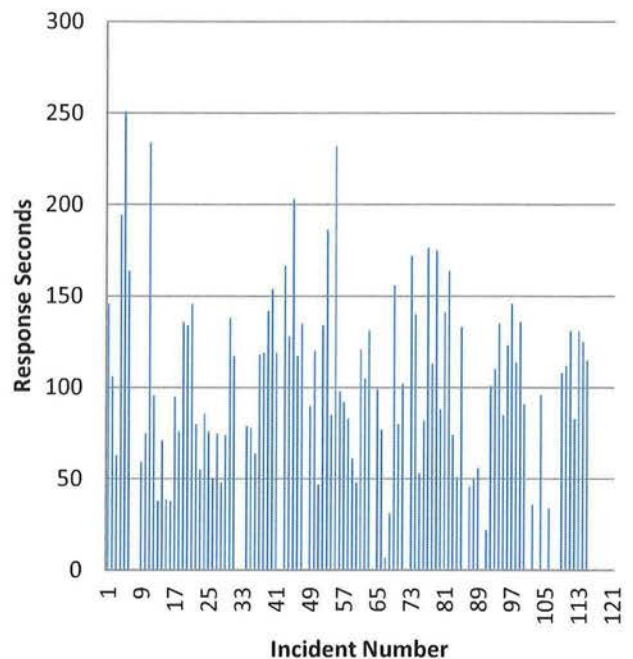


911 Call Category	
Complaint	Total
Sick Person	22
Breathing Problem	18
Falls	13
No Other Appropriate Choice	9
Chest Pain (Non-Traumatic)	7
Altered Mental Status	6
Psychiatric Problem/Abnormal Behavior/Suicide Attempt	6
Traffic Accident	4
Unconscious/Fainting	4
Unknown Problem/Person Down	3
Diabetic Problem	3
Convulsions/Seizure	3
Abdominal Pain/Problems	3
Medical Alarm	3
Hemorrhage/Laceration	3
Assault	2
Stroke/CVA	2
Well Person Check	1
Allergic Reaction/Stings	1
Fire	1
Traumatic Injury	1
Grand Total	115

Top 5 Call Types



En Route Time (in seconds)



Count of Disposition	
Disposition	Total
Transported No Lights/Siren	63
Transported Lights/Siren	20
Patient Refused Evaluation/Care (Without Transport)	8
Assist, Unit	7
Cancelled on Scene/No Patient Found	6
Cancelled (No Patient Contact)	5
Patient Dead on Scene - No Resuscitation Attempted (Without Transport)	2
Patient Treated, Transported by Private Vehicle	2
Standby - Public Safety, Fire, or EMS Operational Support Personnel	1
Patient Treated, Released (per protocol)	1
(blank)	
Grand Total	115



Township Response Facts

Average En Route Time: 91 seconds

Busiest Day by Call Volume: Wednesday & Friday

Average Calls per Day: 5 calls

Busiest Timeframe: 1300 - 1900

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item #20.

SUBJECT:	Other Business – Committee Board Liaison Reports
MEETING DATE:	January 24, 2022
BOARD LIAISON:	
INITIATED BY:	Tanya C. Bamford, Chairwoman

BACKGROUND:

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