

**AGENDA**  
**MONTGOMERY TOWNSHIP**  
**BOARD OF SUPERVISORS**  
**March 11, 2013**

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

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

Lawrence J. Gregan  
Township Manager

**ACTION MEETING – 8:00 PM**

1. Call to Order by Chairman
2. Pledge of Allegiance
3. Public Comment
4. Announcement of Executive Session
5. Consider Approval of Minutes of February 25, 2013 Meeting
6. Announce Board/Commission Resignation/Appointment
7. Consider Approval and Waiver of Fees – Knapp Farm History Fair
8. Public Hearing – Conditional Use #C59 Giant to Go – 741 Bethlehem Pike
9. Consider Preliminary/Final Decision and Order - Pileggi Conditional Use #C-60
10. Consider Preliminary/Final Subdivision Plan LDS #664 –Pileggi Property – Lower State Road and Limekiln Pike
11. Consider Adoption – Ordinance #12-267 – Alarm Systems – Regulating False Alarms
12. Consider Amendment to Township Purchase Policy – Bid Limits
13. Consider Authorization to Purchase Police Vehicle
14. Consider Approval of Out of State Training – Police Department
15. Consider Payment of Bills
16. Other Business
17. Adjournment

**Future Public Hearings/Meetings:**

03-13-13 @ 6:45 PM – Autumn Festival  
03-13-13 @ 7:00 PM – Senior Committee  
03-13-13 @ 7:30 PM – Park & Recreation Board  
03-19-13 @ 12:30 PM – Business Development Partnership  
03-20-13 @ 7:00 PM – Sewer Authority  
03-20-13 @ 7:30 PM – Shade Tree Commission  
03-20-13 @ 7:30 PM – Public Safety Committee  
03-21-13 @ 7:30 PM – Planning Commission  
03-25-13 @ 8:00 PM – Board of Supervisors

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Public Comment

MEETING DATE: March 11, 2013

ITEM NUMBER: #3

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan  
Township Manager

BOARD LIAISON: Joseph P. Walsh, Chairman

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BACKGROUND:

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

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

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT:      Announcement of Executive Session

MEETING DATE:      March 11, 2013

ITEM NUMBER:      # 4

MEETING/AGENDA: WORK SESSION

ACTION   XX

NONE

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

INITIATED BY:   Lawrence J. Gregan  
                  Township Manager

BOARD LIAISON:   Joseph P. Walsh, Chairman



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BACKGROUND:

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

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Approval of Minutes for February 25, 2013 Meeting

MEETING DATE: March 11, 2013

ITEM NUMBER: #5

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan  
Township Manager

BOARD LIAISON: Joseph P. Walsh, Chairman



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BACKGROUND:

Just a reminder – Please call Shirley Snyder on Monday, March 11, 2013 before noon with any changes to the minutes.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

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

**MINUTES OF MEETING  
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
FEBRUARY 25, 2013**

Chairman Joseph Walsh called the executive session to order at 7:15 p.m. In attendance were Supervisors Candyce Fluehr Chimera, Michael Fox and Jeffrey McDonnell. Supervisor Robert Birch was absent. Also in attendance were Lawrence Gegan, Ann Shade, Ryan Cassidy, Esquire and Frank Bartle, Esquire.

Chairman Joseph Walsh called the action meeting to order at 8:05 p.m. In attendance were Supervisors Candyce Fluehr Chimera, Michael Fox and Jeffrey McDonnell. Supervisor Robert Birch was absent. Also in attendance were Frank Bartle, Esquire, Lawrence Gegan, Chief J. Scott Bendig, Rick Lesniak, Kevin Costello, Bruce Shoupe, Jim Dougherty of Gilmore & Associates, Shannon Drosnock, Ann Shade, Stacy Crandell, Richard Grier and Deborah Rivas.

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

Frank Bartle, Esquire reported that the Board met in an executive session earlier in the evening at 7:15 p.m. Mr. Bartle reported that there was a matter of labor negotiation discussed. Mr. Bartle also reported that these matters are legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Chairman Joseph Walsh made a motion to approve the minutes of the February 11, 2013 Board meeting, and Supervisor Michael Fox seconded the motion. The minutes of the meeting were unanimously approved as submitted.

At 8:06 p.m., Township Solicitor Frank Bartle, Esquire, opened the Public Hearing for the Conditional Use Application #C-60 for the Pileggi property located at the intersection of Limekiln Pike and Lower State Road. Notes of testimony were taken by Court Reporter, Tim Kurek. Planning Director Bruce Shoupe summarized the application which is for consideration of a conditional use for 11 acres which is zoned R-1 Residential and has been used as a tree farm/nursery. The applicant is proposing to develop the property utilizing the Open Space

# DRAFT

Minutes of Meeting of February 25, 2013

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Design Overlay Option. Mr. Shoupe explained that this use is permitted by conditional use only. The proposal calls for 18 single family detached units with a central recreation area. The minimum lot size would be 10,000 square feet. Attorney Robert Kerns, representing applicant John Pileggi, outlined the conditional use requirements of the application. Mr. Kerns presented the application's compliance with the requirements through the testimony of Richard Stoneback, P.E. Mr. Kerns focused on the open space location and a concept drawing showing the possible uses for the open space. Under public comment, Jack Horner, a resident of Neshaminy Falls, inquired if the applicant was going to build houses, and if so, has the traffic congestion in the area been considered? Mr. Stoneback stated that traffic was taken into consideration during the planning of this parcel, as all of the lot driveways face inside the parcel which provides for limited two way access to the proposed development. Dan Nysch, President of the Ukrainian American Sport Center, located across the street from the proposed development, said that he was concerned about traffic and children crossing the street to visit the sport center. Mr. Nysch asked if anyone on the club's Board or membership was contacted concerning the development. Mr. Stoneback responded that they were not contacted. Mr. Nysch asked if PennDOT had reviewed the traffic plan and Mr. Stoneback responded yes. Mr. Nysch opined that the club's driveway will face the development and often events held at the club do not conclude until after eleven o'clock in the evening, causing headlights from cars to shine across the street. Mr. Nysch said that he would rather see the property left as open space with playing fields than to be developed into homes. The public hearing closed at 9:12 p.m. Resolution #1, made by Chairman Joseph Walsh, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, approved the Conditional Use Application for the Pileggi property, #C-60.

At 9:13 p.m., Township Solicitor Frank Bartle, Esquire, opened the Public Hearing for the Consideration of the Comcast Cable Franchise Renewal Agreement. Notes of testimony were

taken by Court Reporter, Tim Kurek. The purpose of the hearing is to review the past performance of the cable operator, Comcast, and to identify the future cable-related community needs of the Township. Under public comment, Jack Horner, a resident of Neshaminy Falls since 1980 stated that he lives on a fixed income of \$1,500 per month, of which he pays \$150 per month for cable. Mr. Horner wanted to know why the Village of Neshaminy Falls could not choose between Verizon and Comcast. He stated that because there is no competition, the fees were very high. Township Manager Lawrence Gregan explained that Verizon does provide services in Montgomery Township and has installed its equipment on Township right-of-way, however, the Township cannot give Verizon permission to go onto Neshaminy Falls property to install their infrastructure. With no other public comment to be heard, the hearing closed at 9:21 p.m.

Director of Planning and Zoning Bruce Shoupe introduced the draft Ordinance which would amend Zoning Code Section 230-134, Off Street Parking. The amendment proposes to permit vehicles to back out of private driveways on to local streets. Resolution #2, made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, authorized the advertisement of a Public Hearing for Ordinance #13-272-Z – Section 230-134 Off Street Parking to be held on March 25, 2013.

Director of Planning and Zoning Bruce Shoupe introduced the draft Ordinance which would amend Zoning Code Section 230-26.J – Open Space Design Overlay Option. The amendment proposes to revise the common open space requirement to require at least 20% of the area of the tract, or 1500 square feet per dwelling unit, whichever is greater, be set aside for common open space and providing a minimum frontage of 70 feet. Resolution #3, made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, authorized the advertisement of a Public Hearing for Ordinance #13-273-Z – Section 230-26.J – Open Space Design Overlay Option to be held on March 25, 2013.

Chairman Joseph Walsh reported that the Keystone Community Fellowship Church is requesting that the Township consider waiving permit fees for interior renovations. Resolution #4, made by Chairman Joseph Walsh, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, approved the request to waive the permit fee of \$459 for interior renovations at Keystone Community Fellowship Church.

Director of Finance Shannon Drosnock reported that at the February 11, 2013, the Board authorized the advertisement of Ordinance 13-271 to increase the indebtedness of the Township by an amount not to exceed \$10M through a series 2013 bond offering. The proceeds from the bond offering will be used for two principle purposes: 1) to finance certain capital improvement projects in the Township, including the design, construction and equipping of the Community Recreation Center, and 2) to refund a portion of the Township's General Obligation Note, Series of 2012. Ms. Drosnock stated that the series of bonds were sold in the market on February 25, 2013 and the bond underwriters, RBC Capital Markets and bond counsel, Cozen O'Connor, will present the results of the sale to the Board this evening. James Gray and Brian Bradley from RBC Capital Markets reported on the bond sale in the market today. The Series 2013 bonds were committed in the market for a total of \$8,745,000 par value of bonds plus original issue premium generating proceeds of \$8,995,057 at a true interest cost of 3.44%. Debt Service will begin at a pro-rated payment of \$187,173 for 2013 and will average \$478,400 from 2014 through 2043. Annual Township revenues dedicated for debt service are \$500,000 under the current millage structure, therefore the Series 2013 debt service will be able to be supported by the current millage rate for the life of the loan. Settlement is anticipated for March 27, 2013. Suzanne Mayes, a partner with the law firm of Cozen O'Connor, serving as bond counsel, reported that the ordinance is the legal action that the Board would take in order to incur the indebtedness that Mr. Bradley and Mr. Gray described. The ordinance also authorizes the projects that had been described by Ms. Drosnock and the incurrence of the debt



as discussed. Resolution #5, made by Chairman Joseph Walsh, seconded by Supervisor Michael Fox and adopted unanimously, adopted Ordinance #13-271 to Increase the Indebtedness of Montgomery Township by an amount not to exceed Ten Million Dollars and also authorizes the executive of the Bond Purchase Agreement between Montgomery Township and RBC Capital Markets.

Township Manager Lawrence Gregan reported that the Montgomery County Commissioners adopted a resolution in 2012 authorizing the Montgomery County Tax Claim Bureau as alternate delinquent tax collector, with the authority to file liens and process the collection of delinquent real estate taxes. Mr. Gregan presented the benefits of authorizing this ordinance which would include an increase in collections due to the payment of the fees becoming the responsibility of the taxpayer. Resolution #6, made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, adopted Ordinance #12-268 and authorized the Montgomery County Tax Claim Bureau as alternative collector with the authority to file liens for existing delinquent real estate taxes with penalty, interest and fees for such collection in accordance with the Municipal Claims and Tax Liens Act and the Real Estate Tax Sales Law.

Township Manager Lawrence Gregan reported that the Public Works Department was seeking approval to demolish a structure which is located on Township property at 1083 Bethlehem Pike. An agreement allowed the occupant of the property to remain and occupy the structure for business purposes until February 1, 2013. The Public Works Department obtained three (3) demolition contractor proposals to perform this work, with the lowest responsible proposal received from Kneckel Demolition and Excavating of Harleysville, PA in the amount of \$13,800. Resolution #7, made by Chairman Joseph Walsh, seconded by Supervisor Michael Fox and adopted unanimously, awarded the contract for the demolition of the structures on

Township owned property at 1083 Bethlehem Pike to Kneckel Demolition and Excavating of Harleysville, PA at a cost of \$13,800.

Public Works Director, Kevin Costello, reported that the annual bids for Materials, Services and Equipment Rentals were opened on February 14, 2013 and reviewed by the staff. The staff's recommendation is to award the bids to the lowest responsible bidders. Resolution #8 made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, authorized contracts with the following companies: Asphalt/Bituminous Concrete to Eureka Stone Quarry, amount not to exceed \$530,365; Stone Aggregate to Glasgow, Inc., various unit pricing; Lawn Care Treatments to Moyer & Son, Inc., \$16,170; Equipment Rental with Operator to P.K. Moyer & Sons, Inc., amount not to exceed \$353,600; and Crack Sealer to Crafcoc, Inc. at \$.52 pickup and \$.55 delivery pricing.

Public Works Director Kevin Costello reported that the bids for the annual Curb and Sidewalk project were opened on February 14, 2013. The Township Engineer, Gilmore and Associates, reviewed the bids and made a recommendation to award the bid to the lowest responsible bidder, Drumheller Construction, with a bid of \$198,432.32. Mr. Costello reported that bids were received in the range of \$198,432.32 up to \$394,513.00. With the low bid amount, the Township will realize a savings of \$196,962.68 in comparison to the budget. Resolution #9, made by Chairman Joseph Walsh, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, authorized the award of the 2013 Curb and Sidewalk project to Drumheller Construction for a total project cost of \$198,432.32.

Township Manager Lawrence Gregan reported that the construction of Friendship Park is currently underway. The David Cutler Group is funding the improvements and requests the Township's authorization to release progress payments to its contractor, Wolverine Constructors. Mr. Gregan reported that the total cost for the park improvements is \$546,463.82 and Wolverine Constructors is seeking a progress payment in the amount of \$32,546. The

Township Engineer has inspected the site and found the work completed to date to be satisfactory. Resolution #10, made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera, and adopted unanimously, accepted the Township Engineer's recommendation that the site work was performed satisfactorily and that the David Cutler Group can proceed with payment to Wolverine Constructors in accordance with the provisions of their contract.

Police Chief Scott Bendig reported that the Montgomery Township Police Department participates in the Montgomery County Major Incident Response Team (MIRT). MIRT is a task force deployed for large incidents requiring crowd control and for perimeter security during dignitary visits to our area. The Police Department currently has two officers who are assigned to MIRT. MIRT members are scheduled to attend training in early April at the Center for Domestic Preparedness. The training is sponsored and paid for by FEMA. One of the Township officers has not completed this training. Chief Bendig requested the Board's authorization to allow our officer to attend this out of state training. Resolution #11, made by Chairman Joseph Walsh, seconded by Supervisor Michael Fox and adopted unanimously, approved the request for Officer Duessing to attend MIRT training.

Director of Fire Services Rick Lesniak reported that the Board of Supervisors previously adopted an ordinance in May of 1980 which established installation, operational and violations and penalties related to the installation of alarm systems in Montgomery Township. Since the adoption of this ordinance, there have been many significant technological advances in the design, installation and operation of alarm systems. Mr. Lesniak reported that Township staff recommends that the Board authorize the advertisement of proposed Ordinance #12-267, amending Chapter 56 of the Township Code governing Alarm Systems. The amended Chapter would adopt the provisions of Section 7511 of the Pennsylvania Crimes Code to govern false fire and burglary alarms within the Township to provide for consistent interpretation of the

# DRAFT

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definition of a false alarm and specific penalties for such events. Resolution #12, made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, authorized the advertisement of proposed Ordinance #12-267.

Director of Fire Services Rick Lesniak reported that the Department of Fire Services and the Fire Department of Montgomery Township are seeking the Board's approval to accept the 2013 PA Fire Commissioner's Grant Awards in the amounts of \$13,115.60 and \$13,114.91, respectively. Resolution #13, made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, granted approval to the DFS and FDMT to accept the PA Fire Commissioners Volunteer Firefighter/Ambulance Service Grant.

Chairman Joseph Walsh made a motion to approve the payment of bills. Supervisor Michael Fox seconded the motion. The payment of bills was unanimously approved as submitted.

There being no further business to come before the Board, the meeting adjourned at 9:55 p.m.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Announce Board/Commission Resignation/Appointment

MEETING DATE: March 11, 2013

ITEM NUMBER: #6

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan  
Township Manager

BOARD LIAISON: Joseph P. Walsh, Chairman

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BACKGROUND:

Edward Hoffman submitted his resignation from the Environmental Advisory Committee due to a conflict with his work schedule. Mr. Hoffman has served on the Environmental Advisory Committee since January 2012.

Mahbubur Meenar has expressed an interest in becoming a member of the Environmental Advisory Committee and his appointment is being considered this evening. Mr. Meenar is the Assistant Director, Center for Sustainable Communities at Temple University, and has been a Project Director and Principal Investigator for a variety of grants through the DEP, PA Department of Community and Economic Development and other agencies. He has done research in conjunction with Act 167 and various watershed studies.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Accept the resignation of Edward Hoffman from the Environmental Advisory Committee.

Consider the appointment of Mahbubur Meenar as a member of the Environmental Advisory Committee.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby accept the resignation of Edward Hoffman from the Environmental Advisory Committee, effective February 19, 2013 and thank Mr. Hoffman for the time he spent serving on the Environmental Advisory Committee.

BE IT FURTHER RESOLVED by the Board of Supervisors of Montgomery Township that we hereby appoint Mahbubur Meenar as a member of the Environmental Advisory Committee with a term to expire on January 1, 2014.

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

ROLL CALL:

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

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Approval of Knapp Farm History Fair and Waiver of Fee


MEETING DATE: March 11, 2013

ITEM NUMBER: # 7

MEETING/AGENDA:

ACTION NONE

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

INITIATED BY: Lawrence J. Gregan  
Township Manager 

BOARD LIAISON: Joseph P. Walsh, Chairman  
Liaison/Chairman Montgomery 300 Committee

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BACKGROUND:

The Montgomery County History Fair is an event held every other year by the W.S. Hancock Society at different location in Montgomery County. The Montgomery County History Fair hosts music, speakers, food, local historical organizations, and a historic trade village featuring time-honored crafts.

The next Montgomery County History Fair will take place in 2014 and the theme will be based on Montgomery County in the Civil War. Rich Roller, a member of the Montgomery Township Historical Society and the Montgomery 300 Committee, suggested that Montgomery Township would be a great location for the 2014 Fair, which is the same year the Township will be celebrating its 300<sup>th</sup> Anniversary.

It is proposed that the next Fair be held at the Knapp Farm House property on Upper State Road and Knapp Road, which would be a great location for the event. The event is held in September and would not conflict with, but would actually complement the Township's 300<sup>th</sup> Anniversary events scheduled in 2014.

A Special Events Permit from the Building/Zoning Department is typically needed to be completed for this type of event and the Historical Society is requesting approval to hold the event at the Knapp Farm property and for a waiver of the fee for the Special Events Permit. In the past, it has been the policy of the Board of Supervisors to waive the permit fees for non-profit organizations.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Staff is recommending that the Board of Supervisors waive the fee of \$50 for the Special Events Permit

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the request of the Montgomery Township Historical Society to hold the Montgomery County History Fair at the Knapp Farm property in September 2014 and approve a waiver of the special events permit fee in the amount of \$50 for this event.

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

ROLL CALL:

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

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





# THE W.S. HANCOCK SOCIETY

October 1, 2012

Dear Montgomery Township Historical Society,

*Rick, Roy  
& crew*

Here we are having completed our second Montgomery County History Fair and we hope you had as much fun as we did! We appreciated your participation and hope you had the chance to make some great contacts, chat with visitors and just enjoy the day.

We've had nothing but compliments on the History Fair and it is all because of organizations like yours that we were able to create a memorable experience for those that attended.

Now we head towards 2014 and our theme based on Montgomery County in the Civil War. Our location for the 2014 History Fair is still being decided but once we are settled on a site, you'll be one of the first to know.

Once again, many thanks for being an integral part of the day.

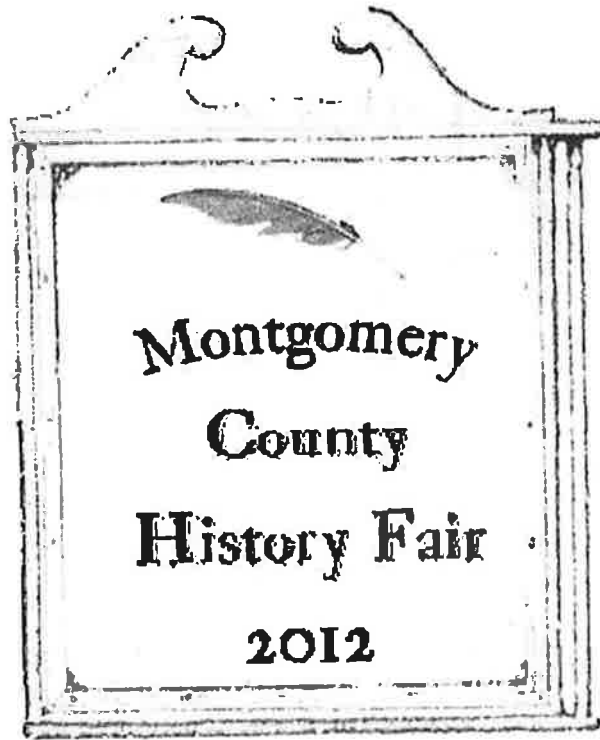
Best regards,

Karin Koons Stocking

W.S. Hancock Society and the Once Upon a Time in Montgomery County Committee

Spring-Ford, Trappe, Upper Merion, Whitpain, Wissahickon, Worcester, W.S. Hancock Society, Boehm's Church,

*The "Once Upon a Time in  
Montgomery County" Committee  
proudly offers*



**"NOW AND THEN"**

***Saturday, September 22, 2012 - 9:00 am to 5:00 pm***

**Augustus Lutheran Church  
717 West Main Street  
Trappe, PA 19426**



**Music, speakers, food, local historical organizations, and  
a historic trade village featuring time-honored crafts.**

***Discover something new about something old!***

***ADMISSION: FREE***

For more information: phone **610-636-0912** or visit us at [www.WSHancockSociety.org](http://www.WSHancockSociety.org)

DAR, Peter Wentz Farm, Augustus Lutheran Church, Elmwood Park Zoo, Wissahickon Watershed, Heckler Plains

Conshohocken, East Norriton, Fort Washington, Lansdale, Limerick, Lower Merion, Lower Pottsgrove, Lower Salford, Montgomery Township, Pottstown, Skippack,

St. James Church, Parkhouse, Schwenkfelder Heritage Center, Kirk and Nice Funeral Home, The Speaker's House, Farm Park Preservation Society, Jack Conll,

Greetings!

If you are receiving this e-mail, your historical organization has expressed some interest in attending the **"2012 Montgomery County History Fair"** on **September 22 at Augustus Lutheran Church In Trappe, PA from 9 am to 5 pm.**

In order to make the grounds ready to accommodate the many historical organizations from across the county, we have a few questions we'd like you to answer for us.

1. **Do you need electricity? And, if so, what will it be used for?**
2. **How big of an area do you need for your set-up?**
3. **Do you have any "special needs" for a disabled person who might be working at your table?**

If you would kindly answer these three questions for us **AND** also give us a firm commitment if you intend to be present or if you are declining, it would be greatly appreciated.

We are asking that you **bring your own tables and chairs** along with whatever it is you have to display about your group/region. Keeping with the theme of **"Now and Then"** in some way is also a plus but most importantly we want you to be available to talk to visitors about your locale and its history.

**We will begin setting up on Friday, September 21<sup>st</sup> at 12 noon**, so, if you have a mind to, please come the day before to offload anything you like to make the next day's set up easier. We will have folks camping out on Friday night to watch over any tables etc..**DO NOT LEAVE ANYTHING OF VALUE ON FRIDAY!**

**On Saturday, September 22<sup>nd</sup> (the day of the Fair)** we will ask that **everyone be set-up and ready to go by 9 am**. When you arrive we will have volunteers to help you bring your items from your car to your area which will be marked for you in advance. Once you have offloaded your car, we will ask you to park in a parking lot further away. **IF THERE IS ANYONE WITH DISABILITIES THAT NEEDS THEIR CAR CLOSE BY, PLEASE LET ME KNOW THAT WHEN YOU RESPOND TO THIS E-MAIL AND ARRANGEMENTS WILL BE MADE FOR THEM.**

We are so excited that the Fair is being held at this historic spot this year and we have had a greater response from more organizations than we did in 2010. Our historic trade village, which will be on the grounds right outside the old church, will be bigger and better than in 2010 also.

We hope you can join us this year and that the weather will be kind to us as this is planned as an outdoor event. Since there is no rain date, if the weather doesn't hold, we will move it indoors at Augustus!

On a final note, as you start to prepare your displays, please keep in mind that our outreach to children must be priority **ONE** if we hope to keep our American history vibrant. A nod in their direction may create a new member in the future historical community.

Best,



Karin Stocking  
"Once Upon a Time in Montgomery County Committee"

**Letter of Agreement for Montgomery County History Fair**

DRAFT

The "Once Upon a Time in Montgomery County Committee" (hereafter referred to as "the Committee") is the guiding organization for the above event which is created and presented every two years at a historical/cultural site within Montgomery County, Pennsylvania for the duration of one day.

Once a possible Montgomery County site has been established for the event, this Letter of Agreement must be signed by both the site representative and two members of the Committee.

The Committee and a representative of the site of the History Fair will agree early on as to the best date on which the event is to be held with the knowledge that we are trying to reach students and, as such, the optimal event date would be when the students are in school. September is the most favorable month.

Below are a few requirements that are needed to ensure that the History fair runs smoothly and achieves a high level of performance:

1. The Committee requires that at least one person from the site where the event will be held be available to attend committee meetings in regards to the planning of the affair so they can report to their governing body and be kept abreast of all that is being arranged.
2. All rights as to participation at the event will be at the sole discretion of the Committee without any undue burden or restrictions. This ensures that we can guarantee a higher quality program that lives up to our reputation and displays the best of Montgomery County history.
3. Port-a-potties will be provided by the site or local government agency at their expense; with at least one handicapped facility and a wash station.
4. Site or local government agency will provide volunteers who will direct visitors where to park.
5. Permit/permission for at least one fire pit should be granted with required wood (as specified) provided by the site or local government agency. Adequate water for extinguishing should be nearby. Permission should be granted for some participants to stay overnight on the premises so as to protect equipment and be available for early morning presentation(s) on the start day.
6. Electricity should be available for participants and food vendors who are in need of such.
7. Publicity for the History Fair will be a joint effort between the site and the Committee. This aspect of the Montgomery County History Fair is most important as the monies collected for ads in the program guide are used to pay for our tradespeople/performers. In addition, The Montgomery County History Fair banner (which is in our possession) will be placed a few (3) weeks prior to the event near the site and near the road. Site is responsible for getting permit (if needed) for the banner to be placed.
8. Should a tent be required for the speaker's panel or for extra coverage for participants, the site or local government agency will be responsible for acquiring the tent and for payment thereof.

9. Audio equipment and computer hook-up for visual presentations may be required and must be made available for the day.

In the weeks following the conclusion of the program, an accounting of how the monies were spent should take place for transparency's sake. If any additional funds are leftover from the event, it may be possible to reimburse the site for some expenditures but only with the approval of the Committee.

Thank you for offering your site for the Montgomery History Fair. Please be assured that we put our heart and soul into making this program as educational and visitor friendly as possible. In the end, through our joint effort, everyone benefits!

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Signing for Montgomery Township Historical Society

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Signing for the Once Upon a Time in Montgomery County Committee

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Signature #2 for the Once Upon a Time in Montgomery County Committee

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

**SUBJECT:** Public Hearing – Conditional Use #C-59 – Giant To Go – 741 Bethlehem Pike

**MEETING DATE:** March 11, 2013

**ITEM NUMBER:** #8

**MEETING/AGENDA:** WORK SESSION      ACTION XX      NONE

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

**INITIATED BY:** Bruce Shoupe  
Director of Planning and Zoning

**BOARD LIAISON:** Joseph P. Walsh  
Chairman

BACKGROUND:

Attached is an application for consideration of a conditional use for 741 Bethlehem Pike. The applicants, Giant Food Stores and Horsham Realty Associates, propose to demolish the existing building and construct a Giant To Go facility consisting of a 5,000 square foot convenience store with a gasoline filling station. The convenience store is permitted by right in the C-Commercial District; the conditional use application is for the proposed fueling facility.

Adjoining property owners were notified of this hearing. The property was also posted.

Review letters from the Township consultants are attached.

PREVIOUS BOARD ACTION:

This hearing was continued to this date.

ALTERNATIVES/OPTIONS:

Approve or not approve the conditional use application.

BUDGET IMPACT:

None.

RECOMMENDATION:

That the conditional use application be approved.

MOTION/RESOLUTION:

The Resolution is attached.

MOTION \_\_\_\_\_

SECOND \_\_\_\_\_

ROLL CALL:

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

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

Resolution #

WHEREAS, Giant Food Stores and Horsham Realty Associates, have submitted an application to the Township of Montgomery for Conditional Use approval to operate a gasoline fueling station in conjunction with a Giant To Go at 741 Bethlehem Pike; and

WHEREAS, said application was submitted in compliance with Section 230-156.2 and Section 230-75.A(1) of the Zoning Code; and

WHEREAS, the Board has considered said application, the evidence presented at this hearing, the recommendations of the Township consultants, and the opinions of the citizens of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the Conditional Use Application for Giant Food Stores and Horsham Realty Associates.

MOTION BY:

SECOND BY:

DATE:

VOTE:

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

**Application for Conditional Use**

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

**Notice Of Appeal**

Appellant: Name: Giant Food Stores, LLC and Horsham Realty Associates  
Address: 1149 Harrisburg Pike  
Carlisle, PA 17013  
Phone: (717) 245-7413 Fax: (717) 240-7595 Attn: Kerry Eck  
E-Mail kerryeck@aholdusa.com

Owner: Name: Horsham Realty Associates  
Address: 6055 Sheaff Lane  
Fort Washington, PA 19034  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-Mail \_\_\_\_\_

Attorney: Name: Charles M. Courtney  
Address: 100 Pine Street  
Harrisburg, PA 17108  
Phone: (717) 232-8000 Fax: (717) 237-5300  
E-Mail ccourtney@mwn.com



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

Lessee

1. Brief Description of Real Estate Affected:

Block and Unit Number 741-751 Bethlehem Pike

Location 741 Bethlehem Pike

Lot Size 2.236 acres

Present Use 1-story strip store

Present Zoning Classification commercial

Present Improvements Upon Land 1-story masonry building

Deed Recorded at Norristown in Deed Book 2793 Page 1060

2. Specific reference to section of the Zoning Ordinance upon which application is based.  
Section 230-75.A(1)

3.  
Action desired by appellant or applicant (statement of proposed use)  
Construction of a gasoline filling station

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

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

NOTE:

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

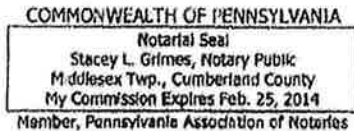
I, hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith, are true to the best of my knowledge and belief.

SWORN TO AND SUBSCRIBED BEFORE ME THIS

30<sup>th</sup> DAY OF November 2012

Stacey L. Grimes  
Notary Public

[Signature]  
Appellant's or Owner's Signature



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

**NOTE:**

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

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

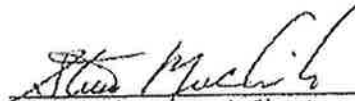
SWORN TO AND SUBSCRIBED BEFORE ME THIS

4<sup>th</sup> DAY OF December 2012



Notary Public

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
Steven M. Zelitch, Notary Public  
Jenkintown Boro, Montgomery County  
My commission expires November 09, 2015



Appellant's or Owner's Signature  
MANAGING MEMBER  
HORSHAM REALTY ASSOCIATES, LLC

**NARRATIVE TO CONDITIONAL USE APPLICATION  
GIANT FOOD STORES, LLC – 741 BETHLEHEM PIKE**

**I. INTRODUCTION**

Giant Food Stores, LLC ("Giant") intends to lease the property located at 741 Bethlehem Pike in Montgomeryville, Montgomery Township, Montgomery County, Pennsylvania (the "Property"). The Property is located in the Township's Commercial District (the "C District"). A vacant commercial building currently is located on the Property. Giant proposes to demolish the existing building and construct and operate a Giant To Go Facility consisting of a 5,000 square foot convenience store with a gasoline filling station (the "Fueling Facility") on the Property. The proposed convenience store is permitted by right in the C District. Giant requests a conditional use, pursuant to Section 230-75.A(1) of the Montgomery Township Zoning Ordinance (the "Zoning Ordinance"), to permit the proposed Fueling Facility on the Property.

**II. FUELING FACILITY**

The Fueling Facility will consist of five (5) double-sided pumps (10 fueling positions) located beneath a canopy measuring approximately 140 feet long and 28 feet wide. The gasoline pumps will be located on the western side of the convenience store building along Bethlehem Pike. Enclosed is a site plan depicting the Property and the proposed Fueling Facility and convenience store (the "Plan"). The Fueling Facility will be open seven days a week, 24 hours a day.

**III. REQUEST FOR RELIEF**

Pursuant to Section 230-75.A(1) of the Zoning Ordinance, gasoline filling stations, such as the Fueling Facility, are permitted by conditional use in the C District. Giant requests that the Board of Supervisors grant a conditional use for the proposed Fueling Facility.

**A. Standards of the C District**

The dimensional requirements of the C District are set forth in Sections 230-76 through 230-78.1 of the Zoning Ordinance. Those requirements are reproduced (or summarized) in bold below. A brief discussion follows each requirement.

**Section 230-76.A                      Maximum Permitted Height = 35 ft.**

The canopy above the Fueling Facility will be approximately 18 feet tall; and, therefore, complies with this requirement.

**Section 230-77.A(2)                  Minimum Lot Area = 25,000 sq. ft.**

As depicted on the Plan, the Property has a total lot area of approximately 97,400 square feet; and, therefore, complies with this requirement.

**Section 230-77.A(3) Minimum Lot Width = 75 ft.**

As depicted on the Plan, the Property has a lot width of approximately 150 feet; and, therefore, complies with this requirement.

**Section 230-77.B Minimum Front Yard Setback = 60 ft.**

As depicted on the Plan, the Property is a thru-lot with frontage along both Bethlehem Pike and Horsham Road. The Fueling Facility's pumps will be set back approximately 75 feet from the Bethlehem Pike right-of-way and approximately 300 feet from the Horsham Road right-of-way; and, therefore, complies with this requirement.

**Section 230-77.C(4) Minimum Side Yard Setback = 10 ft.**

As depicted on the Plan, the Fueling Facility's pumps will be set back approximately 45 feet from the Property's northern lot line and approximately 70 feet from the Property's southern lot line; and, therefore, complies with this requirement.

**Section 230-77.D Minimum Rear Yard Setback = 40 ft.**

Because the Property is a thru-lot, there is no rear yard or rear yard setback.

**Section 230-77.E Maximum Building Coverage = 20%**

The Property currently has a building coverage of approximately 19.3%. The demolition of the existing building and construction of the Fueling Facility will reduce the building coverage on the Property to approximately 5.2%; and, therefore, the Property complies with this requirement.

**Section 230-77.F Maximum Impervious Coverage = 75%**

The Property currently has an impervious coverage of approximately 77%. The redevelopment of the Property for the Fueling Facility will reduce the impervious coverage to approximately 60%; therefore, the Property complies with this requirement.

**Section 230-77.G Minimum Green Area Coverage = 25%**

The Property currently has green area coverage of only approximately 23%. The redevelopment of the Property for the Fueling Facility will increase the green area coverage to approximately 40%. Therefore, the Property complies with this requirement.

**Section 230-78.A. A planting area no less than 25 feet in width of grass, lawns, shrubbery, evergreens and trees shall be planted and continuously maintained in a proper and attractive manner along all street frontages of property, exclusive of driveway and access areas, and along all sides and rear boundary lines. If the side or rear boundary lines abut commercial or industrial uses or zoning districts, the**

required planting areas may be waived or reduced if deemed appropriate by the Board of Supervisors.

The Property currently is nonconforming with respect to this requirement. The redevelopment of the Property for the Fueling Facility, as depicted on the Plan, will add additional planting area and reduce the degree of the nonconformity, but will not strictly comply with this requirement. To the extent that a waiver is deemed to be required, Giant will request a waiver from this requirement as part of the land development process.

**Section 230-78.B**

**All entrance- and access ways shall be of sufficient width, with widened radii where they meet the sides of roads and highways, to conveniently and safely accommodate the flow of traffic. The entrance- and access ways shall be designed, constructed and maintained to provide safe and efficient ingress and egress for traffic without undue congestion or interference with the normal traffic flow on the abutting streets and highways.**

The entrance and access ways, as depicted on the Plan, comply with the regulations and will conveniently and safely accommodate the flow of traffic. Enclosed with this application is a Transportation Impact Assessment, prepared by McMahon Transportation Engineers & Planners, which evaluates the proposed redevelopment of the Property and its potential impact on the adjoining roadway system (the "Transportation Impact Assessment"). As evidenced by the Transportation Impact Assessment, the access is consistent with PennDOT's guidelines and will provide safe and efficient ingress and egress for traffic without undue congestion.

**Section 230-78.D**

**Safe and efficient ingress and egress is to be provided to and from public streets serving the site without undue congestion to or interference with traffic flow within the Township.**

As depicted on the Plan, ingress and egress will be provided by two access drives – a right-in/right-out only access drive along Bethlehem Pike and a full-movement access drive on Horsham Road. As evidenced by the Transportation Impact Assessment, the proposed access drives will not cause undue congestion to, or interference with, the traffic flow within the Township.

**Section 230-78.E**

**No outdoor storage or display of merchandise, materials, equipment, products, parts, or commodities shall be permitted outside of the main or accessory building or structure, except for live-cut Christmas trees**

subject to the provisions of Section 230-78.E(1).

There will be no storage or display of merchandise, materials, equipment, products, or commodities outside of the main building; and, therefore, the Property complies with this requirement.

**Section 230-78.F**

**Waste Disposal.** If stored outside of the building, waste shall be within a completely enclosed fenced-in area so as to conceal the materials.

As depicted on the Plan, a completely enclosed dumpster pad will be provided on the northeastern side of the convenience store building.

**Section 230-78.G**

**Adequate off-street parking and loading shall be provided in accordance with Article XIX here.**

The off-street parking and loading requirements in Article XIX are set forth below.

**Section 230-134.C(1)**

**Required Parking.** Retail store, shop or supermarket less than 20,000 sq. ft. total floor area which is not part of a shopping center: 6.5 parking spaces per 1,000 sq. ft. of total floor area.

The Fueling Facility's convenience store will contain approximately 5,000 sq. ft. of total floor area; therefore, 33 parking spaces are required. As depicted on the Plan, the Property will have 45 spaces; and, therefore, the Property complies with this requirement.

**Section 230-136**

**In addition to required off-street parking spaces, the foregoing uses shall be provided with adequate off-street loading space.**

As depicted on the Plan, the Property will have adequate off-street loading space; and, therefore, the Property complies with this requirement.

**B. Specific Requirements for Gasoline Filling Stations**

Under Section 230-142 of the Zoning Ordinance, gasoline filling station pumps may be located in the front yard so long as the pumps are no closer than 15 feet to the front lot line, unless otherwise specified in the district regulations. As depicted on the Plan, the Fueling Facility's pumps will be located more than 15 feet from the Property's front lot line along Bethlehem Pike. Therefore, the Fueling Facility complies with this requirement.

**C. General Standards for Conditional Uses (Section 230-156.2.C)**

The general standards that apply to all conditional uses are listed in Section 230-156.2.C of the Zoning Ordinance. Those requirements are reproduced (or summarized) in bold below. A brief discussion follows each requirement.

**Section 230-156.2.C(1)**     **The proposed use is permitted by conditional use, and it will conform to the applicable regulations in the district in which it is located or any district regulations which may relate to or apply to the use, including but not limited to setbacks, building coverage, open space and buffering.**

As described above, the Fueling Facility is permitted by conditional use in the C District (Section 230-75.A(1)). The Fueling Facility will conform with all applicable regulations in the C District; and, therefore, complies with this requirement.

**Section 230-156.2.C(2)**     **The proposed use will conform to the regulations applicable according to use and/or district, including but not limited to regulations contained in Article XVIII, Signs, Article XIX, Off-Street Parking and Loading, Article XX, Nonconforming Uses and Article XXI, Miscellaneous Provisions**

As described above, the Fueling Facility will conform to all C District regulations, including those regulations pertaining to signs, off-street parking and loading, nonconforming uses, and all other applicable regulations.

**Section 230-156.2.C(3)**     **Points of vehicular access to the lot are provided at a distance from the intersections and other points of access and in number sufficient to prevent undue traffic hazards and obstruction to the movement of traffic.**

The Fueling Facility will be accessed by two points of vehicular access along Bethlehem Pike and along Horsham Road. Both points of access are a sufficient distance from intersections and other points of access, and are of a sufficient number, to prevent undue traffic hazards and obstruction to the movement of traffic, as evidenced by the Transportation Impact Assessment.

**Section 230-156.2.C(4)**     **The location of the site with respect to the existing public roads giving access to it is such that the safe capacity of the public roads is not exceeded by the estimated traffic attracted or generated by the proposed use, and the traffic generated or attracted is not**



out of character with the normal traffic using said public roads.

As evidenced by the Transportation Impact Assessment, the Fueling Facility will not attract or generate traffic which exceeds the safe capacity of the public roads, nor will it attract or generate traffic that is out of character with the normal traffic using said roads.

**Section 230-156.2.C(5)** A determination that the proposed use will not have an unwarranted impact on traffic in the area, either creating significant additional congestion in an area of existing congestion or posing a threat of significant additional congestion where there is a high probability of future congestion. In addition, the Board shall consider whether the proposed use will create any traffic hazard dangerous to the public safety.

As evidenced by the Transportation Impact Assessment, the Fueling Facility will have a negligible impact on the congestion in the area and traffic will continue to operate at its current level of service. Therefore, the Fueling Facility complies with this requirement.

**Section 230-156.2.C(6)** Screening of the proposed use from adjacent uses is sufficient to prevent the deleterious impact of the uses upon each other, considering the type, dimension and character of the screening.

The Property is currently nonconforming with the planting yard requirements of Section 230-78. The proposed redevelopment of the Property will not comply strictly with those requirements but will provide additional planting areas and green space on the Property and reduce the degree of the nonconformity. The proposed redevelopment of the Property, as depicted on the Plan, is sufficient to prevent any perceived deleterious impact of the Fueling Facility on adjacent uses given the commercial nature of the neighborhood and the character of the screening.

**Section 230-156.2.C(7)** The proposed use does not adversely affect or contradict Montgomery Township's Comprehensive Plan.

The Fueling Facility complies with the requirements of the Zoning Ordinance, which was drafted to be consistent with the Township's Comprehensive Plan; therefore, the Fueling Facility will not adversely affect or contradict the Comprehensive Plan.

**Section 230-156.2.C(8)** The proposed use meets the purpose described in Article I of this chapter.

The purpose of the Zoning Ordinance is to promote "the health, safety, morals and the general welfare of the Township," as well as "to lessen congestion in the roads and

highways, to secure safety from fire, panic and other dangers, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue congestion of population, to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public improvements, to conserve the value of buildings and to encourage the most appropriate use of land throughout the Township." The Fueling Facility is a highway oriented retail business meant to serve local residents and others, and will benefit the general welfare of the Township. The Fueling Facility will not negatively impact the congestion of the roads, nor will it impede the adequate provision of public services. The Fueling Facility is an appropriate use of the Property; and, therefore, complies with this requirement.

**Section 230-156.2.C(9)      The proposed use is suitable for the character of the neighborhood and the uses of the surrounding properties.**

The Property is located within a well-developed commercial corridor and the surrounding properties include uses similar in size and intensity to the Fueling Facility. The Fueling Facility is suitable for the character of the neighborhood.

**Section 230-156.2.C(10)      The proposed use will not impair an adequate supply of light and air to adjacent property.**

The Property complies with the Zoning Ordinance restrictions on height and building setbacks and the Fueling Facility will not otherwise impair an adequate supply of light and air to the adjacent properties.

**Section 230-156.2.C(11)      The proposed use will not adversely affect the public health, safety or general welfare.**

The Fueling Facility complies with all applicable regulations and is consistent with the Township's Comprehensive Plan, as well as the purposes set forth in Article I of the Zoning Ordinance. The Fueling Facility will positively impact the neighborhood and the Township at large and will not adversely affect the public health, safety or general welfare.

**Section 230-156.2.C(12)      The proposed use will not adversely affect transportation or unduly burden water, sewer, school, park or other public facilities.**

The Fueling Facility will be served by public water and public sewer. There are adequate public facilities to serve the Fueling Facility without undue burden.

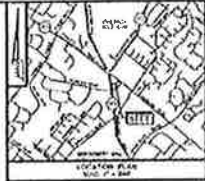
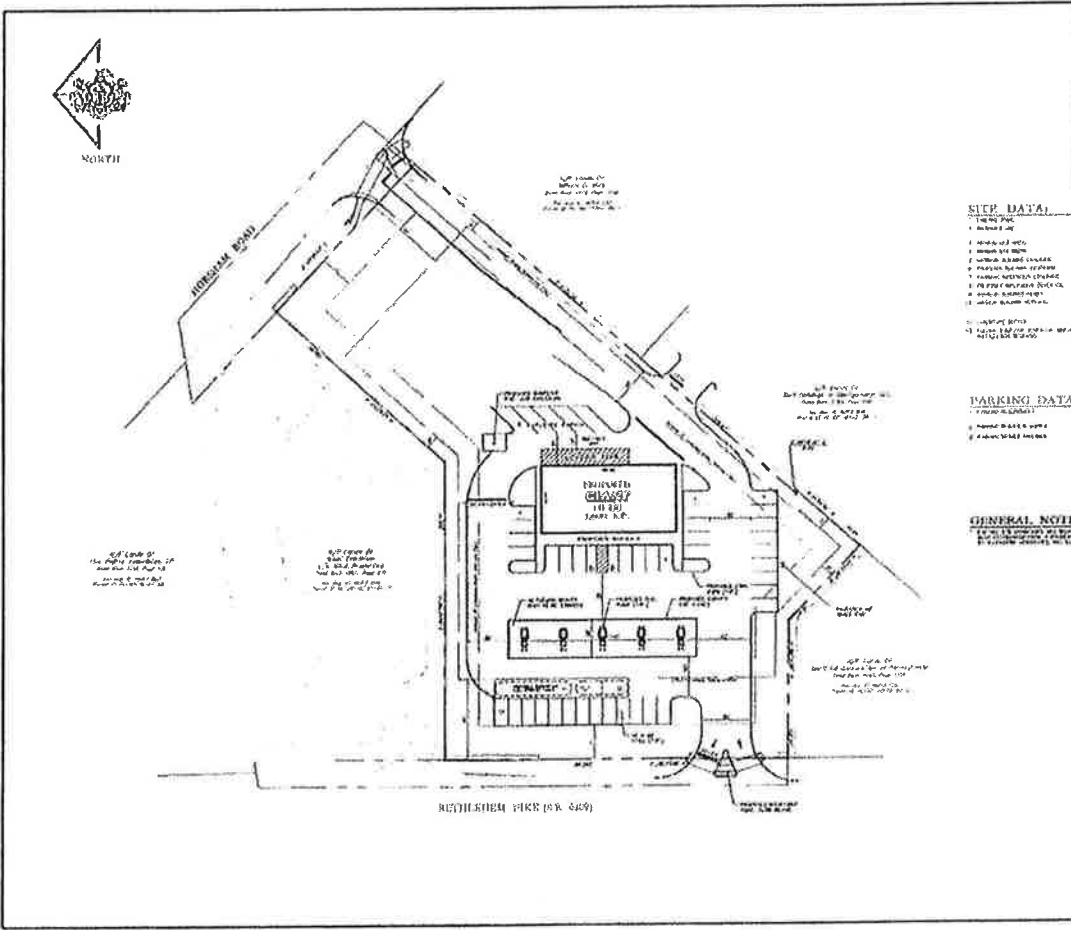
**Section 230-156.2.C(13)      The proposed use shall not overcrowd land or create undue concentration of population or undue intensity of use.**

The Property is located in a commercial corridor and the Fueling Facility will be consistent with the concentration and intensity of the development in this area of the

Township and will not result in undue concentration of population or in an undue intensity of use.

**IV. CONCLUSION**

For the foregoing reasons, Giant respectfully requests that the Board of Supervisors grant the requested conditional use to permit the proposed Fueling Facility on the Property.



**SITE DATA:**

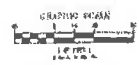
- 1. TRACT NO. 42265
- 2. AREA 1.25 AC.
- 3. ZONING R-1
- 4. OWNER J. Michael Brill & Associates, Inc.
- 5. PROJECT NAME RETHLEBOM FIRE (EX. 640)
- 6. PREPARED BY J. Michael Brill & Associates, Inc.
- 7. DATE 10/15/2010
- 8. SCALE 1/8" = 1'-0"
- 9. SHEET NO. 1 OF 1

**PARKING DATA:**

- 1. TOTAL SPACES 10
- 2. HANDICAPPED SPACES 2
- 3. ACCESSIBLE SPACES 2

**GENERAL NOTES:**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE LOCAL ORDINANCES.
2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



**J. Michael Brill & Associates, Inc.**  
CONSULTING ENGINEERS

400 N. BRIDGES BLVD., SUITE 100  
MONTGOMERY, AL 36102  
PH: 205.261.1111  
FAX: 205.261.1112  
WWW.MJBENGINEERS.COM

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**GIANT FOOD STORE #42265 OF MONTGOMERY TOWNSHIP**

**SITE CONCEPT PLAN #1**

PROJECT NO. 10/15/2010  
MONTGOMERY COUNTY, AL  
MONTGOMERY TOWNSHIP

1  
OF  
1

# Proof of Publication of Notice in The Reporter

Under Act No. 587, Approved May 16, 1929, P.L. 1784  
As Amended by Act. No. 520 of July 5, 1947

Copy of notice or publication

State of Pennsylvania, ) SS:  
County of Montgomery

Controller or Dena Fritz, of the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a PENNSYLVANIA corporation, being duly sworn, deposes and says that THE REPORTER is a daily newspaper published at Lansdale, County and State aforesaid, which was established in the year 1870, since which date said daily newspaper has been regularly issued in said County, and that a copy of the printed notice or publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said daily newspaper on the following dates.

viz:

.....  
.....  
the 4th day of March A.D., 2013

Affiant further deposes he is an officer duly authorized by the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, to verify the foregoing statement under oath and also declares that affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

*Dena Fritz*  
Controller or Dena Fritz  
Goodson Holding Company D/B/A LRPa, LLC.,

Sworn to and subscribed before me this date

*Beverly A. Wolfe*

My Commission Expires:

STATE OF PENNSYLVANIA  
Notarial Seal  
Beverly A. Wolfe, Notary Public  
East Bradford Twp., Chester County  
My Commission Expires June 4th, 2013  
Member, Pennsylvania Association of Notaries

## Statement of Advertising Costs

MONTGOMERY TOWNSHIP  
100 STUMP ROAD  
MONTGOMERYVILLE PA  
18936

For publishing the notice or advertisement attached hereto on

the above stated date.....

\$ 280.69

Notary Fee.....

\$ 5.00

Total.....

\$ 285.69

## Publisher's Receipt for Advertising Costs

GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, hereby acknowledges receipt of the aforesaid advertising and publication, and certifies that the same have been fully paid.

By.....

### MONTGOMERY TOWNSHIP LEGAL NOTICE

On Monday, March 11, 2013, after 8:00 PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a conditional use hearing on the application of Giant Food Stores, LLC and Horsham Realty Associates, to permit a gasoline filling station, by conditional use under Section 230-75(A)(1) of the Montgomery Township Zoning Ordinance, as amended, on the property located at 741 Bethlehem Pike, within the Township's C-Commercial District. Applicant proposes to demolish the existing building and construct and operate a Giant-To-Go facility consisting of a 5,000 square-foot convenience store with a gasoline filling station on the property. The proposed convenience store is permitted by right in the C-Commercial District and the proposed gasoline filling station is permitted by conditional use pursuant to Section 230-75(A)(1) of the Montgomery Township Zoning Ordinance, as amended. All interested parties are invited to attend. A copy of the Application may be examined at the Township Building, Monday through Friday, during normal business hours: 9:00AM to 4:00PM. Persons with disabilities wishing to attend the public meeting/hearing and requiring auxiliary aid or other accommodations to participate should contact the Montgomery Township Human Resources Coordinator 215-393-6900.

**LAWRENCE J. GREGAN**  
Township Manager

# Proof of Publication of Notice in The Reporter

Under Act No. 587, Approved May 16, 1929

FEB 16 2013

Copy of notice or publication

State of Pennsylvania,  
County of Montgomery

SS:

### MONTGOMERY TOWNSHIP LEGAL NOTICE

On Monday, January 28, 2013, after 8:00 PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a conditional use hearing on the application of Giant Food Stores, LLC and Horsham Realty Associates, to permit a gasoline filling station, by conditional use under Section 230-75(A)(1) of the Montgomery Township Zoning Ordinance, as amended, on the property located at 741 Bethlehem Pike, within the Township's C-Commercial District. Applicant proposes to demolish the existing building and construct and operate a Giant-To-Go facility consisting of a 5,000 square-foot convenience store with a gasoline filling station on the property. The proposed convenience store is permitted by right in the C-Commercial District and the proposed gasoline filling station is permitted by conditional use pursuant to Section 230-75(A)(1) of the Montgomery Township Zoning Ordinance, as amended. All interested parties are invited to attend. A copy of the Application may be examined at the Township Building, Monday through Friday, during normal business hours: 9:00AM to 4:00PM. Persons with disabilities wishing to attend the public meeting/hearing and requiring auxiliary aid or other accommodations to participate should contact the Montgomery Township Human Resources Coordinator 215-393-6900.

**LAWRENCE J. GREGAN**  
Township Manager

Controller or Ad Manager, of the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a PENNSYLVANIA corporation, being duly sworn, deposes and says that THE REPORTER is a daily newspaper published at Lansdale, County and State aforesaid, which was established in the year 1870, since which date said daily newspaper has been regularly issued in said County, and that a copy of the printed notice or publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said daily newspaper on the following dates,

viz:

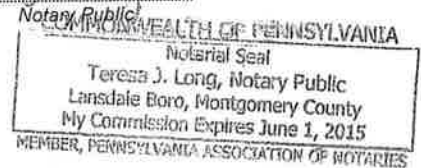
.....  
 ..... the 11th, 18th days of January A.D., 2013 .....

Affiant further deposes he is an officer duly authorized by the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, to verify the foregoing statement under oath and also declares that affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

*[Signature]*  
 Controller or Ad Manager  
 Goodson Holding Company D/B/A LRPa, LLC.,

Sworn to and subscribed before me this date 1-18-13

*[Signature]*  
 Notary Public



My Commission Expires:

## Statement of Advertising Costs

MONTGOMERY TOWNSHIP  
 1001 STUMP ROAD  
 MONTGOMERYVILLE, PA 18936

For publishing the notice or advertisement attached hereto on		
the above stated date.....	\$	551.38
Notary Fee.....	\$	5.00
Total.....	\$	556.38

## Publisher's Receipt for Advertising Costs

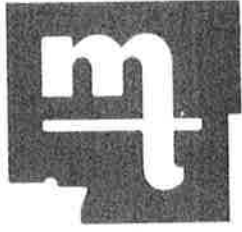
GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, hereby acknowledges receipt of the aforesaid advertising and publication, and certifies that the same have been fully paid.

By.....

MONTGOMERY TWP.  
PAYMENT APPROVAL

Ac. Bill # .....  
 P.O. # .....  
 Price Check .....  
 Auth. by .....  
 Recs. App. ....  
 Mgr. App. ....  
 Date Pd. ....

Amf. Lansdale, Pa.  
 Established 1870



**MONTGOMERY TOWNSHIP  
DEPARTMENT OF PLANNING AND  
ZONING**

1001 STUMP ROAD  
MONTGOMERYVILLE, PA 18936-9605  
Telephone: 215-393-6920 • Fax: 215-855-1498  
www.montgomerytp.org

**BRUCE S. SHOUBE**  
Director of Planning and Zoning

**MARIANNE J. McCONNELL**  
Deputy Zoning Officer

January 18, 2013

**RE: CHANGE OF PUBLIC HEARING DATE**  
Conditional Use Application #C-59  
Giant To Go  
741 Bethlehem Pike

Dear Property Owner:

We had previously advised you that Giant Food Stores had applied to the Montgomery Township Board of Supervisors for a Conditional Use approval to operate a gasoline fueling station at 741 Bethlehem Pike. Also proposed was a Giant To Go food store, which is a permitted use in the Commercial District. And, that the Board of Supervisors had set Monday, January 28, 2013, for the Public Hearing.

***However, that date has now been changed until Monday, March 11, 2013, at the request of the applicant. We are sorry for any inconvenience this may cause.***

Again, in order to receive public comment on this request, the Board of Supervisors has set Monday, March 11, 2013, after 8:00 p.m., in the Township Building, as the date, time and place for the public hearing.

Copies of the conditional use application and deed are available for inspection during normal office hours.

Sincerely,

Bruce S. Shoupe  
Director of Planning and Zoning

309 & HORSHAM RD. PLAZA  
MATTRESS GIANT  
GOLF ETC.

**LEASE**  
Selective  
Development  
Fort Washington, PA  
267-468-0100

01/17/2013



**GOLF ETC**

SUPERSTAR ZONING  
1002 MILLIKEN  
P.O. BOX 1002  
DENVER, CO 80202

**ZONING NOTICE**

Dear Mr. [REDACTED]:  
This notice is being sent to you because your property is located in a zoning district that is being reclassified. The proposed reclassification is from [REDACTED] to [REDACTED]. The proposed reclassification will allow for the use of [REDACTED] on your property. This use is currently not allowed under the existing zoning. If you have any questions regarding this notice, please contact the Planning Department at [REDACTED].

01/17/2013

No. \_\_\_\_\_

# ZONING NOTICE

Giant to Go

has appealed to the ~~ZONING HEARING BOARD~~ for con-

sideration of BOARD OF SUPERVISORS  
A CONDITIONAL USE APPLICATION TO

OPERATE A GASOLINE FUELING STATION AT  
741 BETHLEHEM PIKE.

at \_\_\_\_\_

The BOARD OF SUPERVISORS  
~~ZONING HEARING BOARD~~ under authority

of the MONTGOMERY TOWNSHIP ZONING ORDINANCE

invites all interested parties to appear and be heard at a

PUBLIC HEARING to be held in the Montgomery Township

Building located at 1001 Stump Road, on JANUARY 28, 2013

at 8.00 p.m.

THIS ZONING NOTICE must be displayed in a conspicuous

place in FRONT of the premises PLAINLY VISIBLE TO

PASSERSBY and kept there for the Seven Days preceding

the PUBLIC HEARING. The applicant is responsible for

the maintenance of this notice and should it be destroyed or

removed, must immediately obtain another. 01/17/2013

*[Handwritten Signature]*



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

January 11, 2013

File No. 12-07006

Bruce S. Shoupe, Director of Planning and Zoning  
Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18976

Reference: Conditional Use Application Review #C-59  
Giant Food Stores, LLC and Horsham Realty Associates, LLC  
Parcel ID 46-00-00178-00-1, Block-Unit 012-005

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the conditional use application for the above-referenced project and offers the following comments for consideration by the Montgomery Township Board of Supervisors:

**I. SUBMISSION**

- A. Site Concept Plan #11 (Sheet 1 of 1), prepared by J. Michael Brill & Associates, Inc., dated September 6, 2012.
- B. Application for Conditional Use and Narrative to Conditional Use Application, dated December 30, 2012.
- C. Transportation Impact Assessment for the Giant to Go Redevelopment, prepared for Giant Food Stores, prepared by McMahon Transportation Engineers & Planners, Dated November 27, 2012.

**II. GENERAL**

The Applicants, Giant Food Stores, LLC and Horsham Realty Associates, LLC, propose to construct and operate a 5,000 square foot convenience store with a 5 pump (10 fueling positions) gasoline fueling station at 741 Bethlehem Pike. The lot is within the C - Commercial District. Retail Sales is a permitted use within the district. Gasoline Filling Station is permitted when approved as a conditional use by the Board of Supervisors. The subject lot has frontage on Horsham Road (SR0463) and Bethlehem Pike (SR0309). Current access to the site is via a shared access easement (B/U 012-004) at both frontages. The proposed plan incorporates expiration of the shared access easement, modifying the access available to the neighboring lot (B/U 012-004), and creation of new single lot access points for the subject lot on both frontages.

### III. REVIEW COMMENTS

#### A. Zoning Ordinance

We present the following comments for consideration by the Board of Supervisors as part of the conditional use process.

1. §230-76 & §230-156.2.C(9) – The applicant should provide architectural renderings of the proposed canopy for review and consideration by the Board of Supervisors.
2. §230-136 – An off-street loading area is provided for the retail use in a location that is not practical for the gasoline filling station use. The applicant should address the loading of the underground fuel tanks.
3. §230-156.2.C(3), (4) & (5) – The proposed plan includes the removal of shared access points and the creation of new single lot access points at Horsham Road and Bethlehem Pike. Approval of a Highway Occupancy Permit from PADOT may be required. Details regarding the existing shared access easement should be provided. Review of the TIA and any traffic related concerns are deferred to the Township Traffic Engineer, Traffic Planning and Design, Inc.
4. §230-156.2.C(11) & (12) – In addition to the standard safety features associated with gasoline fueling stations, the applicant should incorporate stormwater features to address potential spills and pollution prevention. Applicable documents such as a Spill Prevention, Control and Countermeasure (SPCC) Plan, a Preparedness, Prevention, and Contingency (PPC) Plan and/ or a Spill Prevention Response (SPR) Plan should be submitted with any future land development application in order to confirm features and procedures are in place to prevent and protect against pollution discharges to the Townships storm sewer system.
5. §230-156.2.C(11) – In the event of spills or other emergency, line of sight should be maintained between the retail building and the fuel pumps. It is recommended that trucks and larger vehicles be prohibited from parking in spaces between the building and the fuel pump.

#### B. General

1. We note the following information to be corrected on the Application for Conditional Use Form:
  - a) The Block and Unit number of the subject property is 012-005.
  - b) The Deed Book page number is 5793.
2. It is noted diesel and gasoline tanks are shown on the plans. The applicant should discuss the types of vehicles expected to be present at the site. Also, vehicle idling should be addressed.
3. The applicant should include the proposed hours of operation of the fueling station.

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

Sincerely,



Russell S. Dunlevy, P.E.  
Executive Vice President  
Gilmore & Associates, Inc.



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

RSD/JPD/ sl

cc: Lawrence J. Gregan, Manager - Montgomery Township  
Marita A. Stoerrle, Development Coordinator - Montgomery Township  
Kevin Johnson, P.E. - Traffic Planning & Design, Inc.  
Judith Stern Goldstein, ASLA, R.L.A. - Boucher & James, Inc.  
Ken Amey, AICP  
Kerry Eck - Giant Food Stores, LLC  
Steven Muchnick - Horsham Realty Associates, LLC  
Charles M. Courtney - McNees, Wallace & Nurick, LLC  
Karyn Hyland, P.E., Project Manager - Gilmore & Associates, Inc.



# TRAFFIC PLANNING AND DESIGN, INC.

2500 EAST HIGH STREET, STE 650  
POTTSTOWN, PA 19464

PHONE: 610.326.3100  
FAX: 610.326.9410

TPD@TRAFFICPD.COM  
WWW.TRAFFICPD.COM

January 15, 2013

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

Re: Giant Food Stores, LLC/Horsham Realty Associates  
Conditional Use Application Review – #C-59  
TPD# MOTO-A-00067

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the Conditional Use plan submission for the above referenced project prepared by J. Michael Brill & Associates, Inc. and dated September 6, 2012. Additionally, a Transportation Impact Assessment (TIA), prepared by McMahon Associates, Inc. and dated November 27, 2012 was also reviewed.

Currently the access to this site is via right-in/right-out driveways to Bethlehem Pike and Horsham Road. These access points are shared with the adjacent land owner (Isaac Friedman). It is TPD's understanding that the shared access is part of a private access easement between the property owners and is set to expire in early 2014. The site also has access to Horsham Road via an additional full-access driveway.

As part of this application, in conjunction with eliminating the existing right turn ingress from Bethlehem Pike and the existing right out egress to Horsham Road on their property, the Applicant intends to construct a new right-in/right-out driveway to Bethlehem Pike at the southern end of the property. The Applicant also proposes to improve the existing full-access driveway to Horsham Road.

A preliminary meeting was held with PennDOT on August 16, 2012 to discuss the project and the proposed access. The plan we reviewed complies with the guidance received at this meeting.

Based on this review, we offer the following comments:

#### **Transportation Impact Assessment (TIA) Comments**

1. At the time of the traffic counts (September 2012), the signalized study area intersections were running in a traffic adaptive mode (with InSync). The traffic study should be revised accordingly.
2. Typically for convenience stores with fueling positions, the independent variable used for the trip generation calculations is the higher of fueling position and building square footage for each peak hour. The TIA should be revised accordingly.
3. It appears that default peak hour factors were used in the analysis. The actual peak hour factors for each intersection should be used.
4. Regarding the trip generation, Table 2 of the TIA should be revised to reflect the 10 fueling positions.
5. Giant offers gasoline cash discounts of \$0.10 per gallon for every \$100 of grocery purchases during a roughly two month time period. Any discounts not redeemed at Giant gas stations during this window expire. As can be expected, the Giant gas stations experience an above average usage in the days leading up to the expiration date.



The goal of any Traffic Study is to theoretically evaluate 30<sup>th</sup> highest hourly annual conditions of the road network. While it is unlikely that study of the 30<sup>th</sup> highest hourly volume time period would significantly change the analyses at the offsite intersections included in this report, it could impact driveway operations. Therefore, the impact of this peaking effect on traffic flow conditions on-site and at the access points needs to be evaluated to ensure that on-site safety is maintained and that queues do not extend into Route 309.

It is our opinion that trip generation counts and pump queue studies (one minute intervals) be completed at the most similar facility on Oregon Pike during the weekday peak hours and the Saturday peak hours at the end of a redemption period. The purpose of the data collection is not only to determine how the trip generation compares to the ITE values, but most importantly, to determine the number of vehicles fueling and queuing to fuel during the peak periods. This data would then be used to determine if adequate space exists on the Montgomeryville site to accommodate such a queue. With Saturday January 19<sup>th</sup> marking the end of the current redemption period, TPD is prepared to collect this data this week if authorized to do so by the Township by the end of the day Thursday.

#### **Traffic Engineering Comments**

6. There are two existing Giant To Go facilities (convenience store with gas). One is located on Fruitville Pike and the other is located on Oregon Pike in Lancaster County. Both are slightly different than the proposed location.

The Fruitville Pike location is part of a shopping center with eight fueling positions arranged in two rows of four, has 23 parking spaces and no dedicated loading zone. The parking aisle in front of the building is 30 feet wide and the aisle on the opposite side of the fueling positions is 29 feet wide. Access to the fueling positions is only permitted in one direction.

The Oregon Pike location is part of a shopping center with twelve fueling positions arranged in two rows of six, has 33 parking spaces and a dedicated loading zone. The parking aisle in front of the building is 35 feet wide and the aisle on the opposite side of the fueling positions is 32 feet wide.

The proposed site is a standalone site with ten fueling positions all arranged in one row, has 45 parking spaces and a dedicated loading zone. The parking aisle in front of the building is 35 feet wide and the aisle on the opposite side of the fueling positions is 30 feet wide.

It is unknown if the differences between the proposed site and the two existing sites were intended to address concerns expressed on other Giant To Go applications regarding traffic operations during the days leading up to the end of the discount redemption period.

7. A Highway Occupancy Permit (HOP) will be required from PennDOT for the access modifications along Horsham Road and the proposed access to Bethlehem Pike. The Township and TPD should be copied on all correspondence.
8. The project is within the limits of work of a PennDOT project to improve the five points intersection of Route 202/Route 463/Route 309 (PennDOT Project – Route 202, Section 71A). Specifically, along the site frontage for this site. The Applicant should contact the PennDOT Design Consultant (John Kahill at McCormick Taylor) for more specific information related to the property impacts and the locations of any necessary right-of-way and easements.
9. The existing center median on Bethlehem Pike should be extended should be to further prevent left turn movements into the site. Alternatively, the proposed center pork chop island on the driveway, depending on truck turning templates, could be made to be more restrictive.



- 
10. Truck turning templates for the largest expected design vehicle and the largest Township fire truck should be provided for review. In addition to the circulation throughout the site, truck turns into and out of all loading areas, fuel delivery areas and garbage collection facilities should also be provided for review.
  11. As shown, the driveway radii extend beyond the Applicant's frontage. PennDOT will require permission, in the form of a release, from each affected property owner.
  12. The proposed angle parking for employees in the rear of the site also needs to be evaluated. The SLDO is written in terms of perpendicular parking off of two way circulation aisles and is not written for angle parking off one way circulation aisles. However, we would support a SLDO waiver if sought because these spaces will be low turnover located to the rear of the store backing into an aisle that will be less frequently used than the other aisles on the site and the full 24 foot width of the aisle will frequently be available because the Loading Zone will be relatively infrequently used.

As presented below, there are two options if the applicant is not inclined to apply for a waiver or if the Township is not inclined to support a waiver. One option would be to increase the width of the aisle to the rear of the store by ten feet to meet the Township code of 22 feet. This could be accomplished by reducing the width of the aisles on one or both sides of the pump islands and reallocating this width to the aisle to the rear of the store. However, this option reduces the amount of stacking that may be needed during the last few days of the gas discount redemption period. Therefore, it is our opinion that the waiver is better than this option.

The second option would involve eliminating these employee parking spaces. Even if these spaces were removed from the parking totals, the parking provided on the site will still exceed Township requirements. However, we support maximizing the amount of parking to reduce the need for vehicles to search the site for empty spaces. Furthermore, we support segregating the employee parking from the customer parking to maximize the spaces available for customers. Both maximizing and segregation of parking would also seem to have value during the last few days of the gas discount redemption period. Therefore, it is our opinion that the waiver is better than this option.

13. With the proposed one-way circulation to rear of the site, the stop bar should be removed from the from the site access to the internal driveway near the southeast corner of the proposed building. Additionally, the width of the access should be reduced unless it is demonstrated that it is needed for truck circulation.
14. Over half of the parking spaces located adjacent to Route 309 will be blocked when fuel is being delivered. Even if these spaces were discounted from the parking totals, the parking provided on the site will still exceed Township requirements. Whether the fuel delivery truck will park in the circulation aisle or actually occupy some of these parking spaces to minimize the impact on traffic flow in the pump island area needs to be identified. Furthermore, twelve of these thirteen spaces could be coned off at any one time without impacting parking requirements if such action is necessary to facilitate traffic flow during the last few days of the gas discount redemption period.
15. The time period for fuel deliveries needs to be identified and reviewed particularly as it applies to the days leading up to the end of the gas discount redemption period to minimize its impact on the increased traffic during these time periods.

**Street Lighting Comments**

16. No lighting information was provided. TPD may have comments with respect to lighting as additional information is provided.



Mr. Bruce S. Shoupe  
January 15, 2013  
Page 4 of 4



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We reserve the right to make additional comments as additional information is submitted.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin L. Johnson'.

Kevin L. Johnson, P.E.  
President

cc: Larry Gregan, Township Manager  
Marita Stoerrle, Township Development Coordinator  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
Kerry Eck, Applicant  
Charles Courtney, Esq., Applicant's Attorney  
Tim Diehl, P.E., Applicant's Engineer  
Joseph Platt, P.E., TPD



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TPD@TRAFFICPD.COM  
WWW.TRAFFICPD.COM

February 11, 2013

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

Re: Giant Food Stores, LLC/Horsham Realty Associates  
Conditional Use Application Review – #C-59  
TPD# MOTO-A-00067

Dear Bruce:

As indicated in TPD's January 15, 2013 review letter, we have conducted supplemental traffic counts to assess the impacts to traffic as the gasoline promotional redemption period ends. This data will be used to determine if adequate space exists on the Montgomeryville site to accommodate such a queue.

To assess the impacts experienced at the end of a redemption period, TPD conducted queue counts at the fuel pumps of a Giant to Go location. The facility is located at the intersection of Landis Valley Road and Oregon Pike in Lancaster County, PA. This particular Giant to Go is an approximately 4,275 square foot facility with 12 fueling positions. It should be noted that unlike the proposed Montgomeryville location, this facility is a part of a larger shopping center. The purpose of the data collection was to determine the number of vehicles fueling and queuing to fuel during the peak periods.

TPD conducted counts on weekday AM (7:00AM to 9:00AM) and weekday PM (4:00PM to 7:00PM) peak hour counts on Friday, January 18, 2013. Additionally TPD counted the Saturday midday (11:00AM-3:00PM) peak hour on Saturday, January 19, 2013. Counts of vehicles at each fueling position and those waiting in queue to the next available pump were recorded at 5 minute intervals. A copy of the tick mark sheets with the vehicle counts has been included with this letter.

The queue analysis results are summarized in Table 1 for the analyzed peak hours.

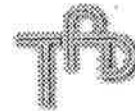
**Table 1**  
**Queue Counts**

AM PEAK HOUR		PM PEAK HOUR		SATURDAY PEAK HOUR	
AVG*	MAX**	AVG*	MAX**	AVG*	MAX**
5.63 vehicles	10 vehicles	15.00 vehicles	24 vehicles	16.49 vehicles	23 vehicles

\* Average queue of vehicles      \*\* Maximum queue of vehicles.

Based on TPD's observations of the Giant to Go in Lancaster County, a maximum queue of 24 vehicles was observed at the end of a redemption period. This maximum queue equates to 2 vehicles per fueling position.

Mr. Bruce S. Shoupe  
February 11, 2013  
Page 2 of 2



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We reserve the right to make additional comments as additional information is submitted.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin L. Johnson', is written below the word 'Sincerely,'.

Kevin L. Johnson, P.E.  
President

cc: Larry Gregan, Township Manager  
Marita Stoerrle, Township Development Coordinator  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
Kerry Eck, Applicant  
Charles Courtney, Esq., Applicant's Attorney  
Tim Diehl, P.E., Applicant's Engineer  
Joseph Platt, P.E., TPD

Am Peak

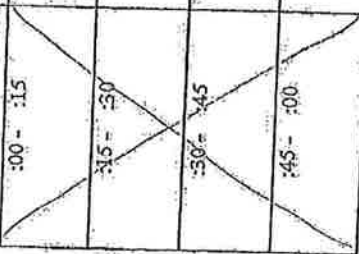
Tick Mark Sheet

34 SPOTS Total

12 Pumps

Street Name:

	Eastbound			Westbound			Northbound			Southbound		
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
:00 - :15 pump wait spot	1	5	4									
:15 - :30	0	0	0									
:30 - :45	5	8	7									
:45 - :00	5	7	9									
	3	7	9									
	6	3	4									
	0	0	5									
	10	13	5									
	4	7	3									
	0	7	8									
	10	7	8									
:00 - :15	4	8	6									
:15 - :30	0	7	8									
:30 - :45	4	3	6									
:45 - :00	0	5	6									
	6	8	10									
	6	8	10									
	9	9	10									
	0	7	9									
	6	7	9									
:00 - :15												
:15 - :30												
:30 - :45												
:45 - :00												



# SAT Peak

## Tick Mark Sheet

Fuel Queue (Parked cars)

Street Name:

stuck to OP

sampled to OP

	Eastbound						Westbound						Northbound						Southbound						
	Left		Thru		Right		Left		Thru		Right		Left		Thru		Right		Left		Thru		Right		
:00 - :15	16 (8)	13 (7)	13 (7)																						
:15 - :30	19 (5)	17 (4)	20 (3)																						
:30 - :45	23 (6)	18 (10)	16 (7)	1																					
:45 - :00	12 (5)	19 (10)	15 (9)																						
12:00 - :15	20 (6)	18 (8)	16 (2)																						
:15 - :30	17 (4)	15 (5)	13 (4)																						
:30 - :45	17 (7)	19 (3)	13 (4)																						
:45 - :00	9 (5)	16 (13)	19 (11)																						
1:00 - :15	19 (10)	19 (6)	15 (8)																						
:15 - :30	19 (7)	18 (8)	18 (9)																						
:30 - :45	20 (6)	17 (11)	16 (10)	1																					
:45 - :00	16 (11)	16 (12)	9 (6)																						

Gas Arrive delivery @ 2:40

# PM Peak

## Tick Mark Sheet

Fuel Queue (parked cars)

# of times back up to OP

Street Name:	Eastbound				Westbound				Northbound				Southbound			
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	
4:00 - :15	20 (7)	12 (11)	22 (6)													
4:15 - :30	20 (8)	13 (11)	12 (10)													
4:30 - :45	18 (4)	19 (4)	17 (5)													
4:45 - :00	19 (10)	18 (6)	16 (5)													
5:00 - :15	12 (5)	24 (8)	20 (10)													
5:15 - :30	14 (8)	13 (9)	22 (8)													
5:30 - :45	19 (6)	19 (5)	17 (6)													
5:45 - :00	16 (6)	13 (4)	15 (8)													
6:00 - :15	15 (5)	16 (5)	14 (5)													
6:15 - :30	11 (3)	9 (4)	11 (6)													
6:30 - :45	6 (7)	10 (4)	13 (8)													
6:45 - :00	10 (8)	7 (6)	10 (13)													

Gas truck delivery @ 4:15 to 5:00

**MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS**

JOSHUA D. SHAPIRO, CHAIR  
LESLIE S. RICHARDS, VICE CHAIR  
BRUCE L. CASTOR, JR., COMMISSIONER



**MONTGOMERY COUNTY  
PLANNING COMMISSION**

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

January 17, 2013

Mr. Larry Gregan, Manager  
Montgomery Township  
1001 Stump Road  
Montgomeryville, Pennsylvania 18936

Re: MCPC# 12-0192-001  
Montgomery Township #C-59  
Plan Name: Giant Food Store #6265 Conditional Use  
Plans dated: 06 Sept 2012  
(1 lots, 0 new dus, comprising 2.24 acres)  
Situate: Bethlehem Pike (N) / (South)east of  
Doylestown Road  
Montgomery Township

Applicant's Name and Address

Giant Food Stores, LLC  
1149 Harrisburg Pike  
Carlisle, PA 17013  
Contact: Charles Courtney  
Phone: 717.232.8000

Dear Mr. Gregan:

We received on December 17, 2012, the above referenced conditional use sketch plan from Marita Stoerrle, Township Development Coordinator, and have reviewed it as requested. We forward this letter as a report of our review and recommendations.

**Background**

The applicant proposes to demolish the existing commercial retail building and replace it with a new convenience store and gas station.

The tract is located in the C Commercial zoning district. Surrounding properties are also in the C zoning district with one property on the other side of Bethlehem Pike in the S Shopping Center district. Other than the existing commercial building the existing condition of the site is mostly paved parking areas or lawn.

**Recommendation**

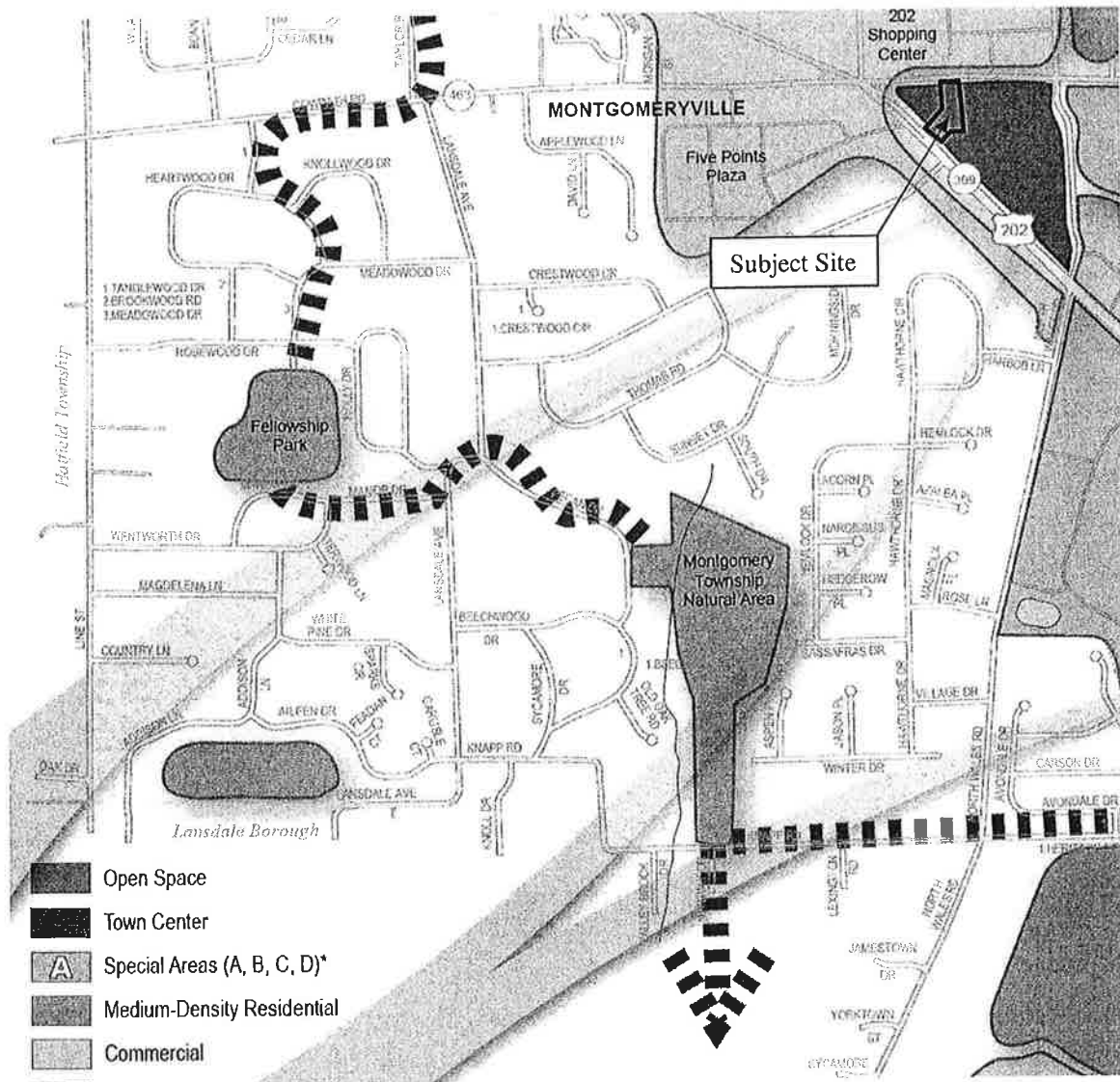
At this time, due to the comments below, we cannot recommend approval of this conditional use proposal. Our concerns are as follows:

**Conditional Use Issues**

1. Comprehensive Plan. (Zoning 230-156.2.C.(7)) One condition for a conditional use approval is "The proposed use does not adversely affect or contradict Montgomery Township's Comprehensive Plan."

This use contradicts and adversely affects the Township's comprehensive plan for this site and this area.

The 2008 Montgomery Township Comprehensive Plan Update indicates this site as part of the area designated as "Town Center." The subject site is indicated on the illustration from the Comprehensive Plan below. The township would need to revise the Comprehensive Plan if gas stations are desired for this area.



*Illustration from the 2008 Montgomery Township Comprehensive Plan with Subject Site Indicated*

The text in the Comprehensive Plan includes the following descriptions of the Town Center area:

“ A town center is the single most important area in a community. It represents the community and provides a focal point for residents and a destination for visitors. It is often an area with a Main Street and central plaza. A successful town center depends on the creation of an outdoor space or spaces that give people the sense of being in a large, public room. ... The town center should be the vibrant focal point of community life. People should want to go there more than any other place in the community. For this reason, it is also the cultural and retail center. The best town centers are active all day, providing after-hours and weekend activities such as restaurants, night clubs, theaters, community meeting rooms, museums, concert venues, festivals, art galleries, and places for relaxation, people-watching, and some recreation.

In Montgomery Township, a town center would:

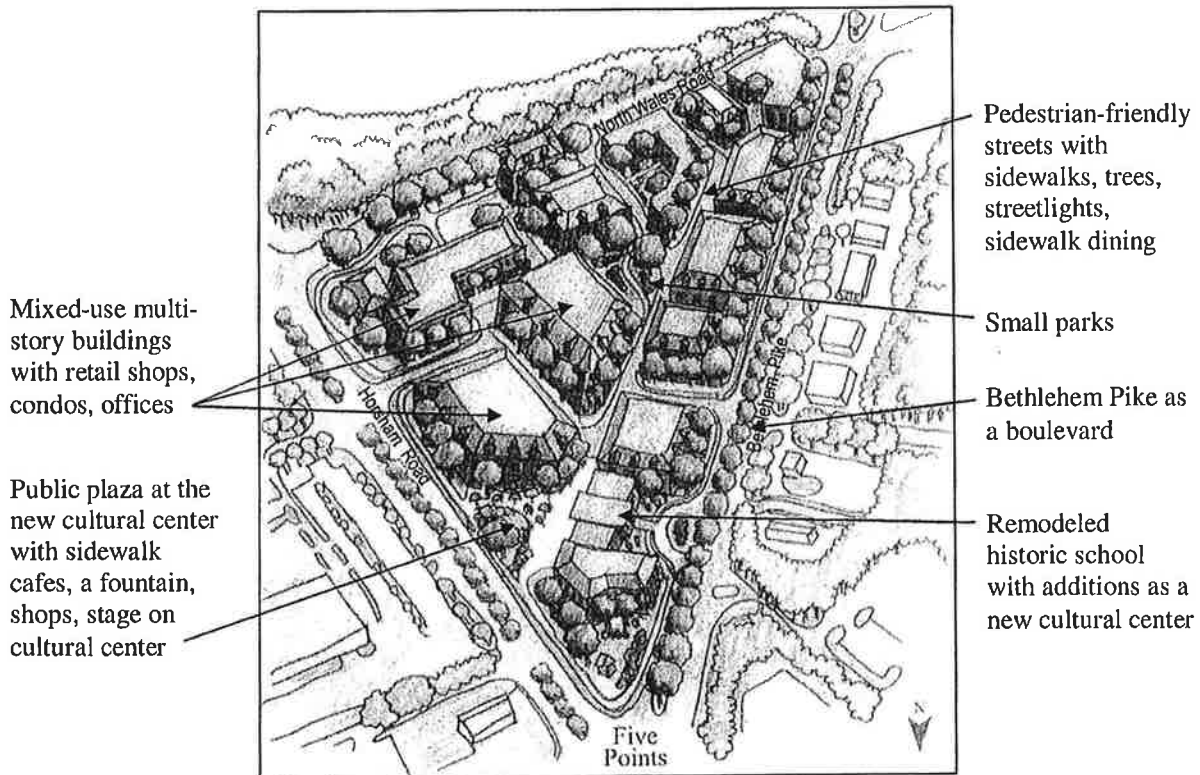
- Have one or more small public open spaces (squares, miniparks, plazas, courts, gardens, small playgrounds, etc.).



- Have at least one major public attraction—cultural arts center, theater, concert hall, community center, amphitheater, or similar attraction.
- Have buildings close to the sidewalk that are 2 to 4 stories in height.
- Accommodate mixed uses including retail on the first floor along the Main Street.
- Have slow vehicular traffic.
- Be pedestrian-friendly by providing sidewalks and crosswalks.
- Have streetscapes that provide seating areas and attractive lighting.

The town center should be the hub of the most vibrant community activities. Parades, concerts, festivals, street parties, sidewalk sales, a farmers’ market, fashion shows, tree-lighting ceremonies, public speeches, and many other important community events should take place there. The town center should be useful 24 hours of the day. It should be the hub of daily activity, containing the most significant stores and businesses, restaurants, and offices. It should also include a variety of high-quality residences that provide a base clientele for businesses in the town center. While most needs for the residents should be within walking distance, parking will be needed for other customers. The town center will need to be built with parking garages in the interior of the blocks. These garages will be wrapped by retail, office, and residential uses to maintain high-quality streetscapes.”

In addition, the Comprehensive Plan includes an illustration of this Town Center Area (notations have been added for this letter):



This is one vision for revitalizing this area into a vibrant, real town center, preserving the historic school and returning it to community use, creating public plazas and parks, new streets with sidewalk cafes, and transforming Bethlehem Pike into a boulevard. See the inside for more information.

*The caption reads: “This is one vision for revitalizing this area into a vibrant, real town center, preserving the historic school and returning it to community use, creating public plazas and parks, new streets with sidewalk cafes, and transforming Bethlehem Pike into a boulevard. See the inside for more information.”*

Gas stations in this area would contradict and adversely affect the comprehensive plan. Gas stations, especially as proposed, would make accomplishing a town center as described in the Comprehensive Plan impossible in the area shown. Gas stations would "not adversely affect or contradict Montgomery Township's Comprehensive Plan" in other areas, but they would in this one.

2. Traffic Impacts. (Zoning 230-156.2.C.(3) to (5)) We understand there could be major traffic impacts at certain times from this proposal. We defer to the township's traffic consultants about the specifics.

#### Other Plan Issues

3. Neighboring Properties. Viable use of the property to the north depends on certain access areas in order to function and to meet code requirements. The right-in entry from Bethlehem Pike is to be removed, eliminating access to the neighboring site from any traffic on that major frontage and likely significantly reducing the viability of that site. The driveway along both properties will be cut in half, reducing the function and safety of that access and the parking spaces. While we understand a shared access agreement tied to this neighboring property is due to expire in 2014, it seems a conditional use approval should include provisions to protect the interests of the neighboring property. Perhaps a new access agreement or a transfer of a sliver of land could be required. The existing right-in entry from Bethlehem Pike could remain without impacting the proposed design and be required to remain with an access easement.
4. Horsham Frontage. What is to happen with this portion of the site? Would any use other than the gas station and convenience store uses require a new conditional use hearing even if the new use, by itself, would not require one?

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

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

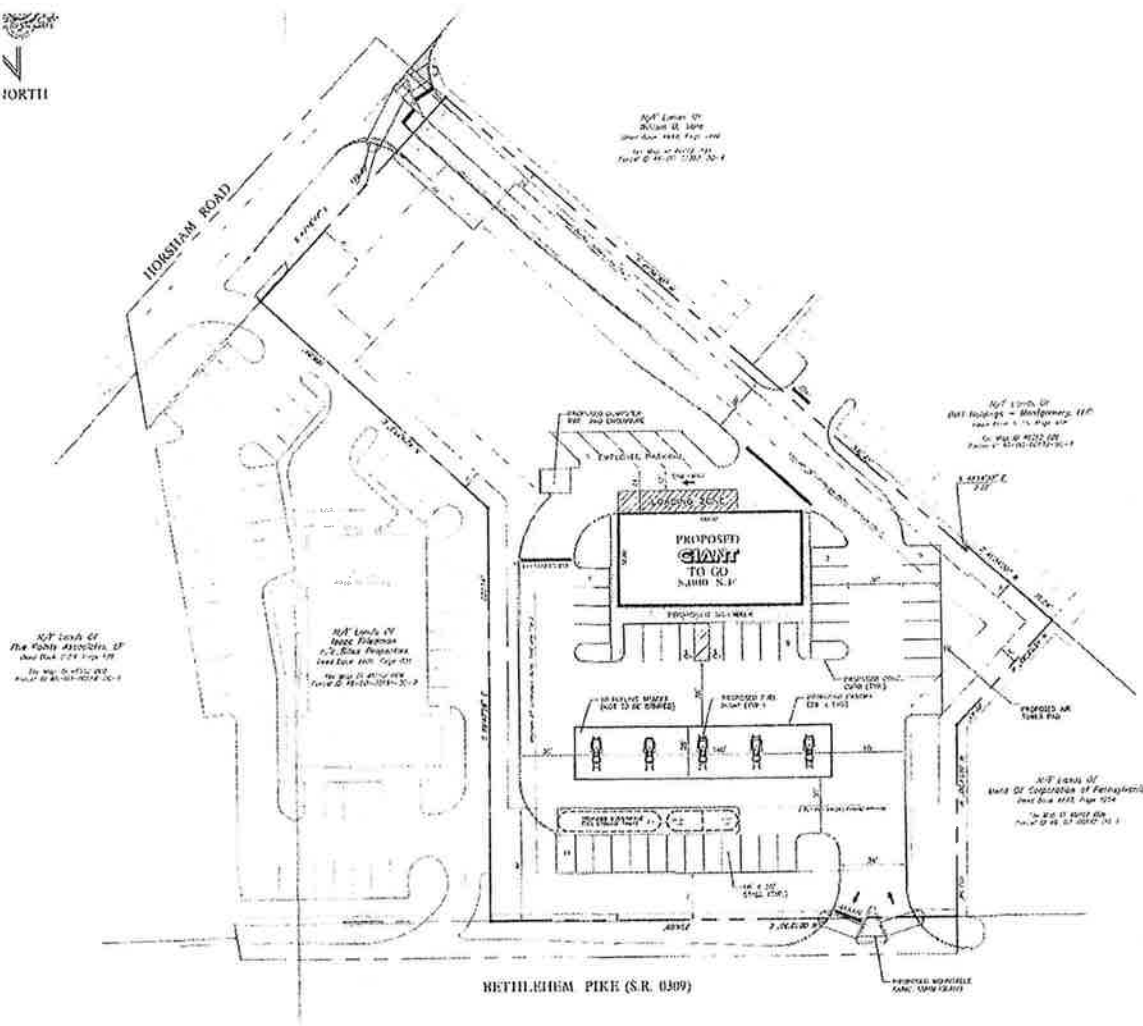
Sincerely,



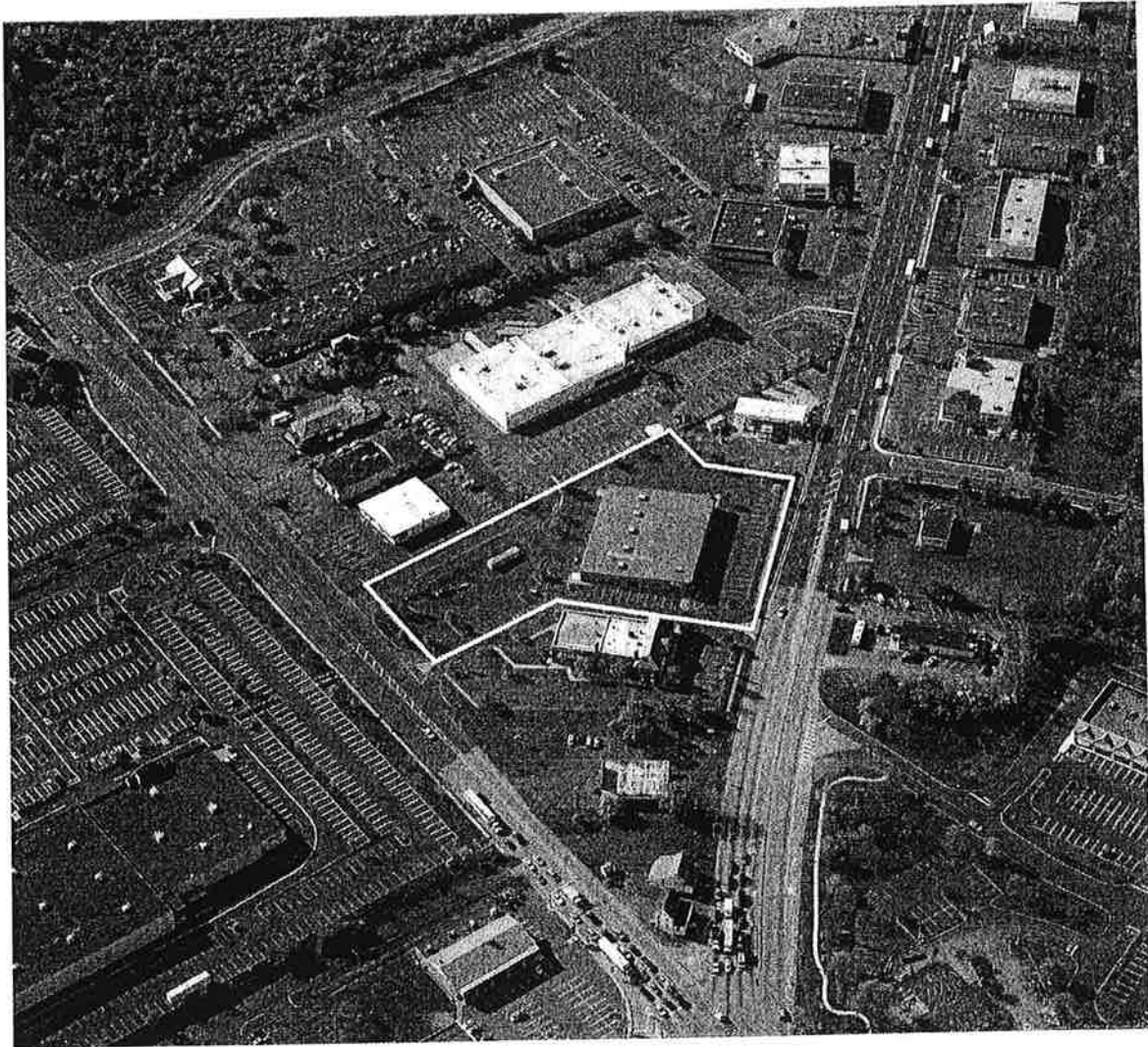
Matthew Schelly, Senior Community Planner to Montgomery Township  
610.278.3739 – email: mschelly@montcopa.org

attachments: Excerpt from Applicant's Sketch Plan, Annotated Aerial Views of the Subject Parcel

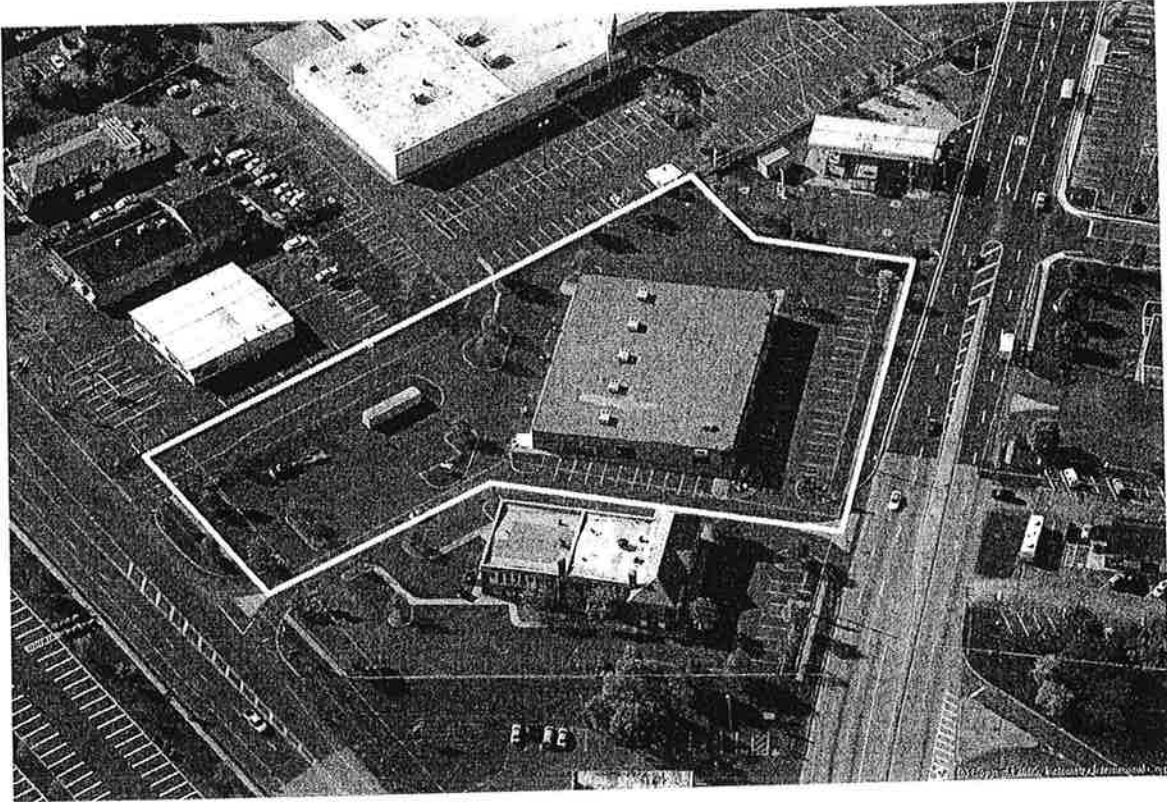
- c: Giant Food Stores, LLC, Applicant  
Charles Courtney, Applicant's Contact  
All Township Planning Commission Members  
All Township Supervisors  
Bruce Shoupe, Township Director of Planning & Zoning Administration, Zoning Officer  
Marita Stoerrle, Township Development Coordinator  
Frank Bartle, Esq., Township Solicitor  
Ken Amy, Township Planning Consultant  
Van Rieker, Township Planning Consultant  
Karyn Hyland, Gilmore & Associates, Township Engineer  
Kevin Johnson, TPD, Inc., Township Traffic Engineer and Township Lighting Consultant  
Judy Stern Goldstein, Township Landscape Consultant



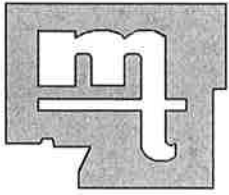
Applicant's Sketch Plan



Aerial View (April 2005) of the Vicinity of the Subject Tract from the North  
(The subject parcel has been highlighted with a wide white line)



Aerial View (April 2005) of the Subject Parcel from the North Showing  
Approximation of Currently Recorded Parcel Lines  
(The subject parcel has been highlighted with a wide white line)



## ***MEMORANDUM***

**TO:** Board of Supervisors

**FROM:** Planning Commission  
Jonathan Trump, Chairman

**DATE:** February 21, 2013

**RE:** Conditional Use #C-59  
Giant To Go

The Planning Commission has reviewed the Conditional Use application for Giant To Go. A motion was made to recommend to the Board of Supervisors that this application be approved.

It was further recommended that the applicant continue discussions with Penn DOT to have the center median along Route 309 extended.

## **DRAFT MINUTES**

**2/21/13**

### **PLANNING COMMISSION**

The first item on the agenda was a discussion of the Conditional Use Application for a Giant To Go convenience store with a fueling station. Charles Courtney, attorney for the applicant, Kerry Eck, representing Giant, Tim Diehl, engineer for the project, and John Yurick, Traffic Engineer for the project, were present to address this application. Mr. Courtney advised that the property is located at 741 Bethlehem Pike. The applicant proposes to build a 5,000 square foot convenience store, which is permitted by right. They also propose a five pump gasoline fueling station, which is only permitted by conditional use. He further advised that there would be a right in, right out only driveway onto Bethlehem Pike. The Horsham road entrance/exit would be full movement. Mr. Courtney stated that this is an existing non-conforming site. He advised that the applicant would be reducing the impervious coverage to 60% from 77%. He further advised that there was a provision of the zoning code which requires a 25 foot buffer around the perimeter of the property. They would be asking for a waiver of this requirement. The Board of Supervisors is permitted to waive this requirement. A lengthy discussion followed regarding the traffic count which had been performed by the Township's Traffic Engineer at a similar site in Lancaster. The results had been provided to the township and the applicant. The applicant felt that this was a good indication that the Montgomeryville site would work well. The members of the Planning Commission were not confident that this location would have similar traffic counts. They believed that it would be greater because of the population. The biggest concern was during the redemption period for gasoline. Apparently, if the redemption points are not used by a certain time, they are lost. This has been known to cause traffic congestion at other locations. Mr.

Courtney advised that the applicant has indicated that they would provide associates to direct the traffic during those times. Vehicles would not be able to move freely wherever they wanted to go. It would be handled in an orderly fashion. Mr. Eck also stated that they had been in touch with Penn DOT to inquire about having the center median on Route 309 extended. This would further assist with the traffic situation. Mr. Trump asked if the store was similar to a WAWA or 7-11. Mr. Eck advised that the Giant To Go was an upscale version of a WAWA. While they would have products similar to a WAWA, they would also have fresh items. The consensus of the Planning Commission members was that this was a "tough" site. It was suggested that the applicant consider looking into the purchase of the property next door. After some further discussion, a motion was made by Ms. Reynolds, seconded by Mr. Krumenacker, to recommend to the Board of Supervisors that this Conditional Use application be approved, subject to satisfactory compliance with all comments of the Township's review agencies. The motion further recommended that the applicant continue their discussion with Penn DOT about extending the center median on Route 309. Motion carried unanimously 6-0, with Mr. Glickman, absent.





MONTGOMERY TOWNSHIP POLICE DEPARTMENT

J. Scott Bendig  
Chief of Police

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

To: Montgomery Township Board of Supervisors  
Marita Stoerrle, Development Coordinator

From: Scott Bendig, Chief of Police

Date: January 2, 2013

Re: Conditional Use Application Review Request  
#C-59  
Giant Food Stores  
741 Bethlehem Pike

---

A review of the above referenced subdivision/land development has been conducted on this date. Concerns noted:

- Peak sales times (gas rewards expiration dates) consistently result in traffic management issues with vehicles often backing up onto adjacent roadways. Current configuration could result in traffic backing up on both northbound Route 309 and eastbound Route 463.
- Entrance on Route 309, based on its current positioning (south of the raised median), could result in vehicles attempting to turn left into business from southbound Route 309.

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

## ZONING ORDINANCE PLAN REVIEW

DATE: March 7, 2013

PLAN REVIEW – Conditional Use Application C-59 Giant To Go  
LD/S # NA

DEVELOPMENT NAME: Giant Food Store LLC  
 LOCATION: 741 Bethlehem Pike  
 LOT NUMBER & SUBDIVISION:  
 ZONING DISTRICT: C-Commercial  
 PROPOSED USE: Retail Sales – Gasoline Sales  
 ZONING HEARING BOARD APPROVAL REQUIRED? NO  
 CONDITIONAL USE APPROVAL REQUIRED? YES

	APPROVED	NOT APPROVED	NOT APPLICABLE
USE		X	
HEIGHT	X		
LOT SIZE	X		
SETBACKS: FRONT	X		
SIDE	X		
BACK	X		
BUILDING COVERAGE	X		
IMPERVIOUS / GREEN SPACE	X		
VARIANCE / SPECIAL EXCEPTION			X
NONCONFORMITY	East side buffer		
OTHER: See comments			

### COMMENTS

The property is subject to LDS #280 submitted in June 194 and approved in September 1988, without the required 25 foot buffering along the east side property line.

If Conditional Use is granted, due to the popularity of Giants point earning system, which can be redeemed for gasoline, it is recommended that as a condition of approval be that the gasoline hoses be of sufficient length to allow usage on either side of the vehicle.

  
 \_\_\_\_\_  
 ZONING OFFICER

  
 \_\_\_\_\_  
 DATE



McMAHON ASSOCIATES, INC.  
840 Springdale Drive | Exton, PA 19341  
p 610-594-9995 | f 610-594-9565  
www.mcmahonassociates.com

February 15, 2013

RECEIVED  
FEB 19 2013

PRINCIPALS  
Joseph W. McMahon, P.E.  
Joseph J. DeSantis, P.E., PTOE  
John S. DePalma  
William T. Steffens  
Casey A. Moore, P.E.  
Gary R. McNaughton, P.E., PTOE

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

ASSOCIATES  
John J. Mitchell, P.E.  
Christopher J. Williams, P.E.  
John F. Yacapsin, P.E.  
R. Trent Ebersole, P.E.  
Matthew M. Kozsuch, P.E.

RE: Giant Food Stores, LLC/Horsham Realty Associates  
Conditional Use Application Review - #C-59  
Montgomery Township, Montgomery County, PA  
McMahon Project No. 812549.21

Dear Mr. Shoupe:

McMahon Associates, Inc. is in receipt of comments from the Township Traffic Engineer Traffic Planning and Design, Inc. (TPD) in a letter dated January 15, 2013, with regard to the above referenced project located along at 741 Bethlehem Pike in Montgomery Township, Montgomery County, Pennsylvania. As requested, we are submitting one copy of the revised Transportation Impact Assessment (TIA) report, entitled *Traffic Impact Analysis for the Giant to Go Redevelopment* last revised February 11, 2013 to the Township, and one copy directly to Traffic Planning and Design, Inc. The following is our response to the comments contained in the above-referenced letter. The original comment letter is attached for your information and our responses numerically correspond to the review letter.

#### Transportation Impact Assessment (TIA) Comments

1. The study and traffic analyses have been updated as requested. Traffic signal timings have been optimized to better reflect the adaptive mode.
2. The trip generation for the site has been revised to use the square-footage of the store as the independent variable, as requested. In addition, it is noted that the potential trip generation of the existing vacant 18,000 square-foot retail building was applied to the total trip generation of the site. The traffic generation of the existing building was assumed in future without-redevelopment conditions and the future with-redevelopment trip generation reflects the net traffic increase that would be generated by the site upon completion of the proposed project. Please see the revised transportation impact assessment for further details.

Corporate Headquarters: Fort Washington, Pennsylvania

Serving the East Coast from 11 offices throughout the Mid-Atlantic, New England, and Florida

3. The study has been revised accordingly.
4. The study has been revised accordingly.
5. The TIA demonstrates that the proposed site will accommodate typical operating conditions for the proposed facility. It is further anticipated that the site will accommodate the traffic demands and operational characteristics during the last days of the gas rewards redemption period. The results of the queuing study performed by TPD (as detailed in their February 11, 2013 letter) at the Lancaster County Giant to Go store (situated along Landis Road) indicates that the maximum anticipated queue can be accommodated on site during the last days of the gas rewards redemption period. A Vehicle Queuing Exhibit, prepared by the site engineer, is attached and demonstrates that 37 customer vehicles could be accommodated during peak redemption periods.

#### **Traffic Engineering Comments**

The following comments will be addressed on the land development plans by the site engineer or will be addressed during the preparation of the Highway Occupancy Permit Plans.

6. It is anticipated that the proposed site will accommodate the traffic demands and operational characteristics during normal periods and during the peak periods during the last days of the gas rewards redemption period. The results of the previously mentioned TPD queuing study at the Lancaster County (Landis Road) Giant to Go store indicates that the maximum anticipated queue can be accommodated on site during the last days of the gas rewards redemption period. As shown on the Vehicle Queuing Exhibit, up to 37 vehicles can be accommodated on site during peak redemption periods.
7. So noted.
8. So noted.
9. The existing center median on Bethlehem Pike is proposed to be extended to further prevent left turn movements into the site. These modifications will be subject to the review and approval of PennDOT during the HOP process.
10. A Truck Turning Exhibit, as prepared by the site engineer, is attached and demonstrates that the site can accommodate the anticipated delivery trucks and emergency vehicles.
11. So noted.

Mr. Bruce S. Shoupe

February 15, 2013

Page 3

12. As recommended and supported by TPD, the Applicant intends to request as part of the land development submission a waiver to permit the proposed angled employee parking area in the rear of the site (to the extent that such a waiver is necessary).
13. The stop bar has been removed. The attached Truck Turning Exhibit demonstrates that the additional driveway width is necessary for truck circulation.
14. So noted.
15. Giant evaluates the operating conditions of each individual fueling facility to identify optimal off-peak periods for fuel deliveries for each facility. Accordingly, this procedure allows Giant to create a flexible delivery schedule to reduce conflicts during heavy customer peaks and deliveries.

#### Street Lighting Comments

The following comments will be addressed on the land development plans.

16. So noted.

If there are any questions concerning this resubmission, or if you require additional information, please contact me at 610-594-9995, ext 5103.

Sincerely,



John J. Yurick, P.E., PTOE, PTP  
Project Manager

JJY/JDG/ab  
Enclosures  
Attachment

cc: Kerry C. Eck, Giant Food Stores, LLC  
Charles Courtney, Esquire, McNees Wallace & Nurick, LLC  
Tim Diehl, P.E., J. Michael Brill & Associates, Inc.  
Kevin L. Johnson, P.E., Traffic Planning and Design, Inc.  
Joseph Platt, P.E., Traffic Planning and Design, Inc.  
Jamie Kouch, P.E., McMahon Associates, Inc.



**j. michael brill**  
**& ASSOCIATES, INC.**  
consulting engineers

CIVIL ENGINEERING  
LAND PLANNING  
SITE DEVELOPMENT  
SURVEYING SERVICES  
CONSTRUCTION SERVICES

VIA EMAIL, ORIGINAL TO FOLLOW VIA OVERNIGHT MAIL

February 18, 2013

Mr. Bruce S. Shoupe  
Township Director of Planning and Zoning  
Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18936-9605  
Telephone: (215) 393-6900

FEB 19 2013

**RE:** Giant Food Store – Fueling Facility @ Montgomeryville  
Montgomery Township, Montgomery County, Pennsylvania  
JMB Project #1558-B  
Conditional Use Application Review - #C-59

Dear Bruce:

On behalf of our client, Giant Food Stores, LLC (GIANT), J. Michael Brill & Associates, Inc. (JMB) offers the following responses to the Conditional Use Application Review #C-59 prepared by Gilmore & Associates, Inc. dated January 11, 2013, as follows:

**REVIEW COMMENTS:**

A. Zoning Ordinance

1. The Applicant will provide architectural renderings of the proposed canopy for review and consideration by the Board of Supervisors at the Conditional Use Hearing to be held on March 11, 2013.
2. As indicated on the enclosed Truck Turning Exhibit for the WB-62 (fuel tanker) design vehicle, the fuel truck will park and unload in close proximity to the proposed fuel tanks located along Bethlehem Pike. If necessary, GIANT can cone-off the blocked parking spaces prior to fuel deliveries to address conflicts between customer parking and the fuel delivery trucks. At maximum, eight (8) spaces will be blocked during deliveries and should they be coned, the off-street parking requirements for the site will still be met. It should be further noted that GIANT controls the fuel truck delivery schedule which is set-up for off-peak deliveries to minimize customer and fuel truck interaction.
3. Acknowledged.
4. Acknowledged.
5. "No Truck Parking" striping will be added to parking spaces between the cashier area within the retail building and the fuel pumps in order to maintain line of sight to the dispenser area in accordance with Federal, State and Local requirements. These restricted parking spaces will be designated on the plan when an Architectural footprint of the retail building is finalized.

B. General

1. Acknowledged.
2. The intent of the fuel island is sell gasoline and automotive diesel; tractor trailers are not intended to use the GIANT facility as the pumps will dispense diesel fuel at much slower rate than what is typically provided at fueling facilities designed to service tractor trailers. The Applicant will prohibit vehicle idling as required by Federal, State and Local requirements.
3. The fueling station will be a 24-hour operation.





**j. michael brill**  
**& ASSOCIATES, INC.**  
consulting engineers

Mr. Bruce S. Shoupe  
February 18, 2013  
JMB Project #1558-B

Page 2 of 2

**PLEASE FIND THE FOLLOWING ENCLOSED:**

- One (1) print each of the Truck Turning Exhibits Plan and Vehicle Queuing Exhibit Plan for the above referenced project

We look forward to discussing the project in further detail at the Conditional Use Hearing scheduled for March 11, 2013. Should you have any questions or require additional clarification, please do not hesitate to contact me.

Sincerely,

**J. MICHAEL BRILL & ASSOCIATES, INC.**

Timothy R. Diehl, P.E.  
Project Manager

cc: Russell S. Dunleavy, P.E. – Gilmore & Associates, Inc. **(VIA EMAIL, ORIGINAL TO FOLLOW VIA OVERNIGHT MAIL)**  
Kerry Eck – GIANT **(VIA EMAIL)**  
Charles Courtney – McNeese, Wallace & Nurick, LLC **(VIA EMAIL)**  
John Yurick, P.E., PTOE, PTP – McMahon Associates, Inc. **(VIA EMAIL)**  
File

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

SUBJECT: Consider Adoption of Conditional Use Decision and Order – John Pileggi #C-60

MEETING DATE: March 11, 2013

ITEM NUMBER: #9

MEETING/AGENDA: WORK SESSION

ACTION XX NONE

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

INITIATED BY: Bruce Shoupe  
Director of Planning and Zoning

BOARD LIAISON: Joseph P. Walsh  
Chairman

BACKGROUND:

This matter involves adoption of the written "Decision and Order" for the conditional use application of John Pileggi. On February 25, 2013, a conditional use hearing was held to consider the request of John Pileggi, who proposes to develop the property utilizing the Open Space Design Overlay Option. This use is permitted by conditional use only. The proposal is for 18 single family detached units with a central recreation area. Open space areas would include walking paths and open lawn areas. The minimum lot size would be 10,000 square feet.

At its February 25, 2013, regular meeting, the Board adopted Resolution #1, granting the requested conditional use approval.

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

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

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

A public hearing was held on February 25, 2013.

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

None

RECOMMENDATION:

Approve decision and order.



MOTION/RESOLUTION:

Motion is attached

MOTION \_\_\_\_\_

SECOND \_\_\_\_\_

ROLL CALL:

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

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

Resolution #

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the Memorandum, Findings of Fact, Opinion and Order regarding the Conditional Use application of John Pileggi for 123 Limekiln Pike.

MOTION BY:

SECOND BY:

DATE:

VOTE:

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

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

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**SUBJECT:** Consideration - Preliminary/Final Subdivision / Land Development Plan –  
Pileggi - LDS #664

**MEETING DATE:** March 11, 2013

**ITEM NUMBER:** # 10

**MEETING/AGENDA:** WORK SESSION      ACTION XX      NONE

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

**INITIATED BY:** Bruce Shoupe      **BOARD LIAISON:** Joseph P. Walsh  
Director of Planning and Zoning      Chairman

---

**BACKGROUND:**

This property is located at the intersection of Limekiln Pike and Lower State Road. The applicant, John Pileggi, Jr., proposes to develop the 11 acre property utilizing the Open Space Design Overlay Option. This use is permitted by conditional use only. The applicant received conditional use approval on February 25, 2013. The proposal is for 18 single family detached units with a central recreation area. Open space areas would include walking paths and open lawn areas. The minimum lot size would be 10,000 square feet.

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

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

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

**PREVIOUS BOARD ACTION:**

The Board approved a Conditional Use application for this property at their meeting on February 25, 2013.

**ALTERNATIVES/OPTIONS:**

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

**BUDGET IMPACT:**

None.

**RECOMMENDATION:**

The resolution be adopted by the Board of Supervisors.

MOTION/RESOLUTION:

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

MOTION \_\_\_\_\_

SECOND \_\_\_\_\_

ROLL CALL:

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

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

**RESOLUTION #**

**MONTGOMERY TOWNSHIP**

**MONTGOMERY COUNTY, PENNSYLVANIA**

**A RESOLUTION GRANTING CONDITIONAL PRELIMINARY/FINAL APPROVAL OF THE APPLICATION FOR SUBDIVISION/LAND DEVELOPMENT OF JOHN PILEGGI, JR. – LOWER STATE ROAD AND LIMEKILN PIKE.**

The Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, hereby resolves to grant conditional, preliminary/final approval of the subdivision/land development application and plan for **John Pileggi, Jr. – Lower State Road and Limekiln Pike**, as more fully detailed on the plans listed on Exhibit "A" attached hereto and made part hereof and further conditioned upon the following being satisfied by the Applicant prior to the recording of the final plan:

1. Fulfilling all obligations and requirements of the **Gilmore & Associates, Inc.** letters dated February 21, 2013, January 10, 2013; **Boucher & James, Inc.** letters dated February 12, 2013, January 9, 2013; **Montgomery Township Planning Commission** comments dated February 21, 2013; **Montgomery County Planning Commission** comments dated March 6, 2013; **Traffic Planning and Design, Inc.** letters dated February 20, 2013, January 8, 2013; **Montgomery Township Zoning Officer review** dated February 20, 2013; **Montgomery Township Fire Marshal's Office** comments dated January 3, 2013; **Montgomery Township Police Department** comments dated January 9, 2013; and **Kenneth Amey's** letters dated February 8, 2013, January 8, 2013.
2. The Applicant shall enter into a Land Development Agreement and post financial security for all improvements to the satisfaction of the Township Engineer and Township Solicitor for each phase of this development. The record plan shall indicate each phase.
3. The Applicant shall satisfy the requirements of all Montgomery Township Codes, the Montgomery Township Municipal Sewer Authority and North Wales Water Authority. A copy of the Authorities' permits and/or agreements from the above must be provided to the Township.
4. The Applicant shall be responsible for payment of all Township Consultant fees related to this project.
5. The Applicant shall be responsible for obtaining all other Regulatory Authority Permits having jurisdiction over this project.
6. All storm water inlets and outfall structures shall be identified in accordance with the PADEP Municipal Separate Storm Sewer Systems requirements.
7. The Applicant must satisfy all the conditions of the Conditional Use Decision and Order dated March 11, 2013.

8. All required street signage shall be furnished and installed in accordance with PADOT's regulations as amended.
9. All development entry signs maintenance and upkeep shall be the responsibility of the Homeowners Association or placed on private property. A note shall be placed on the record plan.
10. The area between the legal and ultimate right-of-way along Limekiln Pike and Lower State Road shall be dedicated to the entity having jurisdiction of the roadway.
11. The Applicant acknowledges that Section 205-116 of the SALDO provides for the payment of a fee in lieu of the dedication of parkland for park and recreation purposes. The Applicant hereby acknowledges its understanding that the open space areas shown on the plan shall not serve to satisfy or substitute for the dedication of land for park or recreational use required by Section 205-114. The Applicant hereby agrees to accept the provisions of Section 205-116(A)(2) of the SALDO providing for the payment of \$2,000.00 per dwelling unit for the 18 new dwelling units shown on the plan in lieu of the dedication of land. This fee must be paid for each individual unit prior to the submission of an application for a building permit for that unit. .
12. The Applicant shall supply a copy of the Declaration of Covenants, Easements and Restrictions creating the Homeowner's Association to the Township and its Solicitor for review and approval prior to recording of plan.
13. The Applicant shall execute the required Stormwater Management Facilities Maintenance and Monitoring Agreement and Landscaping Declaration of Covenants and Restriction for its benefit and its successors and assigns
14. The Applicant shall provide for ownership and maintenance of the roadways, storm sewer facilities, street lights in the Declaration of the Homeowner's Association and shall provide that the Declaration shall run to the benefit of the Township and any breach may be remedied by the Township and the Township shall have the right, but not the obligation to enforce any breach of covenants contained in the Declaration or Bylaws of the Association. The Declaration shall provide that the cost expended by the Township in remedying such breach shall constitute a lien upon the Unit or Common Facilities upon which such breach occurred. Further, the Township shall be entitled to recover associated charges including, but not limited to attorneys' fees, from the Owner of the subject Unit, and/or from the Association in the event the affected property constitutes a Common Facility.

**BE IT FURTHER RESOLVED that the following waivers are granted to the extent that they concur with the recommendation of the consultants:**

1. Section 205-10.B.(1) – to provide a roadway centerline radius of 100 feet, for a limited area, which is less than the minimum required 150 feet. This area does not have homes abutting the inside of the curve. Emergency vehicle turning templates have been provided. *(The consultants have no objection to this waiver as long as it is approved by the Fire Marshal.)*

2. Section 205-10.D.(3) – requiring the installation of a turnabout at the end of the proposed stub street. Due to the short length of the stub street, a waiver is being requested. This matter has been reviewed by the Fire Department. *(The consultants have no objection to this waiver.)*
3. Section 205-10.D(1) – A waiver of the roadway widening and curbing is requested for Lower State Road and a waiver is requested for portions of Limekiln Pike.
4. Section 205-17.D(1) – A waiver from required curb locations is requested for Lower State Road and a waiver is requested for portions of Limekiln Pike.
5. Section 205-17.D & Appendix A – to provide 6 inch reveal Belgian Block curbing on the interior streets of this site instead of the required 8 inch concrete curb. Internal streets are private. *(The consultants have no objection to this waiver.)*
6. Section 205-78.B.(2) – an aerial photo has been provided in lieu of a detailed survey, showing existing features within 400 feet of the site on adjacent private properties. *(The consultants have no objection to this waiver.)*
7. Section 205-18.D.(3).(e) – to provide a bio-infiltration basin with 0% basin bottom slopes instead of the required 2% basin bottom slopes. The basin is designed for infiltration and requires a float bottom to uniformly drain. *(The consultants have no objection to this waiver.)*
8. Section 205-18.D.(3)(f) – to provide a bio-infiltration basin without the required low flow channel required for all proposed detention basins. A low flow channel is not consistent with bio-basin design. *(The consultants have no objection to this waiver.)*
9. Section 205-10.H.(2) – to permit perpendicular parking along a roadway. The proposed overflow parking is in an open space area on a private road, and provides a safe and desirable amenity for the residents. *(The consultants have no objection to this waiver.)*
10. Section 205-52.A(2)(a) - to permit spacing of street trees closer than 40 feet apart or further than 50 feet apart to allow for informal plant spacing and to avoid conflict with site amenities such as utilities and driveways. *(The consultants have no objection to this waiver.)*
11. Section 205-52.B(3)(a) - A partial waiver is requested. Since street trees are proposed along Lower State Road and Limekiln Pike, Evergreen trees and shrubs have been added towards the softening buffer requirement. There is not sufficient room to install all of the required plant material and allow for the proper spacing of the required trees. The Applicant requests this alternate scheme that satisfies the intent of the ordinance be permitted. *(The consultants would not object to a partial waiver from this ordinance requirement provided the remainder of the plant material is provided on a different site within the Township or a fee-in-lieu is provided. A total of sixty-nine (69) shade trees and one hundred and thirty-eight (138) shrubs are required along Limekiln Pike and Lower State Road. This translates at a rate of two evergreen trees per shade tree to a total required amount of one hundred and thirty-eight (138) evergreen trees and one hundred*

*and thirty eight (138) shrubs. A total of fifty-three (53) evergreen trees and one hundred and eleven (111) shrubs have been provided. Therefore, an additional eighty-five (85) evergreen trees or \$21,250.00; and twenty-seven (27) shrubs or \$1,755.00 would be required to be provided.)*

12. Section 205-52.G(1)(b) - A waiver is requested to permit two (2) lot trees instead of five (5) lot trees. Conditional approval was granted to permit smaller lot sizes of approximately 11,000 sf in area. The lot size is smaller than typical lots within the R-1 district where five (5) lot trees are required. The two (2) trees proposed are appropriate based on the lot size. *(The consultants have no objection to this waiver.)*
13. Section 205-22.A – A waiver is requested **only** if the Supervisors do not approve Applicant's location of sidewalks.
14. Section 205-24 – A waiver is requested to implement a lighting design for the private roadways similar to the suggested Alternative "C" as included in Traffic Planning & Design, Incorporated's review letter dated February 20, 2013. This will require the installation of approximately 12 street light fixtures consistent with the mounting height and construction requirements included in the Township Specifications. In addition to the aforementioned street lights, which will be owned and maintained by the project's Home Owner's Association, the developer agrees to install residential driveway post lights on each new lot which will be owned by the individual lot owners. *. (The consultants have no objection to this waiver.)*
15. Table 1 of Section 1 of the Montgomery Township Street Lighting Specifications - A design waiver is requested from the requirements included in Table 1 of Section 1 of the Montgomery Township Street Lighting Specifications to implement a lighting design for the private roadways similar to the suggested Alternative "C" as included in Traffic Planning & Design, Incorporated's review letter dated February 20, 2013. This will require the installation of approximately 12 street light fixtures consistent with the mounting height and construction requirements included in the Township Specifications. In addition to the aforementioned street lights, which will be owned and maintained by the project's Home Owner's Association, the developer agrees to install residential driveway post lights on each new lot which will be owned by the individual lot owners. *. (The consultants have no objection to this waiver.)*

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

DULY PRESENTED AND ADOPTED by the Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, at a public meeting held this 11<sup>th</sup> day of March, 2013.



MOTION BY:

SECOND BY:

VOTE:

The above conditions are agreed to by John J. Pileggi, Jr. this \_\_\_\_\_  
day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Applicant

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

EXHIBIT "A"

**PLANS-STUDIES**

<u>DESCRIPTION</u>	<u>ORIGINAL DATE</u>	<u>REVISED DATE</u>
1. Cover Sheet	11/30/12	1/22/13
2. Existing Features Plan	11/30/12	1/22/13
3. Aerial Exhibit Plan	11/30/12	1/22/13
4. Subdivision Plan	11/30/12	1/22/13
5. Overall Grading Plan	11/30/12	1/22/13
6. Grading and Utility Plan	11/30/12	1/22/13
7. Grading and Utility Plan	11/30/12	1/22/13
8. Grading and Utility Plan	11/30/12	1/22/13
9. Erosion and Sediment Control Plan	11/30/12	1/22/13
10. Erosion and Sediment Control Details	11/30/12	1/22/13
11. Erosion and Sediment Control Details	11/30/12	1/22/13
12. Post Construction Stormwater Management Plan	11/30/12	1/22/13
13. Post Construction Stormwater Management Details	11/30/12	1/22/13
14. Plan and Profile Road A	11/30/12	1/22/13
15. Plan and Profile Road B	11/30/12	1/22/13
16. Plan and Profile Limekiln Pike	11/30/12	1/22/13
17. Plan and Profile Lower State Road	11/30/12	1/22/13
18. Sanitary Profiles	11/30/12	1/22/13
19. Storm Profiles	11/30/12	1/22/13
20. Storm Profiles	11/30/12	1/22/13
21. Sanitary Details	11/30/12	1/22/13
22. Construction Details	11/30/12	1/22/13
23. Construction Details	11/30/12	1/22/13
24. Landscape Plan	11/30/12	1/22/13
25. Landscape Details	11/30/12	1/22/13

**PILEGGI TRACT**  
**LIST OF REQUESTED WAIVERS**

Section 205-10.B.(1) – to provide a roadway centerline radius of 100 feet, for a limited area, which is less than the minimum required 150 feet. This area does not have homes abutting the inside of the curve. Emergency vehicle turning templates have been provided.

Section 205-10.D.(3) – requiring the installation of a turnabout at the end of the proposed stub street. Due to the short length of the stub street, a waiver is being requested. This matter has been reviewed by the Fire Department.

Section 205-10.D(1) – A waiver of the roadway widening and curbing is requested for Lower State Road and a waiver is requested for portions of Limekiln Pike.

Section 205-17.D(1) – A waiver from required curb locations is requested for Lower State Road and a waiver is requested for portions of Limekiln Pike.

Section 205-17.D & Appendix A – to provide 6 inch reveal Belgian Block curbing on the interior streets of this site instead of the required 8 inch concrete curb. Internal streets are private.

Section 205-78.B.(2) – an aerial photo has been provided in lieu of a detailed survey, showing existing features within 400 feet of the site on adjacent private properties.

Section 205-18.D.(3).(e) – to provide a bio-infiltration basin with 0% basin bottom slopes instead of the required 2% basin bottom slopes. The basin is designed for infiltration and requires a float bottom to uniformly drain.

Section 205-18.D.(3)(f) – to provide a bio-infiltration basin without the required low flow channel required for all proposed detention basins. A low flow channel is not consistent with bio-basin design.

Section 205-10.H.(2) – to permit perpendicular parking along a roadway. The proposed overflow parking is in an open space area on a private road, and provides a safe and desirable amenity for the residents.

Section 205-52.A(2)(a) - to permit spacing of street trees closer than 40 feet apart or further than 50 feet apart to allow for informal plant spacing and to avoid conflict with site amenities such as utilities and driveways.

Section 205-52.B(3)(a) - A partial waiver is requested. Since street trees are proposed along Lower State Road and Limekiln Pike, Evergreen trees and shrubs have been added towards the softening buffer requirement. There is not sufficient room to install all of the required plant material and allow for the proper spacing of the required trees. The Applicant requests this alternate scheme that satisfies the intent of the ordinance be permitted.

Section 205-52.G(1)(b) - A waiver is requested to permit two (2) lot trees instead of five (5) lot trees. Conditional approval was granted to permit smaller lot sizes of approximately 11,000 sf in area. The lot size is smaller than typical lots within the R-1 district where five (5) lot trees are required. The two (2) trees proposed are appropriate based on the lot size.

Section 205-22.A – A waiver is requested only if the Supervisors do not approve Applicant's location of sidewalks.

Section 205-24 – A waiver is requested to implement a lighting design for the private roadways similar to the suggested Alternative "C" as included in Traffic Planning & Design, Incorporated's review letter dated February 20, 2013. This will require the installation of approximately 12 street light fixtures consistent with the mounting height and construction requirements included in the Township Specifications. In addition to the aforementioned street lights, which will be owned and maintained by the project's Home Owner's Association, the developer agrees to install residential driveway post lights on each new lot which will be owned by the individual lot owners.

Table 1 of Section 1 of the Montgomery Township Street Lighting Specifications - A design waiver is requested from the requirements included in Table 1 of Section 1 of the Montgomery Township Street Lighting Specifications to implement a lighting design for the private roadways similar to the suggested Alternative "C" as included in Traffic Planning & Design, Incorporated's review letter dated February 20, 2013. This will require the installation of approximately 12 street light fixtures consistent with the mounting height and construction requirements included in the Township Specifications. In addition to the aforementioned street lights, which will be owned and maintained by the project's Home Owner's Association, the developer agrees to install residential driveway post lights on each new lot which will be owned by the individual lot owners.

KERNS,  
PEARLSTINE, ONORATO  
& HLADIK, LLP

---

Robert J. Kerns  
Neal R. Pearlstine \*\*  
David C. Onorato \*\*  
Stephen M. Hladik \*  
Richard S. Watt  
Kristen Zollers Fath \*\*\*  
Joanna M. Cruz  
Kathleen M. Thomas  
George B. Ditter  
Andrea Hudak Duffy  
William E. Miller \*  
Pamela Cunningham \*

ATTORNEYS AT LAW

February 12, 2013

Of Counsel  
John C. Rafferty, Jr.  
Kevin J. Conrad \*

\* Also Admitted to FL Bar  
\*\* Also Admitted to CA Bar  
\* Also Admitted to NJ Bar  
\* Also Admitted to GA Bar  
\* LL.M. in Taxation

Richard A. Stoneback, PE  
CHARLES E. SHOEMAKER, INC.  
1007 Edge Hill Road  
Abington, PA 19001

*RE: Pileggi Tract Subdivision*

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Dear Mr. Stoneback:

At your request, I have reviewed the Montgomery Township Zoning Ordinance including the Open Space Design Overlay Option which was adopted by Montgomery Township on October 22, 2012. A question has arisen with respect to the open space requirements under the Open Space Design Overlay Option which is found at Section 230-26J of the Montgomery Township Zoning Ordinance.

I note that Section 230-26JA(3) requires that at least 20% of the area of the tract shall be set aside as common open space. Further, I note that under 230-26JB(2)(a) a minimum unrestricted open space area of 1500 square feet per dwelling unit is required.

The terms common open space and unrestricted open space are not defined within the Open Space Design Overlay Option. Section 230-5 of the Montgomery Township Zoning Ordinance provides definitions. In that Section of the Ordinance, open space is defined in various ways depending upon the characteristics of the open space. Open space is generally defined as "the area to be utilized for the practice of natural preservation or passive and/or active recreation or a combination of these uses. Common open space is defined as "where open space is not limited to site resident use except by limitations placed on use by the nature of the activity to be performed in the space." Reservation open space is defined as "where, by physical

features, plan design or regulation, the use of the space is limited for reason of health, safety, land and water preservation, site amenity or site utility or accessibility.”

The detention basin and the rain guards shown on the Plan are reservation open space under the Montgomery County Township Ordinance.

All other open space shown on the Plan is unrestricted open space and which must meet the minimum requirements of 1500 square feet per dwelling unit.

I believe that, pursuant to Section 230-26JA(3), of the Open Space Design Overlay Option is intended to require 20% of the land area of the tract be set aside for all open space. Subsets of the 20% open space would be the reservation open space, and the unrestricted open space.

It has been brought to my attention that the Township Engineer has interpreted the Open Space Overlay Option to require 20% common open space as defined by the Montgomery Township Ordinance and 1500 square feet of unrestricted open space. I believe that this interpretation is an error. This interpretation would put Section 230-26JA(3) and Section 230-26JB(2)(a) in conflict. Section 230-26JA(3) requires 20% common open space which by definition under the Montgomery Township Zoning Code is unrestricted open space.

Because this is interpretation would result in a conflict between the two subparagraphs of the same Ordinance, I believe the better reading of the Open Space Design Overlay Option is that it requires 20% open space which must include a minimum of 1500 square feet per dwelling unit of unrestricted open space. Because there are no definitions of common open space and unrestricted open space contained in the Open Space Design Overlay Option, and a reading of the Ordinance with the definition contained in the Montgomery Township Zoning Ordinance Section 230-5 creates a conflict, I believe my reconciliation of the open space terms in the Open Space Design Overlay Option is what was intended.

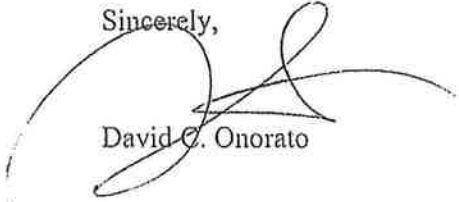
Page 3

February 12, 2013

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I hope the above is helpful to you. Please contact me with any questions regarding the above.

Sincerely,



David C. Onorato

DCO/lp

cc: Robert J. Kerns, Esquire  
Mr. John Pileggi



**GILMORE & ASSOCIATES, INC.**

ENGINEERING & CONSULTING SERVICES

February 21, 2013

File No. 11-12033

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

Reference: The Pileggi Tract – LD/S #664  
Limekiln Pike and Lower State Road  
Tax Parcel #46-00-02272-00-4  
Tax Block #17; Tax Unit #29

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the plans for the above-referenced project and offers the following comments for consideration by the Montgomery Township Board of Supervisors. We will provide a separate letter, addressing minor technical issues and plan cleanup, directly to the Applicant's Engineer with a copy to you.

I. SUBMISSION

- A. Subdivision Plans, as prepared by Charles E. Shoemaker, Inc., twenty-seven (27) sheets, dated November 30, 2012 and last revised January 22, 2013.
- B. Erosion and Sediment Control & Post-Construction Stormwater Management Narrative, as prepared by Charles E. Shoemaker, Inc., dated November 30, 2012 and last revised January 22, 2013.
- C. Response Letter prepared by Charles E. Shoemaker, Inc., dated January 23, 2013.

II. GENERAL

The subject property (Tax Parcel #46-00-02272-00-4, Block 17, Unit 29), owned by the Applicant, J&S Development, is situated between Limekiln Pike (S.R. 0152) to the west and Lower State Road (T-363) to the east. The site has an existing driveway onto Limekiln Pike (S.R. 0152). The site falls within the Residential (R-1) Zoning District and the intended use is single-family detached dwelling. A change to the Code of the Township of Montgomery, Chapter 230 (Zoning) and the Montgomery Township Zoning Map was approved in October 2012 in order to include an 'Open Space Design Overlay Option' placed as an overlay on a portion of the R-1 Residential Zoning District, including this parcel. This change in zoning enables this parcel to be developed with smaller residential lots (10,000 SF) while protecting the nearby single-family detached residential neighborhoods through large areas of open space. The total tract area is approximately 10.0736 acres to the ultimate right-of-way lines. The project proposes to remove an existing stone drive and construct 18 single-family dwellings along with two (2) proposed roads. Access to the site will be taken from Limekiln Pike (S.R. 0152). Also proposed with this application is the construction of other related appurtenances, such as parking areas, stormwater management features and a realignment of Lower State Road. The site will be served by public water and sewer.

BUILDING ON A FOUNDATION OF EXCELLENCE

### III. REVIEW COMMENTS

#### A. Zoning Ordinance

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

1. §230-26.J.A. – The open space design option may be used only after obtaining a Conditional Use approval from the Board of Supervisors. The Applicant has submitted to the Township an application for Conditional Use. Our review of this Application was provided under separate cover.
2. §230-26.J.A.(3) – We defer to the Zoning Officer with respect to the open space requirements as related to the Open Space Design Overlay Ordinance. We do, however, note that the parking areas surrounding the unrestricted open space encroach into the open space area.
3. §230-26.J.B.(2) – A table should be added to the Subdivision Plan which supplies the following information for each individual lot: lot area, building coverage and impervious area. Also, a note should be added to the table which states that the proposed stormwater management system was designed with an additional 500 square feet of impervious area per lot in order to allow for future impervious improvements by the homeowners (i.e. patios, pools, decks, etc.).
4. §230-26.J.D – We defer to the Township Traffic Engineer with respect to the Township's requirement of a traffic impact analysis and other proposed road improvements.

#### B. Subdivision and Land Development Ordinance

Based on our review, the following items do not appear to comply with the Subdivision and Land Development Ordinance (SALDO). Upon further development of the plans, additional items may become apparent. We recommend that the plans be revised to include a list of requested waivers.

1. §205-10.B.(1) – The minimum centerline radius for curves on local residential streets is 150 feet. The Applicant is proposing centerline radii of 100 feet. We would recommend consideration of a waiver from this section of the Ordinance with the condition that the Applicant obtain an approval letter from the Township Fire Marshal.
2. §205-10.D.(3) – Where it is proposed that a road be constructed to an abutting property line with the intention that such a road will be extended onto the adjoining property at a future date, a temporary circular turnabout shall be built. The Applicant has indicated in their Response Letter that a waiver will be requested from this section of the Ordinance.
3. §205-10.H.(2) – Perpendicular parking should not be permitted along public or private streets. We note that this applies to the required overflow parking on the private road. The Applicant has indicated in their Response Letter that a waiver will be requested from this section of the Ordinance. We support this waiver request.
4. §205-17.D – All curbs should be straight concrete. The Applicant has decided to use Belgian block curbing in place of the concrete curbing throughout the interior roads of the site. We would recommend consideration of a waiver from this section of the Ordinance.
5. §205-22.A – Sidewalks shall be required at any location where the Board of Supervisors shall determine that sidewalks are necessary for public safety or convenience. The Board should consider whether the installation of sidewalk along both Lower State Road and Limekiln Pike should be required.



6. §205-24 – The Applicant has included a Site Lighting Plan within the plan set. We defer the review of the site lighting to the Montgomery Township Lighting Consultant. Upon a cursory review, it appears that there may be a conflict between the proposed light location and inlet #16. The light should be relocated in order to avoid conflicts with proposed utilities.
7. §205-28.A – No person shall commence or perform any grading, excavation, fill, topsoil removal or removal of vegetative cover without first having obtained a grading permit from the Township Zoning Officer upon the recommendation of the Township Engineer. The applicant will need to apply for a grading permit prior to construction.
8. §205-51 – We defer the review of the Landscape Plans to the Montgomery Township Landscaping Consultant.
9. §205-78.B.(2) – Existing features within 400 feet of any part of the land to be subdivided should be shown on the plans. The Applicant has included an Aerial Exhibit Plan depicting this area and has indicated in their Response Letter that a partial waiver will be requested from this section of the Ordinance. We support this waiver request.

C. Stormwater Management

Based on our review, the following items do not appear to comply with the Subdivision and Land Development Ordinance (SALDO) Sections 205-18, including Appendix B (Ord. No. 97-72-S), and 205-18.1. Upon further development of the plans, additional items may become apparent.

1. §205-18.D.(3)(e) – The bottom slopes of detention basins should not be less than 2%. The proposed basin bottom is at 0% due to the bio-infiltration aspect of the basin. The Applicant has indicated in their Response Letter that a waiver will be requested from this section of the Ordinance, which we support due to the use of this Best Management Practice.
2. §205-18.D.(3)(f) – A low-flow concrete channel, or equal, should be provided from each basin inflow pipe to the outflow structure. Due to the bio-infiltration aspect of the basin, low-flow channels would not be conducive to the BMP design. Therefore, the Applicant has indicated in their Response Letter that a waiver will be requested from this section of the Ordinance, which we support.
3. §205-18.1.C.(1) & §205-29 – Since the project consists of greater than 1.0 acre of disturbance, the Applicant should obtain an approval letter from the Montgomery County Conservation District and an NPDES Permit for the site. A copy of the permits should be provided to both the Township and our office.
4. §205-18.1.D.(1)(d)[2] – We recommend the Applicant conduct additional testing in the location of proposed rain garden #1. The testing should be witnessed by a representative of Gilmore & Associates, Inc.
5. §205-18.1.D.(1)(e) – The Applicant should enter into a maintenance agreement with the Township pertaining to the long-term operations and maintenance of any future proposed BMPs prior to the start of construction.


D. General

1. The Applicant is proposing grading on the adjoining property owned by the Montgomery Township Municipal Sewer Authority (TPN 46-00-02573-00-9) in order to create a swale connecting the proposed basin outfall to the existing flared end section at the intersection of Lower State Road and Limekiln Pike. The Applicant should acquire a Letter of Approval and temporary grading easement from the adjoining property owner. Also, the temporary grading easement should be shown on the plans.
2. The Applicant should obtain all required approvals, permits, declarations of restrictions and covenants, etc. (i.e., PaDEP, MCPC, MCCD, Montgomery Township Municipal Sewer Authority, North Wales Water Authority, MCDH, DRBC, Fire Marshal, etc.). Copies of these approvals and permits should be submitted to the Township and our office with the final application.
3. A copy of the letter confirming available sewer capacity should be provided.

In order to help expedite the review process of the resubmission of the plan, the Applicant should submit a response letter which addresses each of the above comments. Changes that have been made to the application that are unrelated to the review comments should also be identified in the response letter.

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

Sincerely,



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



Karyn L. Hyland, P.E.  
Gilmore & Associates, Inc.  
Township Engineers

cc: Lawrence J. Gregan, Manager - Montgomery Township  
Marita A. Stoerrle, Development Coordinator - Montgomery Township  
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC  
Matthew Schelly, Senior Planner – Montgomery County Planning Commission  
Thomas F. Zarko, P.E., Sewer Authority Engineer – CKS Engineers, Inc.  
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.  
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.  
John J. Pileggi, Jr. – J&S Development  
Richard A. Stoneback, P.E. – Charles E. Shoemaker, Inc.  
Douglas C. Rossino, P.E. – Gilmore & Associates, Inc.



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

January 10, 2013

File No. 11-12033

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

Reference: The Pileggi Tract – LD/S #664  
Limekiln Pike and Lower State Road  
Tax Parcel #46-00-02272-00-4  
Tax Block #17; Tax Unit #29

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the preliminary subdivision plans for the above-referenced project and offers the following comments for consideration by the Montgomery Township Board of Supervisors:

I. SUBMISSION

- A. Subdivision Plans, as prepared by Charles E. Shoemaker, Inc., twenty-five (25) sheets, dated November 30, 2012.
- B. Post-Construction Stormwater Management Narrative, as prepared by Charles E. Shoemaker, Inc., dated November 30, 2012.
- C. Application for Subdivision & Land Development, dated December 3, 2012.
- D. Subdivision & Land Development Checklist.
- E. Consultant Escrow Fee Agreement.

II. GENERAL

The subject property (Tax Parcel #46-00-02272-00-4, Block 17, Unit 29), owned by the Applicant, J&S Development, is situated between Limekiln Pike (S.R. 0152) to the west and Lower State Road (T-363) to the east. The site has an existing driveway onto Limekiln Pike (S.R. 0152). The site falls within the Residential (R-1) Zoning District and the intended use is single-family detached dwelling. A change to the Code of the Township of Montgomery, Chapter 230 (Zoning) and the Montgomery Township Zoning Map was approved in October 2012 in order to include an 'Open Space Design Overlay Option' placed as an overlay on a portion of the R-1 Residential Zoning District, including this parcel. This change in zoning enables this parcel to be developed with smaller residential lots (10,000 SF) while protecting the nearby single-family detached residential neighborhoods through large areas of open space. The total tract area is approximately 10.0736 acres to the ultimate right-of-way lines. The project proposes to remove an existing stone drive and construct 18 single-family dwellings along with two (2) proposed roads. Access to the site will be taken from Limekiln Pike (S.R. 0152). Also proposed with this application is the construction of other related appurtenances, such as parking areas, stormwater management features and a realignment of Lower State Road. The site will be served by public water and sewer.

BUILDING ON A FOUNDATION OF EXCELLENCE

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

### III. REVIEW COMMENTS

#### A. Zoning Ordinance

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

1. §230-26.J.A. – The open space design option may be used only after obtaining a Conditional Use approval from the Board of Supervisors.
2. §230-26.J.A.(3) – At least 20% of the tract area must be deed restricted as common open space. The Zoning Requirements Table on Sheet 4 indicates that the Applicant is providing 21.1% of the tract area as open space. Based on the tract area listed in the table, this equate to 92,588 square feet of open space. It appears that areas of Parcels 'A', 'B' and 'C' are mislabeled. It also appears that the Applicant may have included Parcel 'D' (Lower State Road) in the Open Space calculations. The Applicant should rectify this for future submissions.
3. §230-26.J.D – We defer to the Township Traffic Engineer with respect to the Township's requirement of a traffic impact analysis.
4. §230-134 – The off-street parking spaces, together with the driveways, should be large enough to permit the circulation or turning around of vehicles on the lot so that egress to the street or way can be made frontways to avoid backing in or onto the street or way. It is our understanding that this may be resolved by adding bumpouts to the driveways.
5. §230-156.5.A.(6) – Flag lots shall have a side and rear yard of not less than 150% of the minimum required by the district. In no event shall a side yard be less than 20 feet and a rear yard less than 40 feet. The lots appear to be conforming but building envelopes shown on the Subdivision Plan, sheet 4 of 25, should be revised.
6. §230-156.5.A.(12) – Flag lots are not permitted as part of a major subdivision. We recommend the Applicant consider an alternative design to eliminate the proposed flag lots.
7. §230-156.5.B – Flag lots, subject to the regulations of §230-156.5, may be permitted when approved as a conditional use by the Board of Supervisors.

#### B. Subdivision and Land Development Ordinance

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

1. §205-10.B.(1) – The minimum centerline radius for curves on local residential streets is 150 feet. Shorter radii may be permitted on the recommendation of the Township Engineer. The Applicant is proposing centerline radii of 100 feet. We recommend that vehicle turning templates for the largest vehicles accessing the site (i.e. fire apparatus) be submitted for review by our office and the Fire Marshal.
2. §205-10.D.(1)(a) – The paved cartway width should be provided on the plans.
3. §205-10.D.(3) – Where it is proposed that a road be constructed to an abutting property line with the intention that such a road will be extended onto the adjoining property at a future date, a temporary circular turnabout shall be built wholly within the right-of-way. The right-of-way width will be a minimum of 50 feet, and the radius of the turnabout shall be at least 35 feet.

4. §205-10.E.(3) – Radii of the proposed curblines should be provided on the plans in order to verify the Applicant has satisfied the requirements of this section.
5. §205-10.H.(2) – Perpendicular parking should not be permitted along public or private streets. We note that this applies to the required overflow parking on the private road.
6. §205-15 – All corners of the proposed lots must be marked with an iron pin.
7. §205-17.A – The pavement details for Limekiln Pike and Lower State Road should be revised to reflect the current PennDOT and Montgomery Township design standards and specifications.
8. §205-17.B – A depressed curb cross section detail should be added to the plans. In accordance with Appendix A of the Subdivision and Land Development Ordinance, a note should also be added to all curb details stating that Aquaron 2000 Sealing and Curing or approved equal must be applied to concrete curbing immediately upon the removal of the formwork. In addition, the curb reveal indicated on the Interior Roads Typical Cross Section should be revised to correspond with the Plain Concrete Curb Detail and the Driveway and Apron Detail.
9. §205-17.D & Appendix A – Concrete curbs should be constructed in accordance with the standard design specifications set forth in Appendix A of this Ordinance. This Appendix illustrates a curb reveal of 8-inches for concrete curbing. Upon discussion with the Applicant's Engineer, it was brought to our attention that the Applicant might consider Belgium block curbing in place of the concrete curbing throughout the interior roads of the site. The Applicant should clarify which type of curbing is proposed for the site. If Belgium block curbing is proposed, then details should be added to the plans. However, if concrete curbing is still proposed, then the reveal should be increased from 6 to 8-inches.
10. §205-22.D – A note should be added to the Concrete Sidewalk Details stating that Aquaron 2000 Sealing and Curing or approved equal must be applied to the driveway apron and reinforced concrete sidewalk.
11. §205-22.E – The Driveway and Apron Detail should be revised in accordance with Appendix A of the Subdivision and Land Development Ordinance. The 6-inch thick reinforced concrete sidewalk at the driveway aprons cannot exceed a maximum cross slope of 1/4" per foot. A note should also be added to the detail stating that Aquaron 2000 Sealing and Curing or approved equal must be applied to the driveway apron and reinforced concrete sidewalk.
12. §205-24 – The Applicant should revise the plans to provide street lighting in accordance with the requirements of this section. We defer the review of site lighting to the Montgomery Township Lighting Consultant.
13. §205-28.A – No person shall commence or perform any grading, excavation, fill, topsoil removal or removal of vegetative cover without first having obtained a grading permit from the Township Zoning Officer upon the recommendation of the Township Engineer. The applicant will need to apply for a grading permit prior to construction.
14. §205-29.C.(1)&(2) – All lots should be graded to provide proper drainage away from buildings. The grading for each individual lot should be redesigned so as to take into consideration future improvements and/or alterations during building construction (i.e. patios, pools, decks, walk-out basements, etc.). If drainage swales are required to properly divert surface waters, then these swales should be graded further into the rear of the lots and the area between the swale and proposed dwelling should be reduced to a more manageable slope for future improvements, including possible walk-out basements.

15. §205-32.F – At the time the Applicant applies for a building permit, a review of the plan shall be conducted by the Township Engineer to verify conformance with the approved plans.
16. §205-51 – We defer the review of the Landscape Plans to the Montgomery Township Landscaping Consultant.
17. §205-78.B.(2) – The location, names, and widths of streets, alleys, including existing streets; the location and names of railroads, location of property lines and names of owners; and the location of watercourses, sanitary sewers, storm drains and similar features within 400 feet of any part of the land to be subdivided. The plan must show the location and size of all watercourses and the boundaries of the floodplain areas utilizing base flood level and regulatory flood elevation data available from federal, states and other sources. The Applicant has included an Aerial Exhibit Plan, sheet 3 of 25, depicting this area.
18. §205-78.C.(1).(c) – The proposed construction plan must provide the layout of streets, including names and widths of streets.
19. §205-78.D.(3) – The Applicant may want to consider adjusting the grading in the rear areas of Lots 1 through 8 to better prevent runoff from flowing towards the proposed dwellings.
20. §205-79.B – The Applicant must provide record plans in accordance with the requirements of this section and the table of contents should identify the sheets to be recorded. In addition, legal descriptions should be provided for all proposed lots, easements and lands to be dedicated to the Township.
21. §205-100 – A Traffic Management Study may be required. We defer this comment to the Montgomery Township Traffic Engineer.

C. Stormwater Management

Based on our review, the following items do not appear to comply with the Subdivision and Land Development Ordinance (SALDO) Sections 205-18, including Appendix B (Ord. No. 97-72-S), and 205-18.1. Upon further development of the plans, additional items may become apparent.

1. §205-18.A.(3)(b) – Any closed conduit, when flowing full, should have a maximum velocity of 15 feet per second. Several of the pipe runs have velocities greater than 15 fps as indicated on the 'Combined Pipe/Node Reports' in the Post-Construction Stormwater Management Narrative. The pipe runs should be revised accordingly.
2. §205-18.A.(7) – Storm manhole details should be added to the plans.
3. §205-18.A.(8) – A note should be added to the plans indicating how roof drains are to be discharged.
4. §205-18.A.(9) – A note should be added to the plans indicating how sump pumps are to be discharged.
5. §205-18.D.(3)(c) – The elevation of the emergency spillway is labeled as 288.50 both in the 'Reservoir Report' on page D-44 of the Post-Construction Stormwater Management Narrative and the 'Emergency Spillway Detail' and 'Typical Detention Basin Berm Cross Section' on the Construction Details, sheet 22 of 25. However, the elevation of the emergency spillway is labeled as 288.00 both in the 'Outlet Structure Configuration' on page D-77 of the narrative and the Grading & Utility Plan, sheet 7 of 25. This discrepancy should be clarified and all documents revised accordingly.

6. §205-18.D.(3)(e) – The bottom slopes of detention basins should not be less than 2%. The proposed basin bottom is at 0% due to the bio-infiltration aspect of the basin. We support this Best Management Practice. However, a waiver from this section of the Ordinance should be requested.
7. §205-18.D.(3)(f) – A low-flow concrete channel, or equal, shall be provided from each basin inflow pipe to the outflow structure. Due to the bio-infiltration aspect of the basin, low-flow channels would not be conducive to the BMP design. Therefore, a waiver from this section of the Ordinance should be requested.
8. §205-18.D.(4)(b) – Detention basins may be located to serve multiple lots. In this case, the ownership, maintenance and responsibility of the basin should be that of a homeowners' association. Under 'Maintenance and Operation Procedures' on page 5 of the Post-Construction Stormwater Management Narrative, it states that "the owner is responsible for the long term "maintenance and operation" of the BMP's" and the owner is further described as the "Plymouth Industrial Center, Inc." on the Post-Construction Stormwater Management Details, sheet 13 of 25. The responsible owner information does not appear to be correct on either the plans or in the narrative. The Applicant should clarify who is responsible for the proposed BMPs.
9. §205-18.D.(4)(d) – The detail for the 4-foot high split rail fence should be moved to Construction Details, sheet 22 of 25, for clarity.
10. §205-18.1.C – Soil lines and types should be added to the Existing Features Plan, sheet 2 of 25, Erosion Control Plan, sheet 9 of 25, and Post-Construction Stormwater Management Plan, sheet 12 of 25.
11. §205-18.1.C.(1) & §205-29 – Under 25 Pa. Code Chapter 92, a DEP NPDES Construction activities permit is required for any earth disturbance of one (1) acre or more with a point source discharge to surface waters or the Township's storm sewer system. Since the project consists of greater than 1.0 acre of disturbance, the Applicant should obtain an approval letter from the Montgomery County Conservation District and an NPDES Permit for the site. A copy of the permits should be provided to both the Township and our office.
12. §205-18.1.D.(1)(d)[1] – One method to control post-construction stormwater impacts from regulated earth disturbance activities is to detain and infiltrate on-site the volume of runoff produced from the increase in impervious surface coverage. The Post-Construction Stormwater Management Narrative includes calculations for the proposed infiltration area within the proposed bio-infiltration basin. However, there are no calculations included in the narrative which indicates the volume of infiltration required. DEP Worksheet #4, which is referenced on page C-1 of the narrative, should be added to the narrative to verify that the proposed infiltration volume is adequate. Also, a detailed soils evaluation of the project site should be required in order to verify the assumed rate of 0.5 inches-per-hour, as specified on page E-1 of the narrative, and to ensure that there is a minimum of 24-inches between the bottom of basin and limiting zone. The Township should require the Applicant to conduct testing in the location of any future proposed infiltration BMPs. The testing should consist of at least two (2) test pits with infiltration testing utilizing a double-ring infiltration test performed at the level of the proposed infiltration surface of the basin. The testing should be witnessed by a representative of Gilmore & Associates, Inc.
13. §205-18.1.D.(1)(d)[1] – An underdrain system should be proposed within the bio-infiltration basin in order to ensure that the basin will drain properly in case the soils are not as permeable as indicated in any test data. The underdrain system should include a valve at the outlet structure which will remain closed except when the basin soils indicate excessive saturation. A detail of this system should be added to the plans.

14. §205-18.1.D.(1)(d)2 – It is recommended that water quality BMPs, such as a Snout and/or a mechanical forebay, be installed upstream of the bio-infiltration basin in order to assist in filtering out chemical and physical pollutants as well as reducing maintenance to the proposed basin.
15. §205-18.1.D.(1)(e) – The Applicant should enter into a maintenance agreement with the Township pertaining to the long-term operations and maintenance of any future proposed BMPs.
16. §205 Appendix B.A.1 & 3 – Projects should manage stormwater runoff created by development activities taking into account the cumulative basin-wide stormwater impacts from peak runoff rates and maximize potential groundwater recharge throughout the watershed in an attempt to maintain the existing hydrologic regime. Parcel 'D' is not included in the peak runoff rate or recharge analysis for the site. It is our understanding that Parcel 'D' will become a stub road of Lower State Road to allow for better traffic flow between Lower State Road and Limekiln Pike (SR0152), which will benefit the Township. However, the increase in the impervious area caused by the construction of this stub road is not a benefit to the Little Neshaminy Creek Watershed. Parcel 'D' should be included in the site analysis for both rate control and recharge.
17. §205 Appendix B.C – Stormwater management facilities are to be designed to control the post-development runoff for the range of storms up to and including the 100-year storm (i.e. 2-year, 5-year, 10-year, 25-year, 50-year, and 100-year storms). The stormwater analysis only analyzes storms 1, 2, 10, 50, and 100-year. The 5 and 25-year storms should be included in the analysis to ensure compliance with this section of the ordinance.
18. §205 Appendix B.C – All of the soils within the site area are classified as hydrologic soil group 'C' except for the Croton Silt Loam, which is classified as hydrologic soil group 'D'. However, the Croton Silt Loam only encompasses approximately 25% of the site area. The existing conditions were analyzed using a runoff curve number (CN) of 78, which represents "Meadow" for 'D' soils. Since 'D' soils only represent 25% of the total on-site soils, it should not be used as the only CN value. If the Applicant's Engineer wishes to design the site under one soil group, then the more conservative group ('C') should be used (CN value of 71). Otherwise, a weighted CN value should be used. The calculations within the narrative should be revised accordingly.
19. The cover of the Post-Construction Stormwater Management Narrative states that the project is located within Upper Dublin Township. However, the project is actually located in Montgomery Township. This discrepancy should be corrected.
20. The area to the Ultimate Right-of-Way on page 1 of the Post-Construction Stormwater Management Narrative does not match the Subdivision Plan, sheet 4 of 25. This discrepancy should be corrected.
21. It is our understanding that all of the best management practices are going to be incorporated into the proposed bio-infiltration basin. Therefore, 'Improvements' on page 4 of the Post-Construction Stormwater Management Narrative should be revised in order to eliminate any reference to "dwelling roof infiltration beds" and "an underground infiltration/detention basin".
22. Item #3 under the 'Permanent Measures' on page 10 of the Post-Construction Stormwater Management Narrative should be revised to "3:1 horizontal to vertical".
23. The 'SCS Segmental Travel Time' on page C-2 of the Post-Construction Stormwater Management Narrative should be illustrated on the Existing Drainage Area Plan, sheet 1 of 2, in order to verify segment information.



24. The Applicant should clarify the reason for the asterisks used in the chart for 'Proposed Conditions – Curve Number Summary' on page D-1 of the Post-Construction Stormwater Management Narrative.
25. The proposed stormwater management system should be redesigned to properly manage the maximum impervious area allowed per lot in order to allow for future impervious improvements by the homeowners (i.e. patios, pools, decks, etc.). This additional impervious should be taken into account with respect to water quality, recharge and rate control calculations.
26. The minimum time-of-concentration (Tc) used in the calculations is five (5) minutes. Any Tc greater than five (5) minutes should be verified with a 'SCS Segmental Travel Time' calculation. This calculation should be added to the narrative and illustrated on the Post-Development Drainage Area Plan, sheet 2 of 2, for Hydrographs No. 5 and 6, as well as, any inlet in the 'Combined Pipe/Node Reports'. Also, the Tc for all the inlets within the report on page B-2 of the narrative should be added to the report.
27. According to the 'Reservoir Report' on page D-44 of the Post-Construction Stormwater Management Narrative, the proposed outlet structure contains a 4.25' Rectangular Weir. However, the information for Outlet Structure 1 (OS1) does not include the weir information on any of the plan views or the 'Outlet Structure 1 to Endwall 3' profile on Storm Profiles, sheet 19 of 25.
28. The side dimension in 'Plan View' for the 'Basin Outlet Structure Detail' on Construction Details, sheet 22 of 25, appears to be incorrect. The 3'-6" dimension should be revised to 3'-0".
29. There are two (2) inlets labeled #14 on the plans in the plan view. This discrepancy should be corrected.
30. The grate/rim elevations on the Grading & Utility Plans do not match the elevations indicated on the 'Combined Pipe/Node Reports' in the Post-Construction Stormwater Management Narrative for the following structures: 2, 8, 10, OS1, and MH2.
31. A 'Combined Pipe/Node Report' appears to be missing from the Post-Construction Stormwater Management Narrative for the pipe run: Inlet 21 to EW 2.
32. We recommend that if the interior curbing is to have a 6-inch reveal, then the proposed Type 'C' inlets within the interior drives should have the grate elevations lowered by 2-inches.
33. Several of the Type 'C' inlets throughout the site are labeled with a top-of-curb (TC) in the profile views but the same elevation is used in the plan views and is labeled as grate elevation. This discrepancy should be corrected.
34. All utility crossings should be shown on the profiles on Storm Profiles, sheets 19 and 20.
35. A storm profile appears to be missing for pipe run: Inlet 22 to existing inlet.
36. The pipe and inlet information from Inlet 1 to Inlet 12 on the Plan & Profile – Road 'B', sheet 15 of 25, should be reviewed and revised accordingly.
37. Comments relating to 'Storm Profiles', sheet 19 of 25:
  - a. Profile 'Inlet 11 to Inlet 9': The grate elevation appears to be incorrect for Inlet 10.
  - b. Profile 'Inlet 17 to Inlet 14': The following information appears to be incorrect: grate and invert elevations for Inlet 16, the pipe slope for pipe run 17-16, and the invert for Inlet 17.

D. General

1. The Applicant is proposing grading on the adjoining property owned by the Montgomery Township Municipal Sewer Authority (TPN 46-00-02573-00-9) in order to create a swale connecting the proposed basin outfall to the existing flared end section at the intersection of Lower State Road and Limekiln Pike. The Applicant should acquire a Letter of Approval and easement from the adjoining property owner.
2. We recommend that a detail of the proposed foundation wall be provided.
3. A Stop Sign (R1-1) and Stop Bar should be added on Road 'A' at the intersection of Road 'A' and Limekiln Pike (SR 0152).
4. Crosswalks should be added across Road 'A' and Limekiln Pike (SR 0152) at the intersection of the two (2) roads.
5. The Applicant should coordinate all proposed road improvements with any on-going or planned PennDOT improvements within the area.
6. The Applicant should obtain all required approvals, permits, declarations of restrictions and covenants, etc. (i.e., PaDEP, MCPC, MCCD, Montgomery Township Municipal Sewer Authority, North Wales Water Authority, MCDH, DRBC, Fire Marshal, etc.). Copies of these approvals and permits should be submitted to the Township and our office with the final application.
7. A copy of the letter confirming available sewer capacity should be provided.

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

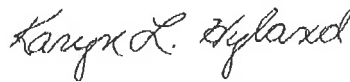
In order to help expedite the review process of the resubmission of the plan, the Applicant should submit a response letter which addresses each of the above comments. Changes that have been made to the application that are unrelated to the review comments should also be identified in the response letter.

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

Sincerely,



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



Karyn L. Hyland, P.E.  
Gilmore & Associates, Inc.  
Township Engineers

cc: Lawrence J. Gegan, Manager - Montgomery Township  
Marita A. Stoerrle, Development Coordinator - Montgomery Township  
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC  
Matthew Schelly, Senior Planner – Montgomery County Planning Commission  
Thomas F. Zarko, P.E., Sewer Authority Engineer – CKS Engineers, Inc.  
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.  
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.  
John J. Pileggi, Jr. – J&S Development  
Richard A. Stoneback, P.E. – Charles E. Shoemaker, Inc.  
Douglas C. Rossino, P.E. – Gilmore & Associates, Inc.



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**I N N O V A T I V E E N G I N E E R I N G**

February 12, 2013

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

**SUBJECT: PILEGGI TRACT  
PRELIMINARY LAND DEVELOPMENT PLANS  
TOWNSHIP LD/S NO. 664  
PROJECT NO. 1255265R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Land Development Plans for the Pileggi Tract, prepared by Charles E. Shoemaker, Inc. and Infocus Planning, Dated November 30, 2012 and last revised January 22 and 23, 2013. The site is located to the north of the intersection of Lower State Road and Limekiln Pike, within the R-1 Residential Zoning District.

The site currently contains existing nursery stock and a stone driveway. The applicant proposes to construct 18 single-family dwelling units, an access road, stormwater management facilities, and associated utility infrastructure. Vehicular traffic will take access to the proposed development from Limekiln Pike.

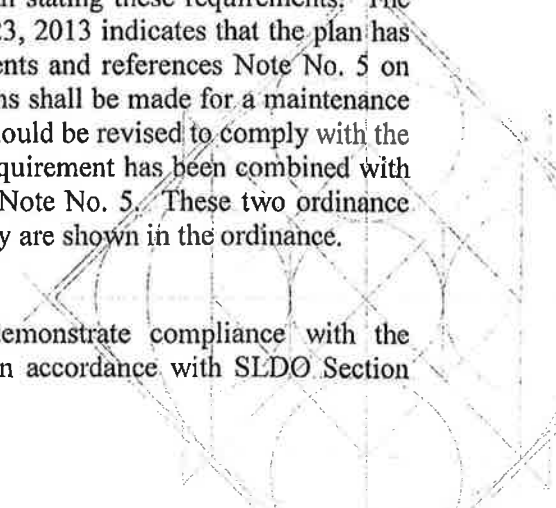
We offer the following comments for your consideration.

1. General Requirements

SLDO Section 205-49.G requires that all plant material shall be guaranteed for 18 months from the day of final approval of the landscape installation by the Township Landscape Architect, Township Shade Tree Commission, or the Township Engineer. Any plant material 25% or more of which is dead shall be considered dead. A tree shall be considered dead when the main leader has died or 25% of the crown is dead. Any dead plant material shall be replaced and installed according to the approved planting practices. A note shall be added to the landscape plan stating these requirements. The response letter from InFocus Planning dated January 23, 2013 indicates that the plan has been revised to comply with the ordinance requirements and references Note No. 5 on sheet No. 25. However, this note states that "provisions shall be made for a maintenance period of at least 18 months..." The text of the note should be revised to comply with the ordinance requirements. In addition, this ordinance requirement has been combined with the requirements for SLDO Section 205-49.H within Note No. 5. These two ordinance requirements should each be listed on their own, as they are shown in the ordinance.

2. Landscape Plan Requirements

A. The Landscape Plan shall be revised to demonstrate compliance with the following information required to be shown in accordance with SLDO Section 205-51.A:



1. SLDO Section 205-51.A(17) requires the landscape plan to show information, in the form of notes or specifications, concerning planting and lawn areas. A note concerning permanent seeding has been added to the Landscape Plan. However, the notes conflict with the seeding mixes and specifications shown in the Erosion Control Details. The plan should be revised to correct this discrepancy, or to provide a note in the landscape plan referencing the E&S seeding details.
2. SLDO Section 205-51.A(18) requires that a detailed cost estimate shall be attached to the final landscape plan submission for the preparation of the land development agreement. Unit costs for plant material shall include costs for labor, materials, and guaranty, and shall be so stated on the estimate.
3. Planting Requirements
  - A. SLDO Section 205-52.A(a) requires that street trees shall be spaced to permit the healthy growth of each tree, but in no instance shall they be closer than 40 feet on center nor further than 50 feet on center for each side of the street. While the correct number of Street Trees have been provided, they have been spaced at width exceeding and closer together than 40 and 50 feet. A waiver has been requested.
  - B. SLDO Section 205-52.A(b) requires that street trees shall be planted no closer than one foot outside the legal or ultimate street right-of-way, whichever is greater. Two *Acer saccharum* at the intersection of the Connector Road and Limekiln Pike are shown within the right-of-way. The plans should be revised to demonstrate compliance with the ordinance requirement.
  - C. The Street Tree calculations indicate that one existing tree along Limekiln Pike is to be used to meet the street tree requirement. However, the proposed contours and disturbed area boundary indicate that this tree will be 100% disturbed. Therefore, the tree cannot be counted toward the street tree requirements. The plans should be revised to show this tree as to be removed, and to provide the required number of street trees along Limekiln Pike.
  - D. SLDO Section 205-52.A(2)(b) requires that street trees with shallow roots or those which grow very large as indicated in Section 205-6.A shall be planted no closer than 6 feet to any public sidewalk. One of these trees is *Gleditsia triacanthos* var. 'inermis'. This tree species is shown on the plans in many locations within less than 6' of the proposed sidewalk. The plans should be revised to demonstrate compliance with the ordinance requirement or a waiver would be required.
  - E. SLDO Section 205-52.B(3)(a) requires that softening buffers shall be aligned adjacent and parallel to the entire property perimeter, including rights-of-way, but may be sited on any position of the property if permitted by the Board of Supervisors. Plant material used in the softening buffer shall be located within 20 feet of the property line or within 20 feet of the legal or ultimate right-of-way lines, whichever is farther from the street center line. Some of the proposed trees within the softening buffer areas are shown farther than 20 feet from the property

line or right-of-way lines. The plans should be revised to demonstrate compliance with the ordinance requirements, or a waiver would be required.

- F. SLDO Section 205-52.B(3)(4)(a) requires that in all Zoning Districts, four shade trees and eight shrubs shall be included for each 100 feet of property perimeter. Along Lower State Road, thirty (30) shade trees and sixty (60) shrubs are required. However, twenty-five (25) evergreen trees and forty-nine (49) shrubs have been provided. Along Limekiln Pike, thirty-nine (39) shade trees and seventy-eight (78) shrubs are required, but twenty-eight evergreen trees and sixty-two (62) shrubs have been provided. A waiver has been requested.
- G. SLDO Section 205-52.F(6) requires that there shall be a minimum of one shade tree and two shrubs for each 30 linear feet of stormwater management facility perimeter. The required plantings have been provided for the large basin area to the north of the connector road, but not for the other two basins proposed on the site. The required stormwater management facility landscaping should be provided for all three basins on the site.
- H. SLDO Sections 205-52.G outlines requirements for individual lot landscaping. Five (5) shade trees per unit are required. The Landscaping Requirement chart on sheet 25 proposes two (2) shade trees per unit. The January 23, 2013 letter from InFocus Planning states that "conditional approval was granted to permit smaller lot sizes of approximately 11,000 SF in area... The two (2) trees proposed are appropriate based on the lot size." However, the Conditional Use Approval has not yet been granted, (the hearing is scheduled for February 25<sup>th</sup> 2013). A waiver has been requested.

4. Preservation, Protection and Replacement of Trees

SLDO Section 205-53.B(2) states that existing trees whose root area (drip line) has been encroached upon by more than ¼ of the total area will not be considered to be preserved and must be replaced. Several existing trees are shown as having more than ¼ of their drip line area within the disturbed area boundary. These trees may not be considered to be preserved. The plans should be revised to show these trees as to be removed. Trees originally intended to be used to meet landscaping requirements should be replaced. If the intent is to remove the trees with a large tree spade and to replant the trees after final grading, notes should be added to the plan to this effect as well as details regarding the digging, storage, and replanting of these trees. In addition, SLDO Section 205-53.B(3) states that at the direction of the Township Engineer, Township Shade Tree Commission or Township Landscape Architect, existing trees which have not been adequately protected are to be removed and replaced. The plans should be revised to provide a note to demonstrate compliance with this ordinance requirement.

5. Recommended Plant List and Planting Standards and Guidelines

- A. SLDO Appendix C states that plant material shall be shown on the plans in accordance with the standards provided in Appendix C. In order to demonstrate compliance with the Ordinance, the Planting Standards and details provided in Appendix C must be included on the plan set as they are shown in the Ordinance. Notes demonstrating compliance with the standards regarding plant names, plant quality, measurements, plant preparation, soil excavations, planting, pruning,

mulching, staking and guying, planting debris removal, guarantee, and tree wrap must be provided on the plans verbatim from Appendix C of the ordinance. The plans should be revised to demonstrate compliance with the planting standards shown in Appendix C or a waiver would be required.

- B. SLDO Appendix C states that plant material shall be shown on the plans in accordance with the details provided in Appendix C. The January 23, 2013 letter from InFocus Planning states that the planting details on Sheet 26 conform to the ordinance standards. However, the ordinance tree planting detail has specific tree staking requirements. In addition, the shrub detail in the plan set calls for setting shrubs on a layer of backfill, which is different than the approved landscape detail in Appendix C. The details should be revised to demonstrate compliance with the details shown in Appendix C, or a waiver would be required.

6. General Landscape Comments

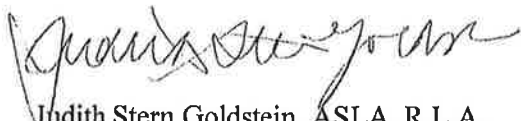
- A. A number of trees on the plans are in conflict with or located over top of utility lines, curbs or driveways. The plans should be revised to provide a minimum of ten (10) horizontal feet between all proposed trees and underground utility lines. In addition, trees should be planted a minimum of five (5) feet from curbs and driveways. The plans should be revised to eliminate any conflicts between landscaping and utility lines and structures.
- B. One group of three (3) *Acer saccharum* along Lower State Road has been labeled as two (2). The plans should be revised to correct this discrepancy.
- C. The Shrub Planting Detail on Sheet No. 26 specifies sand in the backfill soil. Backfill components should be limited to topsoil, native soil mix, organic humus, or the soil mix specified in the Montgomery Township Subdivision and Land Development Ordinance. The backfill mix in the detail should be revised to specify an appropriate backfill mix.
- D. The Tree Protection Fence Detail on Sheet No. 11 of 27 and the associated notes should be revised to indicate that tree protection fencing shall be located at the dripline of the tree or 15' from the trunk, whichever distance is greater. In addition, the detail should be revised to specify the use of one of the following types of fence: 30" super silt fence, 30" orange super silt fence, 48" orange construction fence, or 48" snow fence. Lastly, a note should be added to the detail requiring that the tree protection fencing shall be maintained until all work and construction have been completed. Any damages to tree protection fencing shall be repaired before construction may continue.
- E. As naturalized seed mixes are to be used for each of the three stormwater management basins on site, a mowing and maintenance plan should be provided on the plan set indicating the proposed timing, frequency, and type of maintenance procedures to be implemented for each of the three basins on site.
- F. Proposed contour lines are shown behind the proposed tree protection fencing by the tree at the intersection of Lower State Road and Limekiln Pike. The tree protection fence should always be shown at the limit of disturbance, to ensure that disturbance does not occur within the tree protection area. The plan should be revised to correct this discrepancy.

Mr. Lawrence Gregan, Township Manager  
Pileggi Tract  
February 12, 2013  
Page 5

7. General Comments

- A. SLDO Section 205-55.A requires that no building permit shall be issued unless a performance bond or other surety approved by the Township Solicitor has been filed with the Township. Such surety shall be in an amount equal to the cost of purchasing, planting, maintaining, and replacing all vegetative materials for a period of 18 months after written acceptance of the landscape installation by the Township. SLDO Section 205-55.B permits that this condition may be satisfied through a land development agreement with sufficient and appropriate financial guaranties suitable to the Board of Supervisors.
- B. A detailed response letter addressing the above noted comments and any other changes to the plans should be included with future submissions.

Sincerely,



Judith Stern Goldstein, ASLA, R.L.A.  
Director of Landscape Architecture and Planning Services



Valerie L. Liggett, ASLA, R.L.A.  
Planner/Landscape Architect

JSG/vll/kam

cc: Board of Supervisors  
Planning Commission  
Bruce Shoupe, Director of Planning and Zoning  
Marita Stoerrle, Development Coordinator  
Marianne McConnell, Deputy Zoning Officer  
Karyn Hyland, Gilmore & Associates, Inc.  
Kevin Johnson, P.E., Traffic Planning & Design  
Ken Amey, AICP  
John Pileggi, Jr., J & S Development, 3470 Limekiln Pike, Chalfont, PA 18914  
Richard A. Stoneback, P.E., Charles E. Shoemaker, Inc., 1007 Edge Hill Road, Abington,  
PA 19001  
Rachel Scanlan Vahey, Infocus Planning, 7715 Crittenden Street #343, Philadelphia, PA  
19119



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INNOVATIVE ENGINEERING

January 9, 2013

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

**SUBJECT: PILEGGI TRACT  
PRELIMINARY LAND DEVELOPMENT PLANS  
TOWNSHIP LD/S NO. 664  
PROJECT NO. 1255265R**

Dear Mr. Gregan:

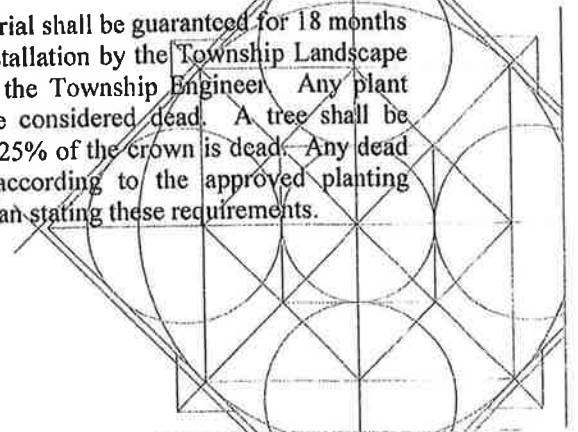
Please be advised that we have reviewed the Land Development Plans for the Pileggi Tract, prepared by Charles E. Shoemaker, Inc. and Infocus Planning, Dated November 30, 2012. The site is located to the north of the intersection of Lower State Road and Limekiln Pike, within the R-1 Residential Zoning District.

The site currently contains existing nursery stock and a stone driveway. The applicant proposes to construct 18 single-family dwelling units, an access road, stormwater management facilities, and associated utility infrastructure. Vehicular traffic will take access to the proposed development from Limekiln Pike.

We offer the following comments for your consideration.

1. General Requirements

- A. SLDO Section 205-49.E requires that all plant material shall meet the standards of the American Standards for Nursery Stock by the American Nursery and Landscape Association (2004), or most recent edition, and the height, spread and/or caliper requirements for trees and shrubs listed in SLDO Section 205-56, Recommended Plant List. A note shall be added to the landscape plan stating this requirement.
- B. SLDO Section 205-49.F requires that all plant material shall be installed in accordance with the standards outlined in Appendix C of this chapter. Appropriate details must be included on the plans. All plant material shall be pruned in accordance with ANSI A300 pruning standards. A note shall be added to the landscape plan stating these requirements.
- C. SLDO Section 205-49.G requires that all plant material shall be guaranteed for 18 months from the day of final approval of the landscape installation by the Township Landscape Architect, Township Shade Tree Commission, or the Township Engineer. Any plant material 25% or more of which is dead shall be considered dead. A tree shall be considered dead when the main leader has died or 25% of the crown is dead. Any dead plant material shall be replaced and installed according to the approved planting practices. A note shall be added to the landscape plan stating these requirements.





- D. SLDO Section 205-49.H requires that the developer shall contact the Township in writing to request a final inspection for acceptance at the end of the guaranty period. These inspections will be performed when plant materials are in full leaf only (May 1 through November 15). All guaranty escrow funds will be released upon acceptance at the end of the guaranty period. The guaranty will be extended until 30 days after receipt of the request letter following May 1. Should the end of the guaranty period occur after November 15, the guaranty period shall be extended to May 15. A note shall be added to the landscape plan stating this requirement.
- E. SLDO Section 205-49.J requires that street trees shall be pruned to a clearance height of eight (8) feet above the ground. Street trees shall have a single, straight trunk and central leader and shall be free of disease and mechanical damage. A note shall be added to the landscape plan stating this requirement.

2. Landscape Plan Requirements

- A. The Landscape Plan shall be revised to demonstrate compliance with the following information required to be shown in accordance with SLDO Section 205-51.A:
  - 1. SLDO Section 205-51.A(1) requires the landscape plan to show a north arrow, location map with adjacent zoning districts for the site and adjacent properties.
  - 2. SLDO Section 205-51.A(2) requires the landscape plan to show adjacent zoning districts.
  - 3. SLDO Section 205-51.A(8) requires the landscape plan to show the location of existing and proposed underground, surface and above-grade utilities such as utility lines, utility easements, transformers, hydrants, manholes and mechanical equipment. The Landscape Plan does not depict the proposed water line and laterals.
  - 4. SLDO Section 205-51.A(17) requires the landscape plan to show information, in the form of notes or specifications, concerning planting and lawn areas.
  - 5. SLDO Section 205-51.A(18) requires that a detailed cost estimate shall be attached to the final landscape plan submission for the preparation of the land development agreement. Unit costs for plant material shall include costs for labor, materials, and guaranty, and shall be so stated on the estimate.
  - 6. SLDO Section 205-51.A(19) requires the limits and details of temporary fencing to be used for protection of existing trees and shrubs during construction be shown on the landscape plan.

3. Planting Requirements

- A. SLDO Section 205-52.A(a) requires that street trees shall be spaced to permit the healthy growth of each tree, but in no instance shall they be closer than 40 feet on center nor further than 50 feet on center for each side of the street. The spacing of the proposed street trees should be revised to comply with the requirements of the ordinance or a waiver would be required. Additionally, street trees should be provided in accordance with the ordinance requirements along both sides of the Lower State Road connection. Lastly, the proposed street tree calculations indicate that a number of existing trees are to count toward the street tree requirements. However, at least one of these trees is not actually located on the subject property, and several of these trees are to be removed by disturbance.

- B. SLDO Section 205-52.A(b) requires that street trees shall be planted no closer than one foot outside the legal or ultimate street right-of-way, whichever is greater. Street trees shall be planted no closer than three feet to any public sidewalk. The location of the proposed street trees along Lower State Road and Limekiln Pike should be revised to demonstrate compliance with the ordinance requirement.
  - C. SLDO Section 205-52.B(3)(a) requires that softening buffers shall be aligned adjacent and parallel to the entire property perimeter, including rights-of-way, and that plant material used in the softening buffer shall be located within 20 feet of the property line or within 20 feet of the legal or ultimate right-of-way lines, whichever is farther from the street center line, and may be grouped informally. The landscape plan proposes softening buffers adjacent to the northern and eastern property boundaries, however the required buffers are not proposed along the rights-of-way of Lower State Road and Limekiln Pike. The plans should be revised to provide the required buffer plantings in accordance with the requirements of the ordinance or a waiver would be required.
  - D. SLDO Section 205-52.F(2) requires that stormwater management facilities be designed so the planting in and adjacent to it shall not have a negative effect on the hydrological function of the facility. Several trees are proposed on the basin spillway. It is recommended that these trees be relocated to retain the functional integrity of the basin.
  - E. SLDO Section 205-52.F(4)(a) requires that dry basin floors be landscaped with one or a combination of the following: seeded or sodded lawn, seeded in low-maintenance wildflowers and meadow grasses, wildflower sod, or all-season ground cover. The landscape plans should be revised to comply with the requirements of the ordinance.
  - F. SLDO Section 205-52.F(4)(b) requires that wet basin floors be landscaped with one or a combination of the following: wet habitat grasses and ground covers, or seeded in a wildflower seed mix for appropriate for wet areas. The landscape plans should be revised to comply with the requirements of the ordinance.
  - G. SLDO Sections 205-52.G outlines requirements for individual lot landscaping. Five (5) shade trees per unit are required. The Landscaping Requirement chart on sheet 25 proposes two (2) shade trees per unit. The plans and requirement chart should be revised to comply with the requirements of the ordinance or a waiver would be required.
4. Preservation, Protection and Replacement of Trees
- SLDO Section 205-53 outlines requirements for the Protection and Preservation of Existing Trees. The plans should be revised to provide tree protection measures in accordance with the requirements of the ordinance including proposed locations for tree protection fencing. The Tree Protection Detail on Sheet 10 should be revised to reflect the requirements of the Ordinance.
5. Recommended Plant List and Planting Standards and Guidelines
- A. Three (3) plants have been included in the proposed plant schedule that are not included in SLDO Section 205-56, the list of recommended plants for use in Montgomery Township. The Board of Supervisors may permit other plants if they are hardy to the area, not subject to blight or disease, and of the same general character and growth habit as those included in the recommended planting list. The Armstrong Columnar Red Maple is not an acceptable species as columnar form trees are not of the same growth habit as other shade trees or street trees that have been previously approved by Montgomery Township. Redspire Callery Pear is also not an acceptable selection, as Callery Pear is included on the PA DCNR invasive species list. We recommend the plans

be revised to replace these trees with different species from the recommended plant list. Leatherleaf Viburnum appears to be an acceptable selection.

- B. SLDO Appendix C states that plant material shall be shown on the plans in accordance with the standards provided in Appendix C. In order to demonstrate compliance with the Ordinance, the Planting Standards and details provided in Appendix C should be included on the plan set as they are written in the Ordinance.

6. General Landscape Comments

- A. A proposed street tree is located within the Lower State Road connection road, adjacent to the proposed stormwater management facility. The proposed tree should be relocated in accordance with SLDO Section 205-52.A.
- B. A proposed street tree appears to be located within the sanitary easement between Lots 15 and 16. The location of the proposed street tree should be revised to be located outside of the easement.
- C. All proposed utilities including water laterals, sanitary laterals, and storm piping should be shown on the Landscape Plan, and clearly indicated in the legend.
- D. Clear sight triangles should be provided on the landscape plan in order to demonstrate that no landscape material is proposed to be planted within the required clear sight triangles.
- E. It appears that several of the proposed trees and shrubs are shown located directly overtop, or in close proximity to proposed utility lines. The plans should be revised to provide a minimum of ten (10) horizontal feet between all proposed trees and underground utility lines, and shrubs should not be planted directly on top of any underground utility lines. Additionally, trees should be planted a minimum of 5' from curbs. The plans should be revised to eliminate any conflicts between landscaping and utility lines and structures.
- F. The plans should be revised to provide a note indicating that substantial changes to the approved Landscape Plans must be approved by the Township through plan resubmission. If substantial changes to the landscaping are made without prior approval from the Township, the changes will be rejected upon inspection.
- G. The plans should be revised to provide a note indicating that if a plant species or other substitution is made without receiving prior substitution request approval from the Township, the unapproved plants will be rejected upon inspection. All plant substitution requests should be submitted in writing for review. Note No. 13 on Sheet 24 should be removed.
- H. Note No. 11 on Sheet 24 states that Cuts over ¾" in diameter shall be painted with a suitable tree paint. This note should be removed as use of tree paint is not considered good horticultural practice except when necessary for disease, insect or mistletoe control.

7. General Comments

- A. SLDO Section 205-55.A requires that no building permit shall be issued unless a performance bond or other surety approved by the Township Solicitor has been filed with the Township. Such surety shall be in an amount equal to the cost of purchasing, planting, maintaining, and replacing all vegetative materials for a period of 18 months after written acceptance of the landscape installation by the Township. SLDO Section

Mr. Lawrence Gregan, Township Manager  
Pileggi Tract  
January 9, 2013  
Page 5

205-55.B permits that this condition may be satisfied through a land development agreement with sufficient and appropriate financial guaranties suitable to the Board of Supervisors.

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

Sincerely,



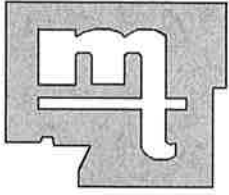
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Director of Landscape Architecture and Planning Services



Valerie L. Liggett, ASLA, R.L.A.  
Planner/Landscape Architect

JSG/vll/kam

cc: Board of Supervisors  
Planning Commission  
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Marita Stoerrle, Development Coordinator  
Marianne McConnell, Deputy Zoning Officer  
Karyn Hyland, Gilmore & Associates, Inc.  
Kevin Johnson, P.E., Traffic Planning & Design  
Ken Amey, AICP  
John Pileggi, Jr., J & S Development, 3470 Limekiln Pike, Chalfont, PA 18914  
Richard A. Stoneback, P.E., Charles E. Shoemaker, Inc., 1007 Edge Hill Road, Abington, PA  
19001  
Rachel Scanlan Vaney, Infocus Planning, 7715 Crittenden Street #343, Philadelphia, PA 19119



## **MEMORANDUM**

TO: Board of Supervisors

FROM: Planning Commission  
Jonathan Trump, Chairman

DATE: February 21, 2013

RE: Conditional Use #C-60  
**Subdivision Plan LDS#664**  
John Pileggi

The Planning Commission has reviewed the Conditional Use application and Subdivision plan for John Pileggi. A motion was made to recommend to the Board of Supervisors that the conditional use application and subdivision plan be approved, subject to satisfactory compliance with all comments of the Township's review agencies.

The vote was as follows: Jonathan Trump, Leon McGuire and James Rall voted in favor; and Michael Beatty, Ellen Reynolds and Steven Krumenacker were opposed. Jay Glickman was absent.

**FROM THE PLANNING COMMISSION MEETING 2/21/13**

**DRAFT**

The next item on the agenda was a presentation of the Conditional Use application for John Pileggi. Robert Kerns, attorney, Richard Stoneback, engineer, and John Pileggi were present to discuss this application. Also to be discussed at this meeting was the subdivision plan for this property. Mr. Kerns advised that Mr. Pileggi wished to develop his property under the Open Space Design Overlay Option. The property is located at Lower State Road and Limekiln Pike. Mr. Kerns stated that the Township had previously approved an ordinance to create the Open Space Design Overlay Option and had included Mr. Pileggi's property in the area in which this overlay could apply. However, the use was only permitted by a Conditional Use. Mr. Stoneback presented an overview of the plan. He distributed a plan which depicted the area in which they would be installing sidewalks. He stated that the plan was the same as which was presented at the time of the rezoning application; nothing had changed. He advised that the property is approximately 10 acres. They wish to develop 18 lots, with single family dwellings. The lots would be 10,000 square feet minimum. Open Space was provided as required. Mr. Kerns stated that they had met with the township staff and consultants and they would comply with all of the comments with the exception of a few waiver requests. (A copy of the requested waivers is attached to these minutes.) Mr. Kerns further stated that they had met with representatives from the Township's Traffic Engineer, Traffic Planning and Design, and Penn DOT officials, regarding traffic issues. Mr. Stoneback would be meeting with representatives from Boucher & James to discuss the landscaping issues. He stated that they would provide whatever the Township Landscape Architect, Judy Stern Goldstein indicated was necessary. It was stated that the Township's Engineer, Gilmore Associates had reviewed the plan and all of their comments had been addressed. Ms. Hyland stated that they had addressed the majority of their concerns. Mr. Kerns mentioned that the roads would be under the jurisdiction of a Homeowner's Association. They would not be dedicated to the Township. Mr.

Stoneback discussed each of the waiver requests. The Planning Commission members did not have opposition to the waivers, as long as the Township Consultants were in agreement. Mr. Beatty stated that he did not like the plan. He felt that it was too dense and that R-1 would have been a better development at this location. He stated that he did not like the feeling of the plan overall. Mr. Krumenacker pointed out that there was a 10 foot elevation difference within the open space. He did not feel that this was necessarily meeting the open space requirements. Ms. Reynolds stated that she did not like that the open space areas were really not useable. Some of the areas had storm water management basins and she felt that this defeated the purpose of open space. A discussion of "open space" occurred. Mr. Kerns read from the definition in the ordinance. He stated that he felt that they had met the requirements for open space, as the detention basin would be left in a natural state. Mr. Rall stated that he would like to see sidewalks along County Line Road. He felt that the future residents might want to walk to the CVS store, which is now being built in Warrington Township. The consensus of the members was that this would not be possible as the area in front of the Church did not have sidewalks. Mr. McGuire advised that he did not have anything new to add that had not already been discussed. Mr. Trump advised that he was not a big fan of the plan. He did not feel that the Open Space Overlay Ordinance was providing anything for the Township. He did believe that the applicant had met the conditions for open space, but that he did not feel that this provided useable open space for the Township. While the "letter of the law" had been met, the open space was not what he had envisioned when the ordinance had been approved. Mr. Trump stated that since the applicant had met the requirements, he could not vote against the plan. Ms. Chimera stated that there had been many sketch plans discussed previously. She felt that this was "as good as we can do." The applicant would be providing much needed road improvements. She felt that this plan was much better than seeing commercial development at this location. Mr. Kerns advised that the road improvements would be quite extensive and very costly to Mr. Pileggi. Mr. Trump asked if there was a motion for this project.

He advised that the motion should refer to both the Conditional Use Application and the Subdivision Plan. A motion was made by Mr. Rall, seconded by Mr. McGuire, to recommend to the Board of Supervisors that the Conditional Use Application and Subdivision plan be approved, subject to satisfactory compliance with the comments of the Township review agencies. The vote was as follows: Mr. Rall, Mr. McGuire and Mr. Trump, in favor; and Ms. Reynolds, Mr. Krumenacker and Mr. Beatty, opposed. The vote was a tie 3-3, with Mr. Glickman absent from the meeting.

Next on the agenda was a discussion of ordinance amendments to the Zoning Code. The first was regarding off street parking. The provision was to provide enough room for a vehicle to turn around to exit a driveway that abuts to a main road. The second amendment was regarding the Open Space Overlay Option concerning open space requirements. The consensus of the Planning Commission was that wording should be added which indicated that the open space area should not contain parking areas or storm water management facilities. A motion was made by Mr. Rall, seconded by Mr. McGuire, to recommend approval of these ordinance amendments to the Board of Supervisors. The motion further indicated that the wording for the open space area should be revised to indicate that it cannot be used for parking areas or storm water management facilities. Motion carried unanimously.



**MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS**

JOSHUA D. SHAPIRO, CHAIR

LESLIE S. RICHARDS, VICE CHAIR

BRUCE L. CASTOR, JR., COMMISSIONER



**MONTGOMERY COUNTY  
PLANNING COMMISSION**

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

610-278-3722

FAX: 610-278-3941 • TDD: 610-631-1211

WWW.MONTCOPA.ORG/PLANNING

March 6, 2013

Mr. Larry Gregan, Manager  
Montgomery Township  
1001 Stump Road  
Montgomeryville, Pennsylvania 18936

Re: MCPC# 04-0416-005  
Plan Name: Pileggi Tract Subdivision  
(18 lots, 18 new dus, comprising 10.01 acres)  
Situate: Limekiln Pike (N)/Lower State Road (W)  
Montgomery Township

Applicant's Name and Address

John J. Pileggi, Jr.  
3470 Limekiln Pike  
Chalfont, PA 18914

Contact: Robert J. Kerns, Esq.  
Phone: 215-855-9521

Dear Mr. Gregan:

We have reviewed the above-referenced subdivision and land development application in accordance with Section 502 of Act 247, "the Pennsylvania Municipalities Planning Code", as requested by the township in a letter received in this office on January 30, 2013. We forward this letter as a report of our review and recommendations.

**Background**

The application is a subdivision and land development proposal seeking final approval for the construction of 18 single family homes on 18 new lots with three open space parcels and a new interior roadway. Three open space areas are proposed in this subdivision: Parcel "A"-- a central open space/recreation area surrounded by residences, with a small rain garden area (33,268 sq. ft.); "Parcel B" -- a restricted open space area which serves a stormwater management facility (42,701 sq. ft. gross); and "Parcel C"-- separated from the main tract by Lower State Road, comprises a large rain garden area (12,756 sq. ft.). Public access to residential development will be taken by a new roadway which will allow access from its intersection with Limekiln Pike (S.R. 0152). The site development also proposes the re-alignment of Lower State Road and its intersection with Limekiln Pike near the boundary with Horsham Township.

The subject property is Tax Parcel #46-00-02272-004, which is situated between Limekiln Pike (S.R. 0152) to the west and Lower State Road to the east. The tract is zoned R-1 Residential Zoning and according to documentation submitted during the zoning map amendment approvals, was a commercial tree farm/nursery operation, described as "fully planted with orchard rows of 10-20 ft. high trees". The applicant is utilizing the "Open Space Design Overlay Option" to develop this parcel. This Option and a Zoning Map Amendment for the six subject parcels was approved by the township in and October 2012 decision. The zoning overlay option allows the parcel to be developed with smaller, single-family lots and detached dwellings at a density of 2 units per developable acre with lots of 10,000 square feet minimum. It requires at

least 20% of the tract area be set aside as common open space, and requires design, construction, and dedication by the developer of any new roads or road extensions "which are an essential element of Montgomery Township-supported roadway or signalization improvements," and requires an additional 1,500 square feet of "unrestricted" open space area per dwelling unit, in addition to various other requirements.

The County Planning Commission in a letter to the township dated, February 21, 2013 provided "Conditional Review" comments for this proposal and it is our understanding that a decision is pending. We were unable to support conditional use approval, pending clarification of compliance by the applicant with the zoning issues related to compliance with several zoning regulations pertaining to the required open space area. This issue remains unresolved and is discussed below.

## Comments

### 1. Open Space

A. *Zoning Regulations:* Zoning provisions require the subdivision to provide 20% "common open space" with this development option. The applicant's proposed subdivision arranges several stormwater management facilities within the open space parcels in a manner that will prevent them from being accessible and useable as open space. Two of the open space parcels are arranged in a manner with the majority of space being utilized by these management facilities. Typically common open space is not defined to include stormwater facilities which serve the infrastructure needed to accommodate the developed sites' stormwater run-off. In our Conditional Use Review comments letter of February 21, 2013, we expressed concern that much of the common open space would not be useable, safe and accessible to qualify as open space for public use and enjoyment. From a planning perspective, we reiterate our concern that these parcels – Parcel "B" and Parcel "C" do not adequately address the features needed for public access and use of common open space areas. We recommend the township assess the plan to determine whether open space areas identified as Parcel "B" and Parcel "C" adequately addresses the township's criteria for common open space areas, especially with regards to providing residents safe access and use of the open space areas.

### 2. Connections and Trails and Other Open Space Areas

A. *Open Space Plans:* This development provides the township an opportunity to concurrently advance its open space planning goals identified in the Township's Open Space Plan "Trail Implementation Plan, 2006." One important element of the plan is to create connections to nearby open space areas and to develop bike and pathway amenities during the land development process. Several features of the site plan could support these initiatives including – the development of the loop trail segment along the Little Neshaminy Creek and the construction of trail segments in lieu of sidewalks along the parcels' frontages of the bordering roadways. The Conditional use letter of February 21, 2013 provides additional details for these connections.

B. *Sidewalks Along the Parcel's Frontage:* The applicant's plan proposes interior sidewalks for the development along the proposed interior roadway, however, sidewalks are not proposed along the principal perimeter roadways -- Limekiln Pike roadway frontage and the Lower State Road frontage. We suggest sidewalks are needed improvements along these roadways and they can assist the township in its efforts to promote and improve pedestrian/bike mobility in this area. Should sidewalks

not be deemed essential, then we recommend the township consider defining on the final record plan an "Access easement area" for trails or pathways to serve the township's future needs. A defined access easement area along the perimeter of the tract could support connections to the township's trail/pathway network and nearby parks/recreational areas.

a. Flag Lot Subdivision – Lots #3 & #4

The proposed arrangement of the above referenced flag lots within this subdivision do not appear to be permitted, given this subdivision is a "Major subdivision" according to the Township's Zoning Code §230-156.4.A.12.(Special regulations for flag lots). Both of these lots have over 150 ft. long strips that provide access to the buildable area of the lot. Lot #3 has a 20 ft. wide access "flag strip" and Lot #4 shares a utility corridor easement in a 40 ft. wide access strip. It appears that this type of arrangement is not allowed by the township's zoning regulations. We recommend the applicant modify this arrangement or relief will be required to permit the proposed flag lots. (Subdivision of lots greater than three- according to §230-156.4.A.12. -- *Special regulations for flag lots*)

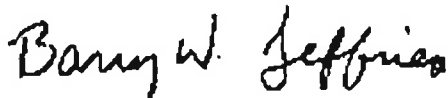
### Recommendation

It is not clear if the proposed subdivision application meets the requirements of the Open Space Design Overlay Option and the zoning regulations related to flag lots. We cannot recommend approval of this subdivision arrangement as proposed at this time. The Township's assessment and determination of these zoning issues and approval of the pending conditional use application is first needed to support the submitted plan as presented to this office in the January 2013 submission documentation.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and the 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 stamp and signatures prior to recording with the Record of Deeds Office. A paper copy bearing the municipal seal and signature of approvals must be supplied for our files.

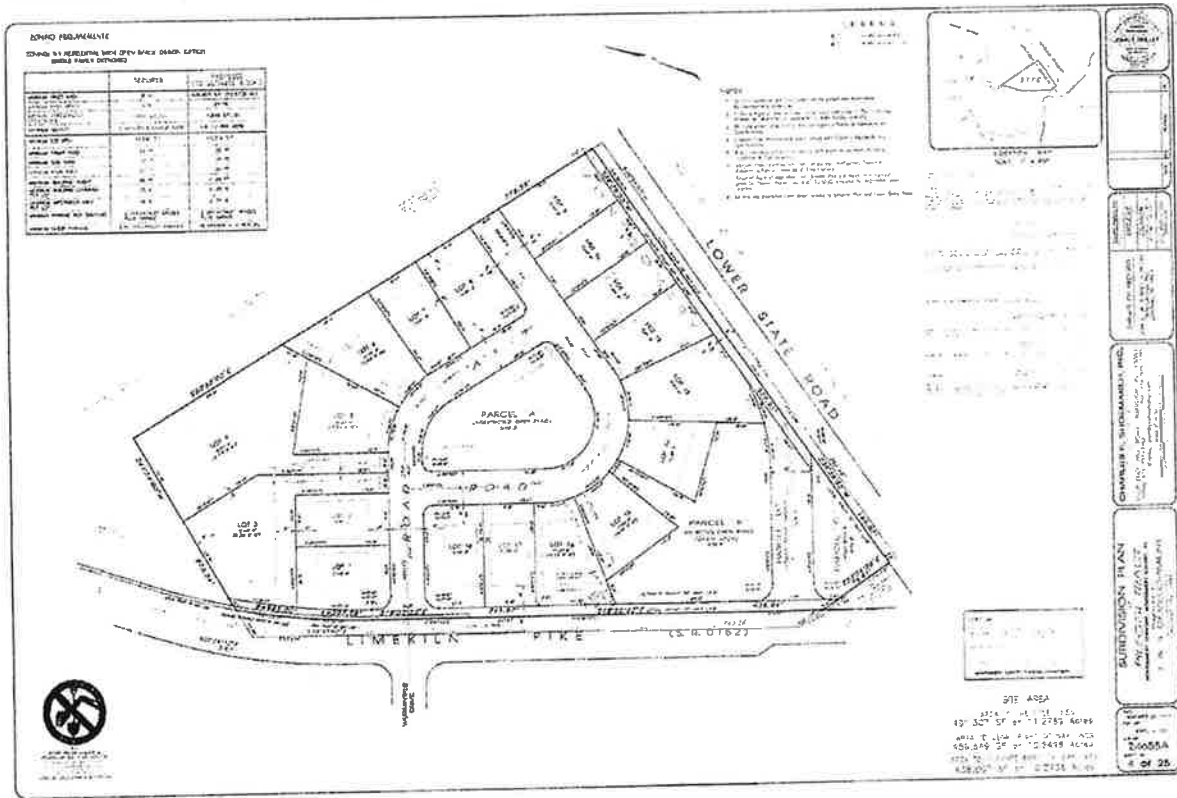
Sincerely,



Barry W. Jeffries, ASLA  
Senior Design Planner  
610-278-3444, Email: [bjeffrie@maontcopa.org](mailto:bjeffrie@maontcopa.org)

- c: John J. Pileggi, Jr., Applicant  
Robert Kerns, Esq., Applicant's Representative  
Marita Stoerrle, Township Development Coordinator  
Jonathan Trump, Chrm., Township Planning Commission  
Bruce Shoupe, Township Zoning Officer  
Frank Bartle, Township Solicitor  
Russell Dunlevey, Township Engineer  
William T. Walker, Mgr., Horsham Township

**Reduction of Applicant's Proposed Subdivision Plan**



**Aerial view of applicant's development tract** (View from north looking south)





# TRAFFIC PLANNING AND DESIGN, INC.

Est. 1989 2500 EAST HIGH STREET, STE 650  
POTTSTOWN, PA 19464

PHONE: 610.326.3100  
FAX: 610.326.9410

TPD@TRAFFICPD.COM  
WWW.TRAFFICPD.COM

February 20, 2013

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

Re: Preliminary Plan Review – The Pileggi Tract  
LD/S #: 664  
TPD# MOTO-A-00042

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the Preliminary Plan submission for the above referenced project, prepared by Charles E. Shoemaker, Inc. and last revised January 22, 2013.

Three separate highway occupancy permits (HOP) will be required for this project from PennDOT.

- One HOP will be in the name of the Township for the Lower State Road relocation. As discussed below, TPD will prepare the necessary plans and submit to PennDOT on the Township's behalf;
- A second HOP will be in the name of the applicant for the widening along the site frontage and for the new access (Road A);
- A third HOP will be a joint application between the Township and the applicant for the stormwater management. In accordance with PennDOT Strike-Off Letter 470-10-03, Montgomery Township will be required to be the co-applicant for the construction of the proposed stormwater facilities within the PennDOT Legal Right-of-Way.

The Township and TPD should be copied on all correspondence for the latter two sets of plans which will be prepared by the applicant's engineer.

As discussed at the February 6, 2013 meeting between the Applicant's consultant team and TPD, it was determined TPD would be the designer for the Lower State Road relocation (with reimbursement by the applicant to the Township). It is understood that survey from Shoemaker would be used to maintain consistency.

Based on our review, we offer the following comments using the same numbering system as our January 8, 2013 review letter for ease of reference. Comments that have been addressed are not shown.

### **Traffic Engineering Comments**

1. In accordance with §205-100 and §205-102, a Traffic Management Study is required for uses requiring subdivision or land development approvals. At the PennDOT meeting, it was agreed that the intersection of Limekiln Pike and the relocated Lower State Road will be included in this study by Heinrich and Klein Associates. The traffic counts completed for the TEVA traffic impact study will be used in this study. A speed study of westbound traffic on Limekiln Pike will be completed at the point where a vehicle crossing the new



bridge is first visible from a vehicle exiting the relocated Lower State Road to determine if adequate sight distance is provided at the proposed location.

2. The study also needs to determine whether the proposed fourteen feet of widening along the site frontage will be striped as a shoulder or as a right turn lane into the site. In either case, a short gore section of approximately 100 feet will be required to help signify that the widening is not to be used as a second through lane. Plans were marked up at the February 6, 2013 meeting to show what was needed.
7. Since sidewalk is not proposed along the south side of Road A, the curb ramp and depressed curb at the intersection of Road A with Limekiln Pike should be removed.
8. Curb ramps should be provided at the intersection of Road A and Road B to link the two sidewalks.
10. In accordance with Section 205-10-B(3), the minimum centerline radius of local residential streets is 150 feet. As proposed, Roads A and B are less than 150 feet. If a waiver is to be considered, adequate justification should be provided for the proposed centerline radii.
13. The truck turn templates should also show movements into/out of the dead end section of Road B. If there is insufficient room for an emergency vehicle to turnaround, it will be necessary to backup for approximately 150 feet. This should be further reviewed with the Township Fire Marshal.

#### **Street Lighting Comments**

14. The Design Engineer submitted a 31 lighting fixture design layout with a 6.5:1 uniformity ratio to the Township for review. While this design provided lighting levels exceeding the minimum accepted values, a waiver would have been required for the uniformity ratio because it is less than the recommended value of 6:1. Some design suggestions were provided to the Design Engineer via redlined plan by TPD during the February 6, 2013 meeting to reduce the number of street lights. The following design alternatives have been discussed and/or suggested between TPD and the Design Engineer. All alternatives listed below require further coordination between the Township, TPD, and the Design Engineer to determine the best alternative to proceed with for a residential community.
  - Alternative A: Via coordination between TPD and the Design Engineer, a design was developed accounting for the previously mentioned redlined plan. This design alternative is attached with this letter. With Alternative A, the Design Engineer made appropriate revisions, and was able to reduce the overall number of lights from 31 as previously submitted to 18 (a ratio of one per unit), while maintaining lighting levels above the minimum average suggested. Prior to expressing an opinion of support or not for a waiver request for the uniformity ratio of 7:1, we would like the design engineer to prepare an alternative layout of the lights to see if the 6:1 recommended value can be achieved without adding more lights. If this waiver is not granted, additional street lights may be required.
  - Alternative B: Via coordination between TPD and the Design Engineer, a design was discussed with a waiver request condition to allow for the placement of 9 lights. This design alternative is attached with this letter. The 9 lights would be concentrated at the entrance, parking areas, intersections, and one each on a roadway curve, all of



which are areas where vehicle/pedestrian interactions may be encountered. This design alternative requires a significant waiver because it provides less than desirable Uniformity. We are uncomfortable supporting this waiver without further discussion with the Township regarding lighting philosophies for residential communities.

- Alternative C: In response to Alternative B provided by the Design Engineer, TPD has redlined the design with a tentative layout to be considered with a waiver request. This redlined design alternative is attached with this letter. In the future, there is the potential to develop the area north of this site that was part of the rezoning. If developed, Road A would be extended into the site. Therefore, it is possible that the two developers would seek to dedicate the road as a Township road rather than maintain cross-easements on it. Under such a scenario, we would recommend providing lighting along the preferred route for vehicles traversing the site connection to the per the Township standards. Prior to stating that a design waiver for the Alternative B lighting layout provided for the privately maintained "Road B Spur" would be acceptable, we need to have further discussions with the Township regarding lighting philosophies for residential communities.

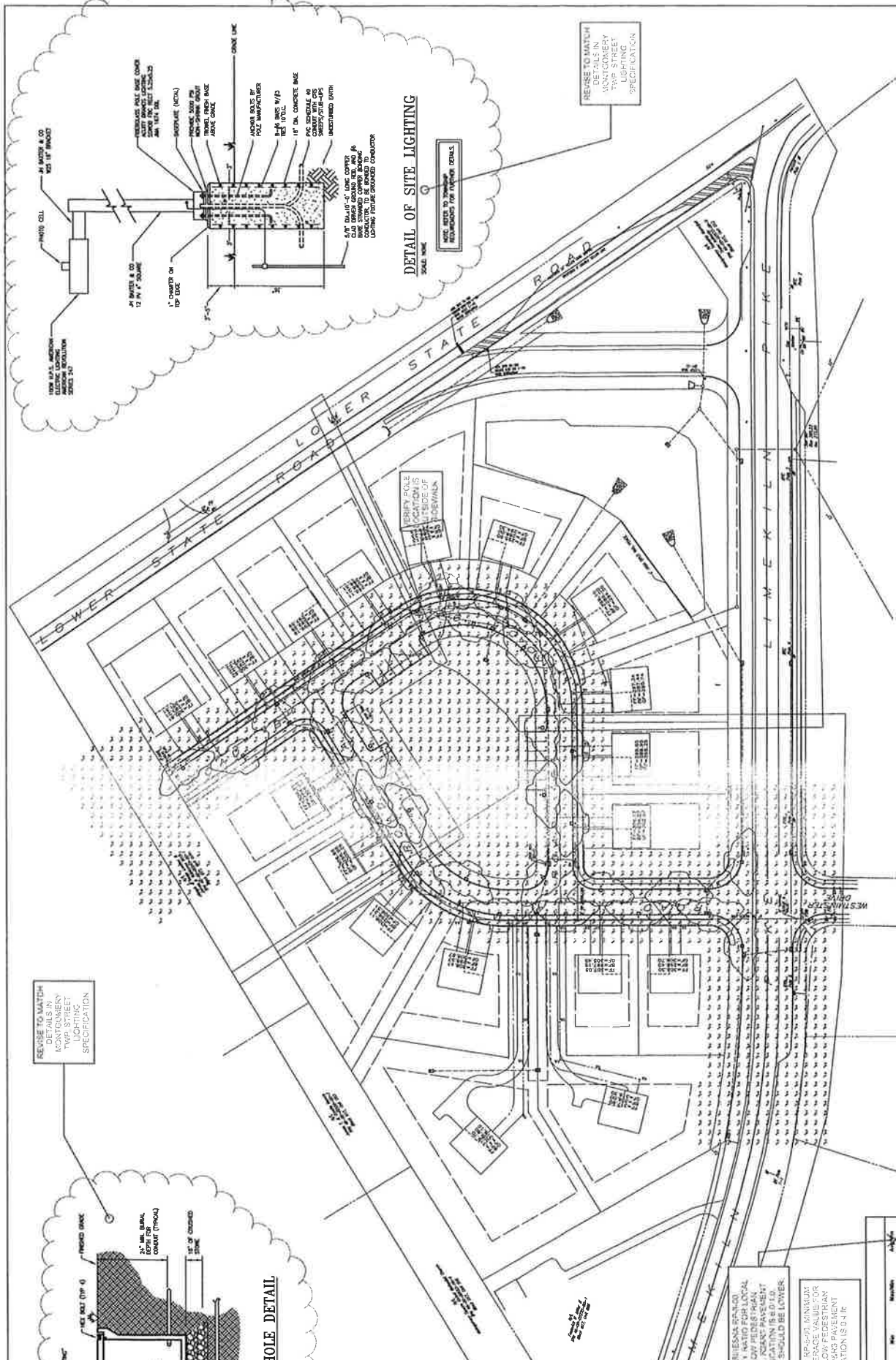
We reserve the right to make additional comments as additional information is submitted. Please call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin L. Johnson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kevin L. Johnson, P.E.  
President

cc: Larry Gregan, Township Manager  
Marita Stoerrle, Township Development Coordinator  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
John Pileggi, applicant  
Richard Stoneback, P.E., Charles A Shoemaker, Inc.  
Andreas Heinrich, P.E., PTOE, Heinrich & Klein Associates, Inc.  
Joseph Platt, P.E., TPD  
Frank Falzone, P.E., TPD



NO.	DATE	DESCRIPTION	BY
12/16/14	AS NOTED		
07/16/13			
12/3/12			
08/11/12			
<b>SITE LIGHTING PLAN</b>			
<b>PILEGGI TRACT</b>			
<b>MONTGOMERY TOWNSHIP</b>			
<b>MONTGOMERY COUNTY, PA</b>			
<b>McHUGH ENGINEERING ASSOCIATES, INC.</b> 550 PINETOWN ROAD, SUITE 205 FT. WASHINGTON, PA 19034 TEL (215) 641-1159 FAX (215) 641-0194			
			<b>E1</b>

- REFER TO MONTGOMERY TOWNSHIP STREET LIGHTING SPECIFICATION (SEPTEMBER 2013)
- UTILIZE AS TYPE USE CABLE IN 2" PVC (SCHEDULE 40) CONDUIT PER TOWNSHIP RECOMMENDATIONS FOR DISTRIBUTION VENTS.
  - UTILIZE CHROME INVERTER ANCHOR (MODEL FC 118 (B)) AS DESIGNATED TYPE. THE ANCHOR SHALL HAVE FOUR (4) HOLES AND BE PROVIDED STREET LIGHTING.
  - POLE TRANSFORMERS SHALL BE MADE IN RENECHL OPTIMA SYMBOL RE-100Z (COUNTRIES) WITH STAINLESS STEEL FROM REDO BUILTS.
  - UTILIZE #10 THRU #12 US CABLE IN 1" PVC (SCHEDULE 40) FOR BRANCHED WIRING FROM TRANSFORMER TO POLE.
  - POLE IN USE CASES (FROM THE RED HOUSES AND 154-0305) SHALL BE PROVIDED WITH "REVERSE" 3" BELL WIRELESS COILS PER TOWNSHIP RECOMMENDATIONS.
  - UTILIZE LOCKING TYPE FERRULES TO BE PROVIDED FOR TOWNSHIP RECOMMENDATIONS.
  - COORDINATE WITH REDO FOR CONNECTION POINTS FOR NEW LIGHTING FIXTURES.

**SITE LIGHTING PLAN**  
SCALE: 1"=50'-0"

- An existing 20' x 12' pole shall be retained (see full scale plan) location and retained in the bottom of the foundation.
- An existing 12' x 6' pole shall be retained (see full scale plan) location and retained in the bottom of the foundation.
- The Developer shall be responsible for coordinating the Lighting Consultant on the site and field work. The Township's Lighting Consultant must be contacted during the "rough" and "final" stages of construction in order to be given the opportunity to observe work and coordinate prior to installation. The Township's Consultant shall also be available for site visits. The Developer shall make arrangements for the necessary electrical inspections at both phases of construction and provide evidence of same to the Township.

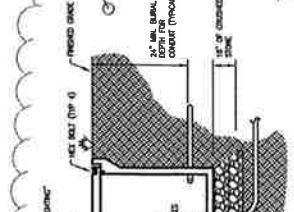
**TRAFFIC PLANNING AND DESIGN, INC.**  
**REVIEW REDLINES**  
 2013-02-05 BY: FGF

REVISE TO MATCH DETAILS BY MONTGOMERY TWP STREET LIGHTING SPECIFICATION

REVISE TO MATCH DETAILS BY MONTGOMERY TWP STREET LIGHTING SPECIFICATION

**DETAIL OF SITE LIGHTING**  
SCALE: 1"=1'-0"

SEE HERE TO THE DRAWING FOR FURTHER DETAILS



**HOLE DETAIL**

UNLESS OTHERWISE SPECIFIED, ALL MATERIALS SHALL BE OF THE FOLLOWING QUALITY RATIO FOR LOCAL LOW REBET GRANULAR PAVEMENT SHALL BE PROVIDED IN THE PAVEMENT SHALL BE LOWER.

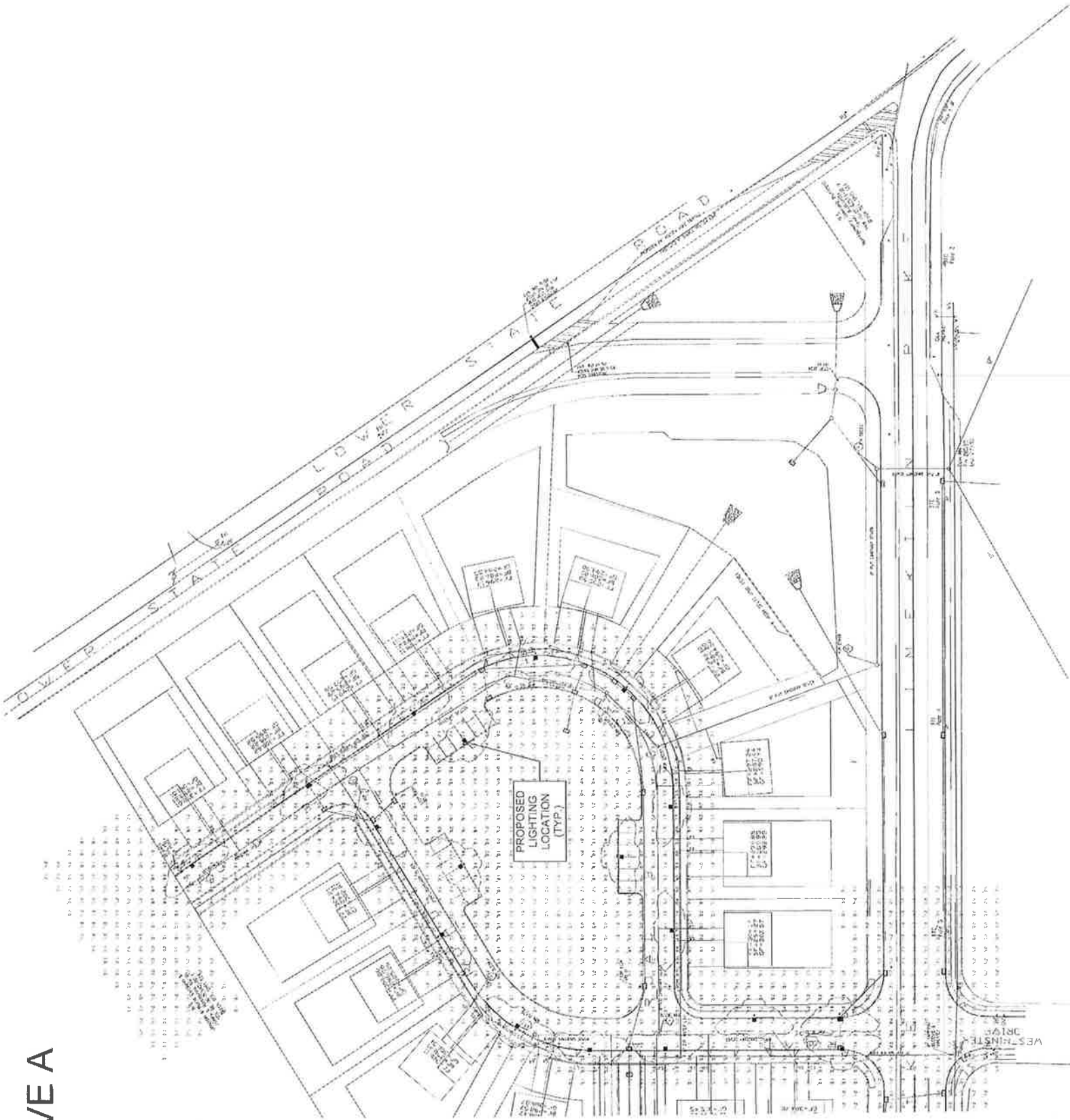
AN AVERAGE MINIMUM AVERAGE VALUE FOR LOW REBET GRANULAR PAVEMENT SHALL BE PROVIDED IN THE PAVEMENT SHALL BE LOWER.

TYPE	REMARKS	DATE
1.00	2/1/13	1/13
2.00	2/1/13	1/13
3.00	2/1/13	1/13

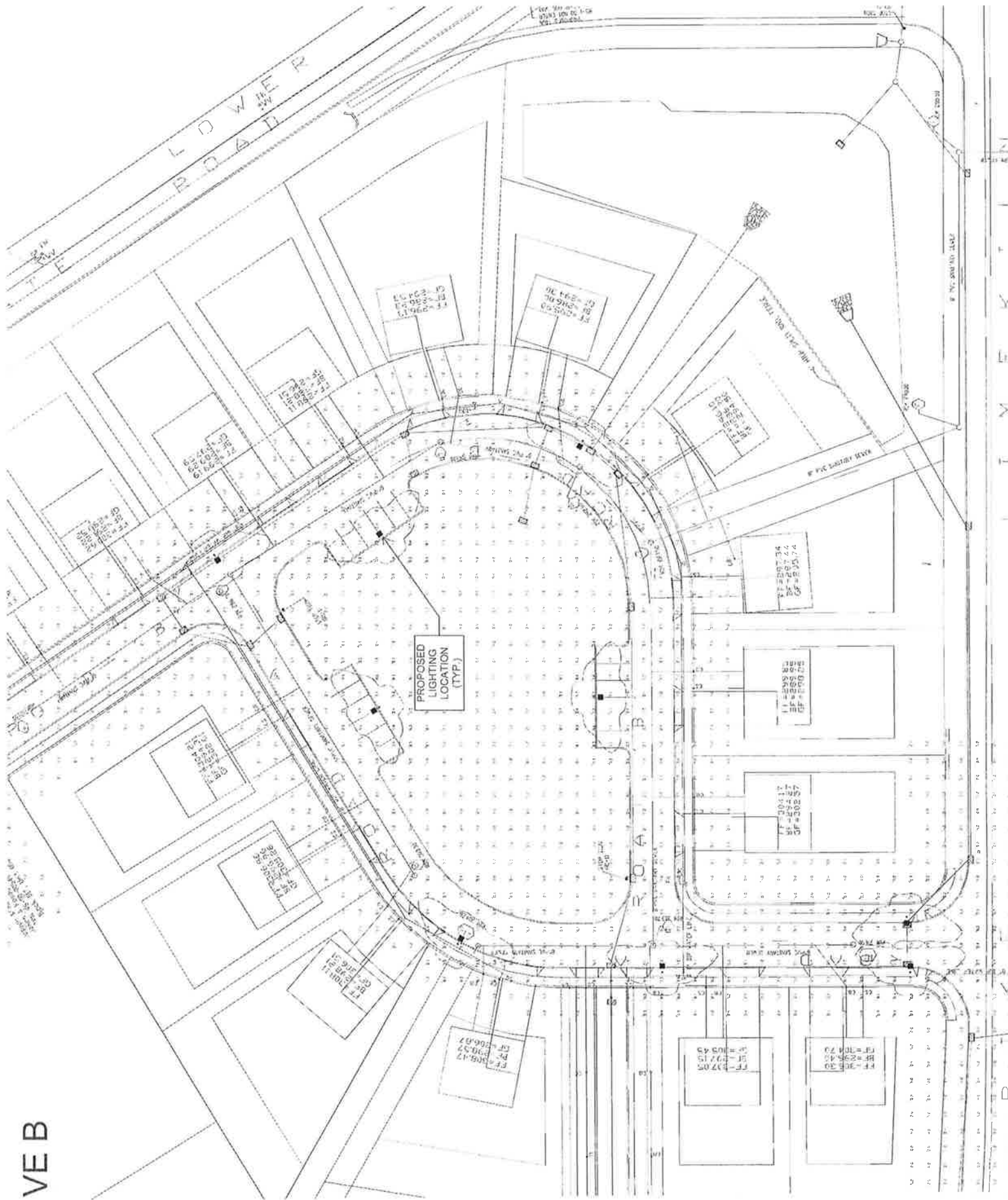
DATE	BY	DATE	BY
2/1/13	FGF	1/13	FGF

ALL CHANGES SHOULD BE USED





VE B



ADD 3 LIGHTS  
TOTAL = 12 LIGHTS

PROPOSED LIGHTING LOCATION (TYP.)

DO NOT SPRINKLE TO PLUMBING OVERLAP

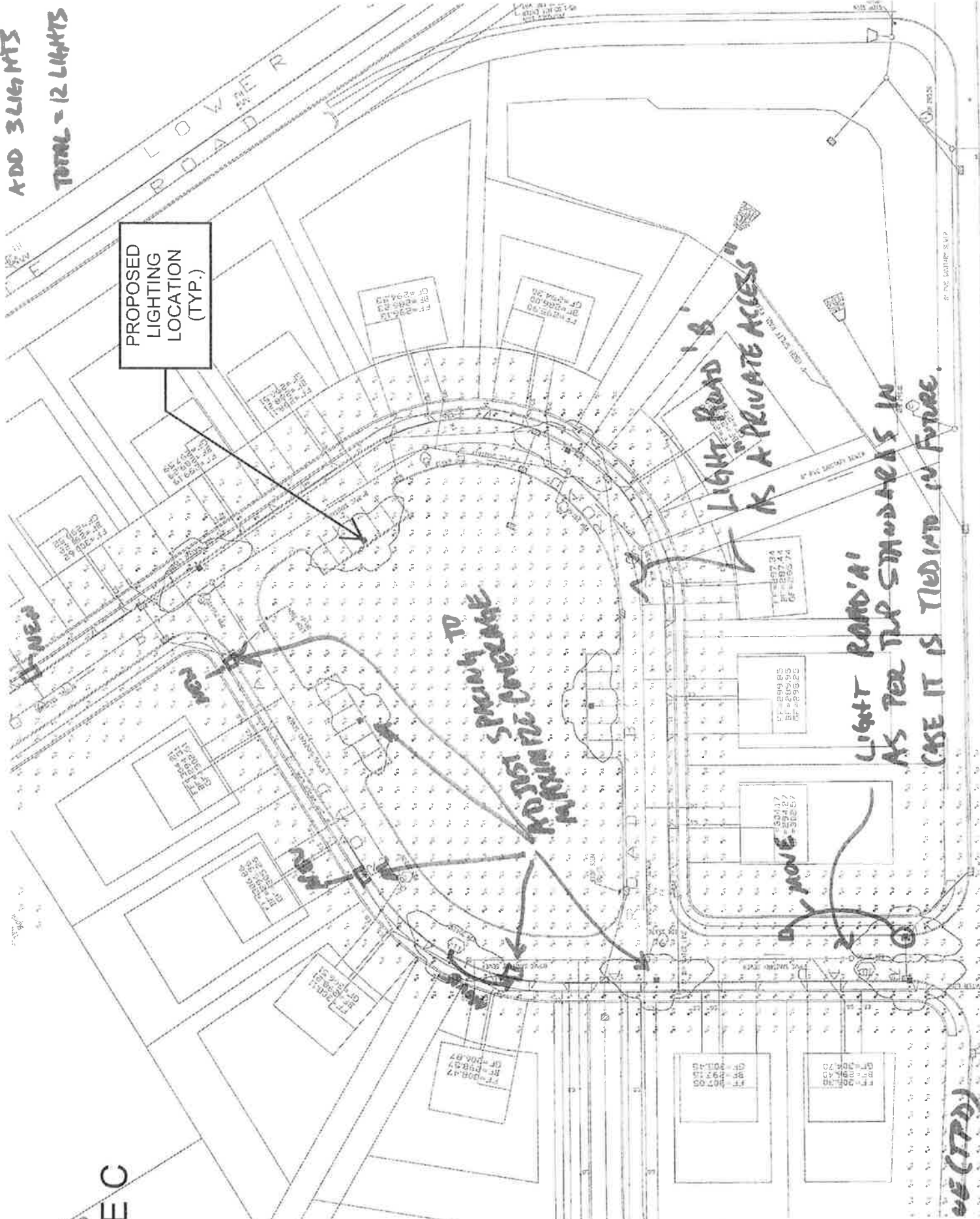
LIGHT ROAD'S AS A PRIVATE ACCESS

LIGHT ROAD'S AS PER THE STANDARDS IN CASE IT IS TIED INTO IN FUTURE.

D.MOVE

EC

WE (TYP)





# TRAFFIC PLANNING AND DESIGN, INC.

2500 EAST HIGH STREET, STE 650  
POTTSTOWN, PA 19464

PHONE: 610.326.3100  
FAX: 610.326.9410

TPD@TRAFFICPD.COM  
WWW.TRAFFICPD.COM

January 8, 2013

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

Re: Subdivision Plan – The Pileggi Tract  
Preliminary Plan Review  
LD/S #: 664  
TPD# MOTO-A-00042

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the sketch plan submission for the above referenced project, prepared by Charles E. Shoemaker, Inc. and dated November 30, 2012 and the Traffic Access Study prepared by Heinrich and Klein Associates, Inc. dated October 30, 2012.

Three separate highway occupancy permits (HOP) will be required. One HOP will be in the name of the Township for the Lower State Road relocation. A second HOP will be in the name of the applicant for the widening along the site frontage and for the new access (Road A). A third HOP will be a joint application between the Township and the applicant for the stormwater management. An issue to be resolved at this time is to determine if TPD should be the designer for the Lower State Road relocation (with reimbursement by the applicant to the Township) due to it being both a more complex superelevated design and an existing Township road or if the applicant's consultant (Charles E. Shoemaker, Inc.) should prepare these plans. In either case, concurrence for the relocation is required from Horsham Township. If it is TPD as the designer, survey from Shoemaker would be used to maintain consistency. A logical tie in point would seem to be the end of the radius return on the northwest corner of the new intersection.

A meeting with the applicant and PennDOT was held on December 17, 2012. Comments from this meeting have been incorporated into this review letter as necessary.

Based on this review, we offer the following comments:

### Traffic Engineering Comments

1. In accordance with §205-100 and §205-102, a Traffic Management Study is required for uses requiring subdivision or land development approvals. At the PennDOT meeting, it was agreed that the intersection of Limekiln Pike and the relocated Lower State Road will be included in this study by Heinrich and Klein Associates. The traffic counts completed for the TEVA traffic impact study will be used in this study. A speed study of westbound traffic on Limekiln Pike will be completed at the point where a vehicle crossing the new bridge is first visible from a vehicle exiting the relocated Lower State Road to determine if adequate sight distance is provided at the proposed location.
2. The study also needs to determine whether the proposed fourteen feet of widening along the site frontage will be striped as a shoulder or as a right turn lane into the site. In either



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case, a short gore section of approximately 100 feet will be required to help signify that the widening is not to be used as a second through lane.

3. Right turns from Limekiln Pike to the relocated Lower State Road are proposed to be completed by restriping the existing leg of Lower State Road in a one-way only direction. The method for tying the grade of the proposed one-way segment into the relocated Lower State Road needs to be addressed.
4. A Highway Occupancy Permit (HOP) will be required from PennDOT for the access modifications along Limekiln Pike. The Township and TPD should be copied on all correspondence.
5. In accordance with PennDOT Strike-Off Letter 470-10-03, Montgomery Township will be required to be the co-applicant for the construction of the proposed stormwater facilities within the PennDOT Legal Right-of-Way. As such, the applicant needs to provide the Township with a completed Highway Occupancy Permit application, with accompanying plans and calculations, for review.
6. Given the posted speed limit of 35 mph on Lower State Road, the horizontal curve needs to be superelevated according to AASHTO standards. It appears this can be accomplished within the proposed right of way for the realignment.
7. Sidewalks are currently proposed on both sides of Road A but none are proposed along Limekiln Pike or Lower State Road. In any case, handicapped ramps are needed to connect the sidewalk with the road surface at intersections.
8. Unless prohibited, pedestrian crossings are permitted at every intersection even if the crosswalk is unmarked. Therefore, the Township needs to determine if the crosswalks will be marked or left unmarked at the intersection of Limekiln Pike with Westminster Drive/Road A. If the former, it may be necessary to rebuild the existing curb ramps at the Westminster Drive intersection with Limekiln Pike to comply with current standards.
9. The following note should be added to the plans:  
All proposed pedestrian facilities reflected on these plans shall be constructed to comply with the following standards:
  - PennDOT Design Manual 2, Chapter 6.
  - PennDOT Standards for Roadway Construction, Publication 72M, RC-67M.
  - U.S. Access Board, Public Right of Way Accessibility Guidelines (PROWAG) and ADA Accessibility Guidelines for Buildings and Facilities (ADAAG)."
10. In accordance with Section §205-10-B(3), the minimum centerline radius of local residential streets is 150 feet. As proposed, Roads A and B are less than 150 feet. If a waiver is to be considered, adequate justification should be provided for the proposed centerline radii.
11. The curb radius for intersecting streets should be labeled. A minimum 20 foot curb radius is required per §205-10-E(3).
12. A "No Outlet" sign (W14-2) sign should be provided on Road B in the vicinity of Lot 10.
13. The truck turn templates should also show movements into/out of the dead end section of Road B. If there is insufficient room for an emergency vehicle to turnaround, it will be



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necessary to backup for approximately 150 feet. This should be further reviewed with the Township Fire Marshal.

**Street Lighting Comments**

14. No lighting information was provided. A separate plan showing the proposed street lighting, in accordance with the Township's Street Lighting Specifications, should be submitted. TPD may have comments with respect to lighting as additional information is provided.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin L. Johnson'.

Kevin L. Johnson, P.E.  
President

cc: Larry Gregan, Township Manager  
Marita Stoerrle, Township Development Coordinator  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
John Pileggi, applicant  
Richard Stoneback, P.E., Charles A Shoemaker, Inc.  
Andreas Heinrich, P.E., PTOE, Heinrich & Klein Associates, Inc.  
Joseph Platt, P.E., TPD

## ZONING ORDINANCE PLAN REVIEW

DATE: February 20, 2013

PLAN REVIEW – John J. Pileggi, Jr - Subdivision/Land Development  
LD/S # 664

DEVELOPMENT NAME: John J. Pileggi Jr.  
 LOCATION: Lower State and Limekiln Pike                      BLOCK: , UNIT:  
 LOT NUMBER & SUBDIVISION:  
 ZONING DISTRICT: R1  
 PROPOSED USE: 18 lot single family – Open Space Design Overlay  
 ZONING HEARING BOARD APPROVAL REQUIRED? NO  
 CONDITIONAL USE APPROVAL REQUIRED? YES

	APPROVED	NOT APPROVED	NOT APPLICABLE
USE	X		
HEIGHT	X		
LOT SIZE	X		
SETBACKS: FRONT	X		
SIDE	X		
BACK	X		
BUILDING COVERAGE	X		
IMPERVIOUS / GREEN SPACE	X		
VARIANCE / SPECIAL EXCEPTION			X
NONCONFORMITY			X
OTHER:			

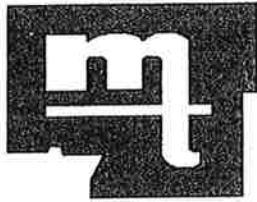
### COMMENTS

The driveway entering into Lot 18 must be relocated to other side of lot to maintain a minimum of 50 feet to an intersection.

The parking stalls in Open Space Area A, must be removed from Open Space Area or prove that 20% Open Space requirement can be complied with.

  
ZONING OFFICER

2-20-13  
DATE



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

**Richard Lesniak**  
DIRECTOR OF FIRE SERVICES  
CHIEF FIRE MARSHAL  
EMERGENCY PREPAREDNESS  
DIRECTOR  
**FIRE MARSHAL OFFICE:**  
215-393-6936

**TO:** Bruce Shoupe, Director of Planning and Zoning

**FROM:** Richard Lesniak, Chief Fire Marshal

**REVIEW DATE:** 1-3-13

---

**DEVELOPMENT NAME:** Pileggi Tract

**LD/S#:** 664

**LOCATION:** Limekiln Pike and Lower State Road

**PLANS DATE:** 11/30/12

**REVISION DATE:** #OF LOTS: 18

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In the interest of *Public Safety* and *Hazard Mitigation*, the following requirements shall be evaluated. All requirements listed below are to be referenced to the plan named above.

All requirements shall meet Township Ordinance(s).

**SUBDIVISION AND LAND DEVELOPMENT**

1. Using the 2006 International Fire Code as guidance, Section 503.1.1 states, "Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility". The fire code official is authorized to increase the dimension of 150 feet where:
  - a. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
  - b. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
  - c. There are not more than two Group R-3 or Group U occupancies.

This pertains to Lots # 3 and #4.

2. To facilitate efficient fire suppression in the development, we request that the developer relocate the fire hydrant proposed on Lot #9 to the opposite side of the street directly across from Lot #10.

**GENERAL BUILDING CONSTRUCTION**

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



4. All buildings of truss construction SHALL comply with the Montgomery Township Ordinance #72-5.B.(2). 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.
5. Street address numbers shall be provided for each building as directed by the Fire Marshal's Office.
6. ALL revisions of the above named plan SHALL be reviewed by the Fire Marshal's Office for approval.
7. 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.

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**Conclusion:**

Based upon our evaluation, the Fire Marshal's Office is recommending to the Montgomery Township Planning and Zoning Department that the current plans be **NOT APPROVED** as submitted.

If there are any questions regarding the review notes, please contact the Fire Marshal's Office at 215-393-6936 or 215-393-6935

Thank You,



Richard Lesniak, Chief Fire Marshal

Reviewed by: Frank J. Colelli  
Captain/Assistant Fire Marshal

Cc:  
TO FILE



## MONTGOMERY TOWNSHIP POLICE DEPARTMENT

---

J. Scott Bendig  
Chief of Police

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

**To:** Montgomery Township Board of Supervisors  
Marita Stoerrle, Development Coordinator

**From:** Scott Bendig, Chief of Police

**Date:** January 9, 2013

**Re:** Subdivision Plan Review Request  
Pileggi Tract  
Limekiln Pike and Lower State Road  
LD/S#: 664

**RECEIVED**

JAN 09 2013

MONTGOMERYTOWNSHIP

---

A review of the above referenced subdivision has been conducted on this date.  
There are no major areas of concern to the police department at this time.

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

**KENNETH AMEY, AICP**  
professional land planner

February 8, 2013

(via e-mail)

Lawrence J. Gregan, Township Manager  
MONTGOMERY TOWNSHIP  
1001 Stump Road  
Montgomeryville, PA 18936

Re: Pileggi Tract  
Limekiln Pike & Lower State Road  
Township File #LD/S-664

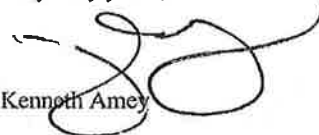
Dear Mr. Gregan:

I have completed my review of the latest submission for the above referenced subdivision, consisting of 27 sheets, prepared by Charles E. Shoemaker, Inc., dated November 30, 2012, and last revised January 22, 2013. The property is zoned R-1 Residential and the applicant proposes developing the tract using the Open Space Design Overlay Option. The property is approximately 10 acres in area, has frontage on Limekiln Pike and Lower State Road, and is currently used to raise nursery stock. Most of my comments have been addressed by plan revisions. Those that may require consideration by the Board of Supervisors follow:

1. An application for Conditional Use approval has been received by the township and will be considered by the Board at an upcoming meeting.
2. Sidewalks have not been shown along the Limekiln Pike or Lower State Road frontages. Sidewalks should be provided along all public and private streets.

If there are any questions, please let me know.

Very truly yours,

  
Kenneth Amey

cc: Bruce S. Shoupe, Township Director of Planning and Zoning  
Marita Stoerrle, Development Coordinator  
Marianne McConnell, Deputy Zoning Officer  
Russell Dunlevy, PE, Township Engineer  
Frank Bartle, Esq., Township Solicitor  
Kevin Johnson, PE, Township Traffic Engineer  
Judith Stern Goldstein, ASLA, Township Landscape Architect  
Richard A. Stoneback, PE, Applicant's Engineer  
Robert J. Kerns, Esq., Applicant's Attorney

1122 Old Bethlehem Pike  
Lower Gwynedd, PA 19002



phone: 215.283.9619  
fax: 215.646.3458  
kenamey@aol.com

**KENNETH AMEY, AICP**  
professional land planner

January 8, 2013

(via e-mail)

Lawrence J. Gregan, Township Manager  
MONTGOMERY TOWNSHIP  
1001 Stump Road  
Montgomeryville, PA 18936

Re: Pileggi Tract  
Limekiln Pike & Lower State Road  
Township File #LD/S-664

Dear Mr. Gregan:

I am in receipt of an application for Subdivision & Land Development for this property, along with plans consisting of 25 sheets, prepared by Charles E. Shoemaker, Inc., dated November 30, 2012, with no revisions noted. The property is zoned R-1 Residential and the applicant proposes developing the tract using the Open Space Design Overlay Option. The property is approximately 10 acres in area, has frontage on Limekiln Pike and Lower State Road, and is currently used to raise nursery stock. My comments follow:

1. The Open Space Design Option requires Conditional Use approval by the Board of Supervisors. An application for Conditional Use must be filed by the applicant.
2. Sidewalks have not been shown along the Limekiln Pike or Lower State Road frontages. Sidewalks should be provided along all public and private streets.
3. Open Space calculations need to be verified. It appears that the area of open space Parcel 'B' is incorrectly noted.
4. The traffic impact analysis required by §230-26.J.D has not been provided.
5. Lots 3 and 4 are flag lots, and will need to comply with the requirements contained in §230-156.5 of the zoning ordinance.

1122 Old Bethlehem Pike  
Lower Gwynedd, PA 19002



phone: 215.283.9619  
fax: 215.646.3458  
kenamey@aol.com

January 8, 2013

If there are any questions, please let me know.

Very truly yours,



Kenneth Amey

cc: Bruce S. Shoupe, Township Director of Planning and Zoning  
Marita Stoerrle, Development Coordinator  
Marianne McConnell, Deputy Zoning Officer  
Russell Dunlevy, PE, Township Engineer  
Frank Bartle, Esq., Township Solicitor  
Kevin Johnson, PE, Township Traffic Engineer  
Judith Stern Goldstein, ASLA, Township Landscape Architect  
Richard A. Stoneback, PE, Applicant's Engineer  
Robert J. Kerns, Esq., Applicant's Attorney

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Adoption Proposed Ordinance #12-267 Alarm Systems – Regulating False Alarms

MEETING DATE: March 11, 2013                      ITEM NUMBER: # //

MEETING/AGENDA:                                      ACTION X                      NONE

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

INITIATED BY: Richard M. Lesniak                      BOARD LIAISON: Robert J. Birch, Supervisor  
Director of Fire Services                      Liaison – Public Safety Committee

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BACKGROUND:

On February 25, 2013, the Board of Supervisors authorized the advertisement of attached Proposed Ordinance # 12-267 to amend Chapter 56 of the Township Code governing Alarm Systems. The amended Chapter would adopt the provisions of Section 7511 of the Pennsylvania Crimes Code to govern false fire and burglary alarms within the Township which will provide for a consistent definition of a "false alarm" and specific penalties for such events.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None

BUDGET IMPACT: None.

RECOMMENDATION:

Staff recommends adoption of Proposed Ordinance #12-267 adopting the provisions of Section 7511 of the Pennsylvania Crimes Code to govern false fire and burglary alarms within Montgomery Township.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby adopt Proposed Ordinance #12-267 adopting the provisions of Section 7511 of the Pennsylvania Crimes Code to govern false fire and burglary alarms within Montgomery Township.

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

ROLL CALL:

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

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

# **MONTGOMERY TOWNSHIP**

## **LEGAL NOTICE**

On Monday, March 11, 2013, at 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will consider enacting an ordinance amending the Montgomery Township Code an ordinance (1) adopting Section 7511 [Control Of Alarm Devices And Automatic Dialing Devices] of The Pennsylvania Crimes Code, as amended, to regulate false alarms within the Township; and (2) amending Chapter 56 [Alarm Systems] of the Montgomery Township Code, making provision for short title and adoption of Section 7511 [Control of Alarm Devices and Automatic Dialing Devices] of the Pennsylvania Crimes Code, as amended, to regulate false alarms within the Township.

The full text of this ordinance amendment may be examined, without charge, and copies may be obtained for a charge no greater than the cost thereof, at the Montgomery Township Building, during normal business hours, Monday through Friday 8:30AM until 4:30PM.

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.

The Board of Supervisors will render a decision on the enactment of this ordinance, unless it deems additional time is required for consideration and discussion, in which case it will hold an additional public meeting at an announced date and time for that purpose.

**LAWRENCE J. GREGAN**  
***Township Manager***

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TO BE INSERTED in The Reporter on Monday March 4, 2013. Please send proof of Publication to Montgomery Township, Attn.: Bruce Shoupe 1001 Stump Road, Montgomeryville, PA 18936

**MONTGOMERY TOWNSHIP**

Montgomery County, Pennsylvania

ORDINANCE #12-267

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AN ORDINANCE (1) ADOPTING SECTION 7511 [CONTROL OF ALARM DEVICES AND AUTOMATIC DIALING DEVICES] OF THE PENNSYLVANIA CRIMES CODE, AS AMENDED, TO REGULATE FALSE ALARMS WITHIN THE TOWNSHIP; AND (2) AMENDING CHAPTER 56 [ALARM SYSTEMS] OF THE MONTGOMERY TOWNSHIP CODE, MAKING PROVISION FOR SHORT TITLE AND ADOPTION OF SECTION 7511 [CONTROL OF ALARM DEVICES AND AUTOMATIC DIALING DEVICES] OF THE PENNSYLVANIA CRIMES CODE, AS AMENDED, TO REGULATE FALSE ALARMS WITHIN THE TOWNSHIP

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**NOW, THEREFORE,** it is hereby **ENACTED** and **ORDAINED** by the Montgomery Township Board of Supervisors that the Code of the Township of Montgomery shall be amended as follows:

**Section 1. Adoption of Section 7511 [Control of Alarm Devices And Automatic Dialing Devices] of the Pennsylvania Crimes Code, as amended.**

Section 7511 [Control Of Alarm Devices and Automatic Dialing Devices] of the Pennsylvania Crimes Code, as amended, is hereby adopted to govern false alarms within the Township.

**Section 2. Amendment to Chapter 56 [Alarm Systems]**

Chapter 56 [Alarm Systems] of the Montgomery Township Code shall be amended to read as follows:

**Chapter 56  
ALARM SYSTEMS**

**§56-1. Short Title.**

This Chapter shall be known and may be cited as the "Montgomery Township Alarm Systems Ordinance."



**§56-2. Adoption of the Pennsylvania Crimes Code.**

The Township has adopted Section 7511 [Control of Alarm Devices and Automatic Dialing Devices] of the Pennsylvania Crimes Code, as amended, to govern false alarms within the Township.

\*\*\*

**Section 3. Severability.**

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision herein shall be held illegal, invalid or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not effect or impair the remaining sections, sentences, clauses, parts or provisions of the Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

**Section 4. Repealer.**

All other ordinances or resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

**Section 5. Effective Date.**

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

\*\*\*

[Signatures on Next Page]

**ORDAINED AND ENACTED** this \_\_\_\_\_ day of March 2013, by the  
Montgomery Township Board of Supervisors.

**MONTGOMERY TOWNSHIP  
BOARD OF SUPERVISORS**

\_\_\_\_\_  
JOSEPH P. WALSH, *Chairperson*

[Seal]

Attested by:

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Approval of Amended Township Purchasing Policy-Bidding Limits

MEETING DATE: March 11, 2013

ITEM NUMBER: #12

MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Shannon Q. Drosnock  
Finance Director

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

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BACKGROUND:

Act 84 of 2011, effective January 1, 2012, increased the minimum dollar amount that requires townships to advertise and seek bids for purchases and contracts. The law increased the threshold required for municipalities to bid a purchase from \$10,000 to \$18,500 and increased the amount required for a municipality to obtain quotes from \$4,000 to \$10,000. Additionally, the law contained language requiring the Department of Labor and Industry to publish changes annually to the above mentioned thresholds based on the percentage change in the Consumer Price Index.

For 2013, the new limits are:

Contracts below \$10,200 (was \$10,000)

No advertising or competitive bidding required

Contracts between \$10,200 - \$18,900 (was \$10,000 - \$18,500)

Three informal (written, telephonic, electronic) price quotes are required, with award to lowest bidder

Contracts over \$18,900 (was \$18,500)

Advertising twice and formal competitive bidding is required

The Board of Supervisors acknowledges the State required bidding limits in the 'Montgomery Township Purchasing Policies and Procedures' which governs Township staff on how to adhere to and process the requirements.

Attached for your consideration, are the revised 'Purchasing Policies and Procedures' updated to accurately reflect the changes in the thresholds as published by the Department of Labor and Industry for 2013.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

Adoption of the Policy in 2012.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Recommend the Board accept the revised policy as presented.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the changes to the 'Montgomery Township Purchasing Policies and Procedures' and thereby increase the required bid limits to adhere to the Department of Labor and Industry thresholds for 2013.

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

ROLL CALL:

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

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

**MONTGOMERY TOWNSHIP  
MEMORANDUM**

March 11, 2013

To: All Department Heads

From: Shannon Q. Drosnock, Finance Director

Re: Montgomery Township Purchasing Policies and Procedures

**POLICY**

This Purchasing Policy has been established to assist the Department Heads, Finance Director and Township Manager in controlling and accounting for expenses as follows:

- Annual purchases of like goods of \$18,900 or more require formal bidding in accordance with the procedures in the Second Class Township Code including approval by the Board of Supervisors at a public meeting.
- Annual purchases of like goods of \$18,900 or more from the State Cooperative Purchasing/Co-Stars Cooperative Purchase program or other approved Cooperative Purchase Program may be substituted for formal bidding subject to approval by the Board of Supervisors.

Where competitive bidding is required, (i.e. purchases over \$18,900) one copy of the bid contract or cooperative contract information will be retained with the Finance Department for payment approval purposes for the term of the contract and one copy of the bid contract or cooperative contract information will be kept in the master "bid" file in the Administration Department in accordance with record retentions regulations.

- Annual Purchases of like goods over \$10,200 but less than \$18,900 require written or telephonic price quotations from at least three (3) qualified and responsible bidders (sample memorandums attached). In lieu of price quotations, a Memorandum shall be kept on file showing that fewer than three qualified contractors exist in the market area within which it is practicable to obtain quotations. Department heads shall be responsible for conducting the research and preparing the recommendation for approval by the Board of Supervisors at a public meeting.

- Annual Purchases of like goods over \$10,200 but less than \$18,900 from State Cooperative Purchasing/Co-Stars Cooperative Purchase program or other approved Cooperative Purchase Program may be substituted for obtaining quotes.
- Work related to the design and preparation of plans and specifications for individual Capital Improvement Projects must be approved by the Board of Supervisors. Proposals must include the scope of work, estimated time for completion, projected engineering costs and projected construction costs.

Unbudgeted Expenditures over \$250 and up to \$1,000 must be approved by the Township Manager. All unbudgeted expenditures in an Operating Fund (01, 04, 05, 07, 23, 95), that will result in total department level expenses in excess of \$1,000 or more must be approved by the Board of Supervisors. Unbudgeted expenditures in a Capital Reserve Fund (06, 19, 30, 31, 35, 50, 92, 93, 94, 96) of \$1,000 or more must be approved by the Board of Supervisors.

**Please note, that any purchases \$10,000 or more, even if budgeted, must be approved by the Board of Supervisors prior to purchasing.**

### **PROCESSING PROCEDURES**

The policy requires submission and approval of purchase orders before purchases for any budgeted expenditures exceeding \$1,000 are made. Purchase order processing system works as follows:

- As provided for in the approved Budget, Department Heads establish the need for a particular supply item, piece of equipment or service. Pending any approvals required from the Board of Supervisors, the department will enter a purchase order into the Pentamation Purchase Order Program along with appropriate supporting documentation scanned as an attachment.
- Purchase Orders requested under the Co Stars Cooperative Purchase Program must include the Township's Co Stars ID Number 2293.
- The Purchase order is automatically forwarded to the Finance Director who determines if sufficient documentation has been provided, if the purchase is included in the approved budget and if sufficient funds are available. The Finance Director approves/disapproves purchase orders based on compliance with this Purchase Order Policy and adopted Budget;
- Authorized Purchase Orders are automatically forwarded to the Township

Manager for approval. The Township Manager has authority for approval/disapproval of a Purchase Order;

- Upon approval by the Township Manager, the Finance Department prints out approved Purchase Orders for Finance Director signature. The signed purchase, order along with supporting documentation, is provided to the appropriate Department Head for distribution to the vendor.
- Vendor invoices must be coded and approved by Department Head and submitted, along with delivery tickets/receipts, to the Finance Department for payment. The Township will not make a payment based solely on a statement from a vendor.
- Finance Department verifies invoices against purchase order and, if in order, processes invoice for payment.

### **EMERGENCY PURCHASES**

Special consideration will be given to purchases for emergency repairs, services or supplies that exceed \$2,000. Examples of emergencies would include situations such as traffic signal knockdowns, equipment repairs during snow storms, police and fire emergency operations. In these instances, prior verbal approval must be obtained from the Township Manager and a follow up purchase order must be submitted for approval with an explanation of the need for the emergency purchase.

### **BLANKET PURCHASE ORDERS**

Blanket purchase orders may be used for those merchants or suppliers from whom repetitive purchases or automatic deliveries are made for known quantities and where the annual purchases will exceed \$1,000. Blanket Purchase Orders will only be issued for the current calendar year expenditures and will not overlap budget years. All competitively bid contracts will be issued as Blanket Purchase Orders.

### **PETTY CASH REIMBURSEMENTS**

The Finance Department has established Petty Cash Funds for reimbursement of employees for out of pocket expenditures up to \$100. Reimbursement for amounts above \$100 will be made by check. Reimbursement vouchers can be obtained from the Finance Department.

Procedures for operation and maintenance of Petty Cash Funds are governed by Petty Cash Fund Policy.

In order to be reimbursed, a receipted invoice must be attached to the voucher, and the voucher must be coded and approved by the employees department head.

Typical Petty Cash Expenditures may include:

- Priority Mail (Express Mail, Federal Express and UPS) costs.
- Parking, Tolls, and out of pocket fuel costs for a Township owned vehicle.
- Minor supply purchases up to \$100.00.
- Expenses for travel, meals and accommodations while on township business (excluding expenses incurred in operating a privately owned automobile) up to a maximum of \$100.00.
- Mileage and other non-cash transportation expenses.

Expenditures NOT Reimbursable as Petty Cash

- Petty cash reimbursements will not be accepted for items obtained from vendors for whom the Township has active charge accounts. For example, the Township has charge accounts with Fed Ex/Kinko's Home Depot, Lowes, Office Max, and Staples. Accordingly, all items purchased at these locations should be charged to the open account.

### **CREDIT/PURCHASE CARD PURCHASES**

Procedures for use of the Township Univest Credit Card is governed by the Univest Credit Card Use Policy and by Township internal procedures. The Township Univest credit card is kept in the locked fire safe in the Finance Department. When an employee must use the card, permission from the Department Head must first be obtained. The employee may take the credit card after reporting the required information on the Finance Department's "credit card sign out sheet".

Once returned, the employee will log the card back in the Finance Department and return all appropriate signed documentation of the purchase to the Accounts Payable Associate for processing.

### **EXEMPT PURCHASES**

Except for Capital Project design work, professional services routinely provided for legal or engineering purposes and utility costs will not require purchase orders. Questionable areas should be cleared with the Township Manager.

### **TAX EXEMPTION**

Montgomery Township is exempt from Pennsylvania sales and use tax for most purchases related to the mission of the Township. It is the supplier's obligation to collect PA sales tax. All requests for and/or questions



regarding tax exemption certificates should be directed to the Finance Department. In all cases, use of the Township's sales and use tax exemption number for personal purchases is prohibited.

#### **ATTACHMENTS**

- Petty Cash Fund Policy.

## **Montgomery Township** **Petty Cash Fund Policy**

The Finance Department is responsible for overseeing the administration of all petty cash funds throughout the Township. As such; it has the responsibility and authority to establish procedures for petty cash and to enforce those procedures. The Finance Department must, at least once a year, have an accounting of all petty cash funds outstanding. This can be performed directly by the Finance Director or Accounting Supervisor; The verification methodology of this review must be approved by the Finance Director.

### **Purpose**

A department or unit must show a need for a fund to enable it to meet certain minor expenditures for supplies and sundry expenses. The frequency and size of the reimbursement requests will assist in evaluating both the need and the amount of the fund.

### **Nature and Use of Petty Cash Funds**

All petty cash funds of the Township will operate as "Imprest" funds. Imprest is a fund that is always equal to the sum of the cash on hand plus un-reimbursed expenditures. Each fund should be balanced frequently, at least at the times of fund reimbursement, and preferably weekly.

Personal expenditures or borrowings, in any amount, by the custodian or staff are not authorized uses of the fund. Coffee, birthday, and other non-Township funds must be kept separately from Petty Cash Funds. Funds are subject to audit without notice by the Finance Director or Accounting Supervisor.

### **Establishing a Petty Cash Fund**

Requests for the establishment of a petty cash fund (or an increase in an existing petty cash fund) should be submitted in writing to the Finance Director for review and approval, and must include:

1. The reason and justification for the fund,
2. The dollar amount of the fund,
3. The custodian of the fund,
4. The approval of the Department Head , and
5. How and where (location) the fund will be secured.

### **Closing Petty Cash Funds**

The Finance Director will have the authority and responsibility for the closing of petty cash funds, where appropriate or necessary.

### **Fund Balance Confirmations**

The Finance Director is responsible for obtaining written confirmation of all petty cash fund balances at least once each year.

## **Petty Cash Custodian Responsibility**

Each Petty Cash Custodian is responsible for their respective Petty Cash Fund, its safekeeping, and its operation according to these and subsequent procedural guidelines.

### **Safekeeping**

1. It will be the custodian's responsibility to provide adequate precautions for the safekeeping of the money in their custody.
2. Efforts should be made to provide safekeeping in a locked steel file cabinet or a small safe to which there is limited and controlled access.
3. Funds should not be left unattended and unsecured during office lunch periods, or other periods during the normal workday.
4. Any money missing from the petty cash fund will be charged to the responsible department, and the custodian may be subject to disciplinary action.

### **Change in Custodianship**

1. The Finance Director must be notified immediately, in writing, so that an audit may be performed and records properly adjusted.
2. Custodial changes that are not communicated to the Finance Director will not relieve the custodian of his/her responsibility.

### **Reimbursement of Petty Cash Expenditures**

1. The fund should be reimbursed so that the money on hand will be adequate for the departments needs over the next week to ten days.
2. Expenditures must be recorded on a standard petty cash voucher form and must contain a description of the item.
3. The voucher must be supported by an original receipt issued by the vendor.
4. The general ledger account number and dollar amount must be filled in.
5. The voucher must be approved by the Department Head.
6. Expenditures of more than \$100.00 for a single item are not authorized from petty cash and will reimbursed via check.

All exceptions to this Policy, unless otherwise indicated, must be approved by the Finance Director.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Authorization to Purchase Police Vehicle  
MEETING DATE: March 11, 2013      ITEM NUMBER: #13  
MEETING/AGENDA: WORK SESSION      ACTION **XX**      NONE  
REASON FOR CONSIDERATION: Operational: **XX**      Policy:      Discussion:      Information:  
INITIATED BY: Scott Bendig      BOARD LIAISON: Joseph P. Walsh, Chairman  
                         Chief of Police

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BACKGROUND:

In 2013, the Police Department is scheduled to replace two marked patrol vehicles and one administrative vehicle. At this time, the Police Department is proposing the purchase of one (1) administrative replacement vehicle as approved in the 2013 Approved Final Budget. Additional vehicle purchases are currently under evaluation and shall be addressed with the Board of Supervisors later this fiscal year.

This vehicle will replace a 2002 Dodge Intrepid that had initially been scheduled for replacement in 2012. This Dodge Intrepid will be approaching 80,000 miles upon replacement and has incurred significant repair bills over the past year. This vehicle will be replaced with a 2013 Dodge Charger. Attached is a quote dated February 5, 2013 from Lansdale Auto Group, an authorized vendor under the Co-Stars Cooperative Purchase Program (Contract # 13-102) and township merchant, to provide the requested equipment at a cost of \$27,675.00. The price quote per the cooperative purchase contract is over 17% off manufacturer's suggested retail price of \$33,400.00 and represents a savings of \$5725.00. The equipment meets the specifications prepared by the Police Department.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

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

BUDGET IMPACT:

A total of \$97,500.00 was included in the 2013 Approved Final Budget-Police Department Capital Replacement for the purchase of police vehicles and emergency lighting.

RECOMMENDATION:

It is recommended the Board of Supervisors approves award of the contract for the referenced purchase per the 2013 Approved Final Budget.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby award the contract for the purchase of a police vehicle to Lansdale Auto Group, an authorized vendor under the Co-Stars Cooperative Purchase Program at a cost of \$27,675.00. per quote and specifications dated February 5, 2013.

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

ROLL CALL:

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

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

Lansdale Chrysler Dodge Jeep Ram  
722 Bethlehem Pike  
Montgomeryville, PA 18936  
215-855-9540

3/5/13 Page 1

Attn: Chief J. Scott Bendig  
Montgomery Township Police Department  
1001 Stump Road  
Montgomeryville, PA 18936  
FAX: 215-362-6383

Dear Scott:

I want to thank you for giving me the opportunity to discuss our line of vehicles with you. Attached you will find our quote for the 2013 Dodge Charger 6 cylinder All- Wheel Drive (AWD) we discussed. I look forward to assisting you with your future purchases. Please feel free to contact me with any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Pat Talarico", with a stylized flourish at the end.

Pat Talarico  
Commercial/Government Sales Manager, [REDACTED]

March 5, 20013  
Page 2

Sales Code	Description	Price
LDES48	Charger AWD (V6) 28H SXT	MSRP \$33,440.00
		Invoice \$29,708.00
	COSTARS Concession	(\$3,057.00)
DFL	8 Speed Automatic Transmission	N/C
PAU	Granite Chrystal Clear Coat	N/C
	Destination Fees	995.00
	8 Additional Gallons of Gas	29.00
	TOTAL	\$27,675.00

Chrysler Extended Warranty (Must be purchased with the vehicle.)

Chrysler Police Vehicle Coverage, Maximum Care, \$0 Deductible,  
5 Years, 75,000 Miles: \$2,655.00

Chrysler Police Vehicle Coverage, Added Care, \$0 Deductible, 5  
Years, 75,000 Miles: \$2,380.00

LANSDALE CHRYSLER DODGE JEEP RAM  
722 BETHLEHEM PIKE  
MONTGOMERYVILLE, PA 189369601

Configuration Preview

Date Printed: 2013-03-01 5:35 PM  
Estimated Ship Date:

VIN:  
VON:

Quantity: 1  
Status: BA - Pending order  
FAN 1: 00DDL Government Stock Program  
FAN 2:  
Client Code:  
Bid Number: TT201310  
PO Number:

Sold to:  
LANSDALE CHRYSLER DODGE JEEP RAM  
(64152)  
722 BETHLEHEM PIKE  
MONTGOMERYVILLE, PA 189369601

Ship to:  
LANSDALE CHRYSLER DODGE JEEP RAM (64152)  
722 BETHLEHEM PIKE  
MONTGOMERYVILLE, PA 189369601

Vehicle: 2013 CHARGER SXT AWD (LDES48)

	Sales Code	Description
Model:	LDES48	CHARGER SXT AWD
Package:	28H	Customer Preferred Package 28H
	ERB	3.6L V6 24V VVT Engine
	DFL	8-Spd Auto 845RE Trans (Make)
Paint/Seat/Trim:	PSC	Billet Silver Metallic Clear Coat
	APA	Monotone Paint
	*B7	Base Cloth Seats
	-X9	Black
Options:	4DH	Prepaid Holdback
	4ES	Delivery Allowance Credit
	MAF	
	4FM	Fleet Option Editor
	4FT	Fleet Sales Order
	135	Zone 35-Washington
	4EA	Sold Vehicle
Non Equipment:	4FA	Special Bid-Ineligible For Incentive
Bid Number:	TT201310	Government Incentives
Discounts:	NAE	California Emissions
	YGF	8 Additional Gallons of Gas

Destination Fees:

Order Type: Fleet PSP Month/Week  
Scheduling Priority: 1 - Sold Order Build Priority:  
Customer Name:  
Customer Address:

Instructions:

Note: This is not an invoice. The prices and equipment shown on this priced order confirmation are tentative and subject to change or correction without prior notice. No claims against the content listed or prices quoted will be accepted. Refer to the vehicle invoice for final vehicle content and pricing.



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Approval of Out of State Training-Police Department

MEETING DATE: March 11, 2013      ITEM NUMBER: #14

MEETING/AGENDA: WORK SESSION      ACTION XX      NONE

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

INITIATED BY: Scott Bendig      BOARD LIAISON: Joseph P. Walsh, Chairman  
Chief of Police

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BACKGROUND:

The Montgomery Township Police Department has previously entered into a cooperative agreement with other Montgomery County police departments to participate in the Central Montgomery County Special Weapons and Tactics (CMSWAT) Team. CMSWAT is a task force deployed for incidents and situations that exceed the capability of traditional police resources, including barricaded subjects, hostage taking incidents, and other "High Risk" operations. Currently the police department has two officers assigned to CMSWAT.

In 2013, CMSWAT is scheduled to attend training on several occasions at Fort Dix in New Hanover Township, New Jersey. These dates include: June 5, 2013, September 4, 2013 and October 15<sup>th</sup> through October 17, 2013. The training will consists of team movements, search techniques, and firearms training in a multitude of environments not readily available in our area.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None. CMSWAT pays the full cost of the training, including lodging.

**RECOMMENDATION:**

Approve the out of state training request for Officers Andrew Benner and Joseph McGuigan.

**MOTION/RESOLUTION:**

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the request for Officers Andrew Benner and Joseph McGuigan to attend CMSWAT training at Fort Dix in New Hanover Township, New Jersey.

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

**ROLL CALL:**

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

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Payment of Bills

MEETING DATE: March 11, 2013

ITEM NUMBER: #15

MEETING/AGENDA: WORK SESSION

ACTION XX NONE

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

INITIATED BY: Lawrence J. Gregan  
Township Manager

BOARD LIAISON: Joseph P. Walsh, Chairman

---

BACKGROUND:

Please find attached a list of bills for your review.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Approval all bills as presented.

MOTION/RESOLUTION:

None.

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

## Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
24923	2/28/13	1264	MORGAN STANLEY SMITH BARNEY INC	6,122.45
24924	3/8/13	00000967	DELAWARE VALLEY HEALTH INSURANCE	909.53
53563	2/26/13	00001556	DCED-PA DEPT OF COMMUNITY &	323.29
53564	3/5/13	00000412	PINECREST GOLF CLUB, INC	6,350.40
53565	3/5/13	00000471	YOUNGER & SON, INC.	324.00
53566	3/11/13	00000006	ACME UNIFORMS FOR INDUSTRY	1,071.94
53567	3/11/13	00000068	ADAM WEBSTER	60.00
53568	3/11/13	00902448	ADP	3,465.00
53569	3/11/13	00000340	ADVENT SECURITY CORPORATION	183.00
53570	3/11/13	00000053	ALLIED WASTE SERVICES #320	2,864.59
53571	3/11/13	00000031	AT&T	254.12
53572	3/11/13	00001997	AUTOMATIC SYNC TECHNOLOGIES, LLC	471.24
53573	3/11/13	00000043	BERGEY'S	215.57
53574	3/11/13	00001938	BILL WIEGMAN	90.00
53575	3/11/13	00001903	BRIAN JANSSENS	30.00
53576	3/11/13	00000423	BURGER KING #2513	32.11
53577	3/11/13	00000069	C L WEBER CO INC.	9.00
53578	3/11/13	00000072	CANON FINANCIAL SERVICES, INC	1,197.00
53579	3/11/13	00000071	CANON SOLUTIONS AMERICA, INC.	508.00
53580	3/11/13	00001579	CARGO TRAILER SALES, INC	43.94
53581	3/11/13	00000380	CARL HERR	45.00
53582	3/11/13	00001601	CDW GOVERNMENT, INC.	10,773.46
53583	3/11/13	00902689	CINDY BROWN	66.00
53584	3/11/13	00000335	COMCAST CORPORATION	952.29
53585	3/11/13	00001853	COTTERINO SUPPLY & EQUIPMENT	625.52
53586	3/11/13	00000111	DAVID H. LIGHTKEP, INC.	246.55
53587	3/11/13	00000024	DAVID P. BENNETT	30.00
53588	3/11/13	00001945	DAVID S. WOLFE	30.00
53589	3/11/13	00000629	DAVIDHEISER'S INC.	28.00
53590	3/11/13	00000118	DEL-VAL INTERNATIONAL TRUCKS, INC.	503.06
53591	3/11/13	00001099	DELL SERVICE SALES	8,580.60
53592	3/11/13	00001172	DETLAN EQUIPMENT, INC.	307.89
53593	3/11/13	00000472	DVAPPO-DELAWARE VALLEY ASSOC OF	50.00
53594	3/11/13	00000967	DELAWARE VALLEY HEALTH INSURANCE	139,898.66
53595	3/11/13	00001649	THOMAS J. MORRIS JR	887.46
53596	3/11/13	00001669	FIRST HOSPITAL LABORATORIES, INC.	218.50
53597	3/11/13	00902684	GARY & JEANNE PARKINSON	1,200.00
53598	3/11/13	00902687	GEORGE & MARYBETH DOUGHERTY	1,200.00
53599	3/11/13	00000193	GEORGE ALLEN PORTABLE TOILETS, INC.	552.00
53600	3/11/13	00001842	GLEN ROETMAN	15.00
53601	3/11/13	00000203	GRANTURK EQUIPMENT CO., INC.	357.01
53602	3/11/13	00902685	GREGORY C. RATLIFF	1,000.00
53603	3/11/13	00000213	HAJOCA CORPORATION	21.25
53604	3/11/13	00000215	HAVIS, INC.	308.76

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Check Number	Check Date	Vendor No	Payee	Amount
53605	3/11/13	00902690	IDA BOULANGER	66.00
53606	3/11/13	00000102	INTERSTATE BATTERY SYSTEMS OF	105.95
53607	3/11/13	00000148	JONATHAN S. BEER	975.00
53608	3/11/13	00001964	JOHN CATALDI	30.00
53609	3/11/13	00000890	JOHN H. MOGENSEN	30.00
53610	3/11/13	00001042	JOHN MILLER AND SON, INC.	349.36
53611	3/11/13	00001581	JOSEPH J. SIMES	120.00
53612	3/11/13	00001843	JOSEPH M. BENNETT	80.00
53613	3/11/13	00902686	JULAIN K. MARTIN	1,000.00
53614	3/11/13	00000264	KENCO HYDRAULICS, INC.	670.80
53615	3/11/13	00000107	KENNEDY CULVERT & SUPPLY CO., INC.	1,808.86
53616	3/11/13	00000261	KERSHAW & FRITZ TIRE SERVICE, INC.	145.80
53617	3/11/13	00001667	MIDWEST MOTOR SUPPLY CO., INC.	815.11
53618	3/11/13	00001706	LOWE'S COMPANIES INC.	178.10
53619	3/11/13	00001065	MAILLIE, FALCONIERO & COMPANY, LLP	15,000.00
53620	3/11/13	00001110	MARCEL J. PAILLARD	445.00
53621	3/11/13	00000201	LAWRENCE J. MURPHY	883.63
53622	3/11/13	00000974	MCCARTHY AND COMPANY, PC	550.00
53623	3/11/13	00001855	METROPCS WIRELESS, INC.	50.00
53624	3/11/13	00001920	MICHAEL H. BEAN	60.00
53625	3/11/13	00001961	MICHAEL LONG	80.00
53626	3/11/13	00000867	MICHAEL SHEARER	30.00
53627	3/11/13	00002016	MICHAEL SHINTON	30.00
53628	3/11/13	00000912	MICHENER'S GRASS ROOTS, INC.	12.94
53629	3/11/13	00000312	MOBILE LIFTS, INC.	533.55
53630	3/11/13	00000324	MOYER INDOOR / OUTDOOR	130.00
53631	3/11/13	00901719	NAPPEN & ASSOCIATES	225.00
53632	3/11/13	00902688	NICOLE & DEAN COLEMAN	1,200.00
53633	3/11/13	00000356	NORTH WALES WATER AUTHORITY	71.64
53634	3/11/13	00001134	OFFICE DEPOT, INC	260.31
53635	3/11/13	00000186	JAROTH INC.	178.12
53636	3/11/13	00001840	PAUL R. MOGENSEN	45.00
53637	3/11/13	00000095	PAUL SMITH	40.00
53638	3/11/13	00000595	PENN VALLEY CHEMICAL COMPANY	151.00
53639	3/11/13	00000388	PENNSYLVANIA ONE CALL SYSTEM, INC.	144.10
53640	3/11/13	00000375	PFS CORPORATION	750.00
53641	3/11/13	00000345	PRINTWORKS & COMPANY, INC.	803.06
53642	3/11/13	00001630	PSI - PROTECTION SERVICES INC.	959.20
53643	3/11/13	00000251	PSI PERSONNEL, LLC	1,214.04
53644	3/11/13	00000252	SUNG K. KIM	529.50
53645	3/11/13	00000439	RED THE UNIFORM TAILOR	785.85
53646	3/11/13	00000430	REM-ARK ALLOYS, INC.	326.58
53647	3/11/13	00000117	RIGGINS INC	2,467.37
53648	3/11/13	00000115	RIGGINS, INC	4,999.95

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Check Number	Check Date	Vendor No	Payee	Amount
53649	3/11/13	00001573	SAFE KIDS WORLDWIDE	50.00
53650	3/11/13	00000969	SAFETY-KLEEN SYSTEMS, INC.	352.45
53651	3/11/13	00000653	SCATTON'S HEATING & COOLING, INC.	180.00
53652	3/11/13	00000833	THE SHERWIN WILLIAMS COMPANY	86.28
53653	3/11/13	1264	MORGAN STANLEY SMITH BARNEY INC	125,314.00
53654	3/11/13	00000467	SNAP-ON INDUSTRIAL	1,608.00
53655	3/11/13	00001745	SONIA ISABEL THOMSON	2,424.00
53656	3/11/13	00000469	SPRINT SPECTRUM, L.P.	59.99
53657	3/11/13	00001847	STAPLES CONTRACT & COMMERCIAL, INC	271.96
53658	3/11/13	00001939	SERVICE TIRE TRUCK CENTERS	636.20
53659	3/11/13	00001200	SYNATEK	601.50
53660	3/11/13	00001164	THE GOOSE GUYS INC.	250.00
53661	3/11/13	00001783	THE HOMER GROUP	4,600.00
53662	3/11/13	00001273	TIM KUREK	328.50
53663	3/11/13	00000720	TRAIL ELECTRICAL SERVICE, INC.	2,800.00
53664	3/11/13	00000327	U.S. MUNICIPAL SUPPLY, INC.	938.24
53665	3/11/13	00000520	VALLEY POWER, INC.	739.15
53666	3/11/13	00000040	VERIZON PENNSYLVANIA INC	828.06
53667	3/11/13	00000170	VERIZON COMMUNICATIONS, INC.	129.99
53668	3/11/13	00000170	VERIZON COMMUNICATIONS, INC.	129.99
53669	3/11/13	00000038	VERIZON WIRELESS SERVICES, LLC	421.64
53670	3/11/13	00000038	VERIZON WIRELESS SERVICES, LLC	173.14
53671	3/11/13	00001839	VINAY SETTY	45.00
53672	3/11/13	00000442	VINCENT ZIRPOLI	60.00
53673	3/11/13	00001191	WARREN FUCHS	30.00
53674	3/11/13	00000760	WASTE MANAGEMENT OF	475.23
53675	3/11/13	00001329	WELDON AUTO PARTS	825.86
53676	3/11/13	00001948	WILLIAM H. FLUCK IV	40.00
53677	3/11/13	00000249	WILLIAM R. GOLTZ	90.00
53678	3/11/13	00001084	WITMER ASSOCIATES, INC.	146.00
53679	3/11/13	00000590	YOCUM FORD	19.06
<b>TOTAL</b>				<b>376,407.25</b>

**MONTGOMERY TOWNSHIP ELECTRONIC PAYROLL TAX PAYMENTS**

<u>DATE</u>	<u>VENDOR NAME</u>	<u>REASON FOR PAYMENT</u>	<u>AMOUNT</u>
02/28/2013	IRS	941 Payment	\$72,957.95
02/28/2013	BCG	401/457 Plan Payment	\$23,519.72
02/28/2013	PA-SCDU	Withholding Payment	\$3,382.15
03/01/2013	City of Philadelphia	Feb Wage Tax Payment	\$462.49
03/01/2013	IRS	945 Payment	\$3,429.43
03/01/2013	ICMA	DROP Plan Payment	\$12,228.24
03/06/2013	Commonwealth of PA	State Tax Payment	\$7,709.66
		<b>Total Paid as of 03/11/2013</b>	<b>\$123,689.64</b>