

RESOLUTION NO. 2017-18

A RESOLUTION OF THE LOWER PROVIDENCE TOWNSHIP BOARD OF SUPERVISORS, MONTGOMERY COUNTY, PENNSYLVANIA, APPROVING THE PRELIMINARY/FINAL SUBDIVISION PLAN FOR 1418 GERTRUDE STREET, (S-17-01), PROPERTY OF THOMAS AND BERTHA HILDEBRANDT

WHEREAS, Richard Wynn ("Applicant") submitted subdivision plans for 1418 Gertrude Avenue for three lots, one containing an existing single family dwelling and two proposed for new single family detached homes; and

WHEREAS, the plans have been reviewed by both the Lower Providence Township Planning Commission and the Montgomery County Planning Commission; and

WHEREAS, the Board of Supervisors now intends to approve the final/preliminary subdivision plans of the Applicant.

NOW, THEREFORE, it is hereby **RESOLVED** by the Lower Providence Township Board of Supervisors does hereby approve the preliminary/final subdivision plans of Richard Wynn, said plans prepared by Barry Isett & Associates, dated February 22, 2017, last revised April 7, 2017 subject to the following conditions:

1. Compliance with the Woodrow & Associates correspondence dated April 17, 2017, a copy of which is attached hereto and incorporated herein as **Exhibit "A"**.
2. Compliance with all other applicable Township, County, State and Federal Rules, Regulations and Statutes, including but not limited to planning module approval by the Township and the Department of Environmental Protection.
3. Execution of applicable Development Agreements and a Declaration of Restrictive Covenants to guarantee the construction of on-lot stormwater management improvements in a form and manner approved by the Township Solicitor.
4. Execution of a drainage Easement for the existing drainage swales on lots 1 and 3 as shown on the plan.
5. Installation of a turnaround or other paved area on Catherine Street to facilitate fire truck access in a manner to be approved by the Township Engineer.
6. Payment of the applicable recreation fee in accordance with Section 123-140 of the Township's Subdivision and Land Development Ordinance.

In addition to the foregoing preliminary/final plan approval conditions, the following subdivision and land development waivers are resolved as follows:

- a. Section 123-31 as to road widening.
- b. Section 123-32 as to the construction of curbs and storm sewers.

- c. Section 123-33 as to the construction of sidewalks.
- d. Section 123-146 as to a natural resources plan.
- e. Section 123-34.F as to right-of-way radius.
- f. Section 123-51.B as to natural features on lots.

SO RESOLVED, at a duly convened meeting of the Board of Supervisors conducted on this 15th day of June, 2017.

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS**

Colleen Eckman
Colleen Eckman

Jason F. Sorgini
Jason Sorgini

Patrick T. Duffy
Patrick T. Duffy

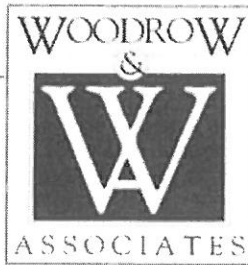
Jill Zimmerman

Peter MacFarland
Peter MacFarland



ATTEST:

[Signature]



April 17, 2017

Michael Mrozinski, Director of Community Development
Lower Providence Township
100 Parklane Drive
Eagleville, PA 19403

Reference: 1418 Gertrude Avenue

Dear Mike:

I am in receipt of a revised minor subdivision plan for the property located at 1418 Gertrude Avenue in our community. The plan has been prepared by Barry Isett and Associates bearing an original date of February 22, 2017, and being most recently revised April 7, 2017. This revision addressed some of the more critical aspects of my initial scan of the documents which included a potential zoning violation of rear yard setback for the existing structure on proposed lot number 2. At this time, a more complete review of the application is warranted.

Threshold issues:

1. The proposed lots are taking frontage to both Catherine Street and Gertrude Avenue in our community. While paved, they are very narrow and do not meet any type of public street standards. Public safety, access for delivery vehicles, emergency service vehicles, and guests cannot be overlooked.

Zoning ordinance review:

1. Section 143-20 – The ordinance clearly states that each and every lot created must have frontage on a public street. The Township does maintain these roads. Proof must be provided that both Catherine Street and Gertrude Avenue are public streets.

Subdivision land development ordinance review:

1. Section 123-29 – Both Catherine Street and Gertrude Avenue will be classified as residential streets.
2. Section 123-30.D – Our ordinance does make statement with regard to creation of private streets. Private streets must be constructed to the same standard as a public Street. They can be done only at the approval the Board of Supervisors. The private streets must be owned and maintained by a legally binding organization. The ordinance does not anticipate newly created lots taking access to existing private streets.

Municipal/Civil Consulting Engineers
Suite 5 • 1108 North Bethlehem Pike • Lower Gwynedd, PA 19002
Phone: 215-542-5648 • Fax 215-542-5679
Established 1996



April 17, 2017

Michael Mrozinski, Director of Community Development

Lower Providence Township

Reference: 1418 Gertrude Avenue

3. Section 123-31.F – A residential public street must have a cartway width of 26 feet.
4. Section 123-32 – Any developer proposing to subdivide properties having frontage on an existing street must provide curbing and storm sewer improvements along that existing Street.
5. Section 123-33 – Sidewalk shall be provided along all street frontages.
6. Section 123-34.F – Intersection clear sight triangles shall be established.
7. Section 123-34.H – The intersection of Lincoln Street with Gertrude Avenue shall be fitted with a right-of-way radius of 15 feet and a curbed radius of 25 feet.
8. Section 123-36 – The plan shall make indication of where and how driveway access shall be fitted into the proposed lots.
9. Section 123-41.E – A drainage easement must be established over the clearly defined swale that encumbers both lots one and three. The drainage easement must be a minimum of 25 feet in width centered on the centerline of the swale.
10. Section 123-43 – The applicant wishes to defer to the design of stormwater management features and erosion control measures until the lots are sold to eventual end users. While I do not take exception to this request, the plan note which defines this obligation must be strengthened to assure any perspective buyer is aware of their obligation.
11. Section 123-48.B – The proposed location for existing water wells shall be shown on the plans.
12. Section 123-51.B – The subject property meets the criteria under this code citation. Natural features; critical impact areas
 - a. All subdivisions and land developments shall be designed to preserve and protect the natural features of the land. Natural features including existing grades, watercourses, woodlands, large trees, shade trees etc. must be identified and considered.
 - b. Plan should be designed to minimize the disturbance of critical impact areas. These critical impact areas include slopes greater than 15%. The plan must identify those areas of the project where slopes in excess of 15% exist.
 - c. The plan shall show all critical impact areas and include a statement as to the impact on these areas. Tree cutting shall not be started until a planting plan is approved by the Board of Supervisors.
 - d. The burden shall be on the developer to justify any material changes in the natural feature of the land by satisfactory proofs.

April 17, 2017

Michael Mrozinski, Director of Community Development

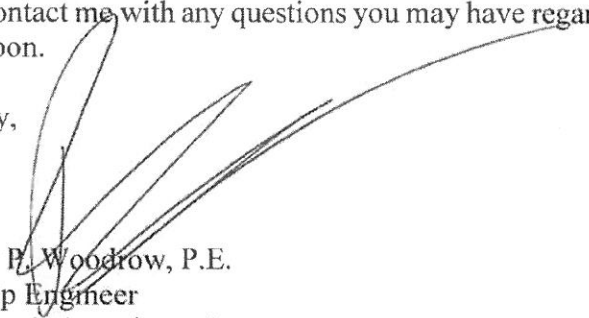
Lower Providence Township

Reference: 1418 Gertrude Avenue

13. While the applicant wishes to defer the design of homes and the corresponding erosion control measures and stormwater management features until actual building permit, these plans must identify areas of each lot suitable for disturbance and otherwise address the terms of this code citation.
14. Section 123-54 - Survey monuments and pins must be identified on the plan to define new creative property corners.

Please contact me with any questions you may have regarding this review. I look forward speaking to you soon.

Sincerely,



Timothy P. Woodrow, P.E.
Township Engineer
Woodrow & Associates, Inc.

TPW/del

cc: John Rice, Esq., Township Solicitor – Lower Providence Township
Robert J. Beers, P.L.S. – Barry Isett & Associates, Inc.