

RESOLUTION NO. 2018-32

A RESOLUTION OF THE LOWER PROVIDENCE TOWNSHIP BOARD OF SUPERVISORS, MONTGOMERY COUNTY, PENNSYLVANIA, APPROVING THE MINOR PRELIMINARY/FINAL SUBDIVISION PLAN FOR LIBERTY COMMERCIAL DEVELOPMENT CORPORATION, LTD, FOR THE PROPERTY LOCATED AT 801 NORTH PARK AVENUE, TMP NOS. 43-00-10291-00-7 & 43-00-10294-00-4

WHEREAS, David Erb (“Applicant”), submitted a set of minor subdivision Plans prepared by OTM, LLC consisting of one (1) sheet dated September 9, 2018 (“Plan”); and

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

WHEREAS, the Applicant proposes to subdivide a larger lot on the land into two smaller lots (Lots #1 and #2) to develop two additional single family homes; and

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

NOW, THEREFORE, it is hereby **RESOLVED** that the Lower Providence Township Board of Supervisors does hereby approve the preliminary/final subdivision Plan for Liberty Commercial Development Corporation, LTD, said Plan prepared by OTM, LLC dated September 9, 2018, subject to the following conditions:

1. Compliance with the Woodrow & Associates correspondence dated October 1, 2018, a copy of which is attached hereto and incorporated herein as **Exhibit “A”**.
2. Compliance with the McMahon Associates, Inc. correspondence dated October 1, 2018, a copy of which is attached hereto and incorporated herein as **Exhibit “B”**.
3. Compliance with all other Township, County, State and Federal rules, regulations and statutes.
4. The Applicant shall pay a park and recreation fee in the amount of \$2,320.00 and a traffic impact fee in the amount of \$3,644.00 prior to recording of record plans.
5. The Applicant shall install sidewalks along the property frontage, unless the Township Engineer determines that such construction is not feasible. If the sidewalks are not constructed, the Applicant shall contribute the estimated costs of such construction, as determined by the Township Engineer, to the Township sidewalk fund prior to recording of record plans.
6. The Applicant shall execute Development and Financial Security Agreements, and a Stormwater Management Agreement, in a form and manner to be approved by the Township Solicitor.
7. The Applicant shall execute a shared driveway easement agreement, in a form and manner to be approved by the Township Solicitor.

8. In addition to the foregoing conditions of preliminary/final Plan approval the following Subdivision and Land Development ordinance modifications are resolved as follows:

a. Section 123-31.B. – as to the requirement that North Park Avenue be widened to a 30 feet half-width.

 X Approved Denied

b. Section 123-32 – as to the requirement that the project frontage be improved with vertical curbing and storm sewer.

 X Approved Denied

c. Section 123-39.1 (3)(j) - as to the requirement that a flag lot provide a lot area of 200% of the minimum established for the individual district, not including the area of the access strip.

 X Approved Denied

SO RESOLVED, at a duly convened meeting of the Board of Supervisors conducted on this 6th day of December, 2018.

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS**

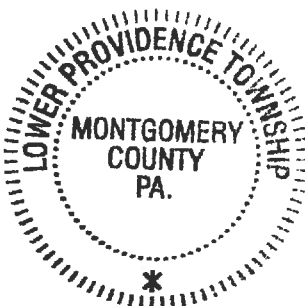
Patrick T. Duffy
Patrick T. Duffy

Jason Sorgini
Jason Sorgini

Colleen Eckman
Colleen Eckman

Peter MacFarland
Peter MacFarland

Gary Neights
Gary Neights



ATTEST: *[Signature]*



October 1, 2018

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

Reference: 801 North Park Avenue
Minor Subdivision Application

Dear Mike:

I am in receipt of a single-sheet document prepared by OTM, LLC Engineers of Wyomissing, Pennsylvania. The plan is dated September 9, 2018, and bears no revision date at this time. The property in question is owned by Liberty Commercial Development and comprises approximately 2.7 acres of vacant land. The proposal calls for subdividing this land into two flag lots to support single-family detached home dwellings. The property has access to public water and public sewer and has previously dedicated land up to the ultimate right-of-way line of North Park Avenue for public use. My further review comments are as follows.

A. Approvals/Permits/Reviews – Any approval the Board of Supervisors may grant this application should be conditioned upon the applicant securing the following approvals/permits/reviews.

- PA DEP – Sewage facilities planning
- PennDOT – For storm sewer improvements
- PennDOT – Minimum use driveway Highway occupancy permit

B. Zoning Ordinance Review:

1. The properties located within our R-2 Zoning District which provides for single-family detached structures on 25,000 square-foot lots. The project appears to comply with our district regulations except for the following:
 - a. Section 143-20 – The plan should be clear that no portion of the rear lot shall be included in calculating yards or lot area.
 - b. Section 143-37.A(2) – The minimum lot area for flag lots has been modified by our subdivision code. The zoning chart should be modified to suggest a 50,000 square-foot minimum lot size clear of the flagpole portion of the lot. the plan should be amended for clarity.



October 1, 2018
Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: 801 North Park Avenue
Minor Subdivision Application

C. Subdivision and land development ordinance review:

1. Section 123-14.C(1) – The plan should provide greater detail as to the existing cartway width, dimensions of right-of-way from centerline and a description of the condition of the roadside shoulder.
2. Section 123-14.C(8) – The existing features for the site should be expanded along Park Avenue, south showing the closest location of storm sewer curbing and sidewalk.
3. Section 123-14.C(11) – Location boundary of all soil types of the site must be shown
4. section 123-14.F – A plan note must make reference to the obligation to comply with the latest Township stormwater ordinances prior to development. The statement must be amended to address concerns further described below.
5. Section 123-31.D – As a collector road, North Park Avenue should be widened to 30-feet from centerline to match the curb line established with Soni Drive.
6. Section 123-32 – The Board of Supervisors may require that the project frontage should be improved with vertical concrete curbing and storm sewer improvements.
7. Section 123-33 – The Board of Supervisors may require that sidewalk be installed along the project frontage.
8. Section 123-36 – Driveway access – The project should establish the location of driveways which will serve the new lots. The driver locations must prove viable sight distance and safe access. The applicant should secure the PennDOT minimum use driveway permit for both locations at this time.
9. Section 123-39.I(g) – No more than one rear lot shall be permitted per subdivision.
10. Section 123-39.I(h) – The driveway serving the rear lot shall be paved and provided with a minimum of 12 feet in width.
11. Section 123-39.I(j) – The rear lot must provide a minimum of 200% of lot area for the established for the district. It is unclear that Lot No. 1 can meet this requirement.
12. Section 123-39. I(k) – A rear lot shall provide a building envelope setback from all front, side and rear property lines equal to the front yard setback requirement.
13. Section 123-43 – Stormwater Management – The application proposes only the subdivision of land. The plans do not call for the construction of any dwellings at this time. I am comfortable with allowing the building permit plan process to deal with grading and

October 1, 2018

Michael Mrozinski, Director of Community Development

Lower Providence Township

Reference: 801 North Park Avenue

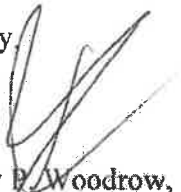
Minor Subdivision Application

stormwater management. However, I do believe the applicant must provide a means by which the dewatering of seepage beds or rain gardens can be conveyed to a storm sewer system and thereby eliminating any adverse impacts on adjacent properties due to stormwater runoff. I will be willing to recommend to the Board of Supervisors that certain improvements to Park Avenue be waived if storm sewer improvements are made and a collection system extended the proposed lots. The applicant's engineer should contact my office for further discussions on the topic.

14. Section 123-52 – Shade trees are required in conjunction with the application.
15. Section 123-54 – Survey monuments and corner pins are required for all property intersections.
16. Section 123-58 – Certain performance guarantees will be mandatory to assure that stormwater improvements required in conjunction with the application are made in a satisfactory manner.

Please contact me if any questions you may have regarding this matter

Sincerely,



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

TPW/del

cc: John Rice, Esq., Township Solicitor – Lower Providence Township
Bradford Grauel, P.E. – OTM Engineers
Thomas Comitta Associates
Casey Moore, P.E., McMahon Associates



McMAHON ASSOCIATES, INC.
425 Commerce Drive, Suite 200
Fort Washington, PA 19034
p 215-283-9444 | f 215-283-9447

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

ASSOCIATES

John J. Mitchell, P.E.
Christopher J. Williams, P.E.
R. Trent Ebersole, P.E.
Matthew M. Kozsuch, P.E.
Maureen Chlebek, P.E., PTOE
Dean A. Carr, P.E.

October 1, 2018

Mr. Michael Mrozinski
Director of Community Planning
Lower Providence Township
100 Parklane Drive
Eagleville, PA 19403

RE: **Traffic Engineering Review #1**
Liberty Commercial Development Corporation, LTD Subdivision
Lower Providence Township, Montgomery County, PA
McMahon Project No. 818723.11

Dear Mike:

As requested, on behalf of Lower Providence Township, McMahon Associates, Inc. completed an initial traffic engineering review of the proposed minor subdivision located at 801 North Park Avenue (S.R. 0363) in Lower Providence Township, Montgomery County, PA. It is our understanding that the proposed subdivision will consist of subdividing a larger lot on the lands of Liberty Commercial Development Corporation, LTD (Parcel #43-00-10291-00-7 and Parcel #43-00-10294-00-4) into two smaller lots (Lots #1 and #2) to be able to develop two additional single-family homes. This area is zoned as R-2 Residential. There is currently no development proposed on Lots #1 and #2.

The following document was reviewed in preparation of our review:

- Minor Subdivision Plans for Liberty Commercial Development Corporation, LTD, prepared by OTM, LLC, dated September 9, 2018.

Based on our review of the submitted document noted above, McMahon offers the following comments for consideration by the Township and action by the applicant.

1. Access to proposed Lots #1 and #2 should be provided via a shared driveway in order to provide better access management and fewer curb openings along North Park Avenue (S.R. 0363).
2. According to the Township Street Map, North Park Avenue (S.R. 0363) is classified as a semi-controlled access (urban). According to **Section 123-31.B** of the **Subdivision and Land Development Ordinance**, North Park Avenue (S.R. 0363) should have a minimum cartway

width of 52 feet. The plans currently show an approximate 37-foot cartway width along the site frontage, thereby not meeting the ordinance requirement. It is recommended that applicant provide full-depth pavement shoulder widening along the entire North Park Avenue (S.R. 0363) site frontage at a width consistent with that provided south of the site. This shoulder widening could then potentially be striped as a right-turn deceleration lane for southbound vehicles on North Park Avenue (S.R. 0363) turning into Soni Drive and the neighborhood streets connecting to it.

3. Adequate sight distance measurements must be provided on the plans at the proposed driveway location(s) to Lots #1 and #2 along North Park Avenue (S.R. 0363) as required by **Section 123-36.A of the Subdivision and Land Development Ordinance**. The sight distance provided must meet at least the minimum safe sight distance requirements of *Pennsylvania Code, Title 67, Chapter 441*. The applicant should take into consideration the potential widening along the site frontage of North Park Avenue (S.R. 0363) while conducting these sight distance measurements. Of concern is the trees/vegetation along the North Park Avenue (S.R. 0363) site frontage to the north of the existing driveway.
4. According to **Section 123-32 of the Subdivision and Land Development Ordinance**, curbing should be constructed along all existing streets. The plans do not show any curbing along the site frontage, thereby not meeting this ordinance requirement. It is recommended that the curbing to the south of the site be extended along the site frontage of North Park Avenue (S.R. 0363).
5. According to **Section 123-33 of the Subdivision and Land Development Ordinance**, sidewalk should be provided along all existing streets. The plans do not show any sidewalk along the site frontage, thereby not meeting this ordinance requirement. The plans should be revised to show sidewalk along the site frontage or a waiver needs to be requested. It should be noted that there is currently sidewalk along the eastern side of North Park Avenue (S.R. 0363) in the immediate vicinity of the site, as well as along the western side of North Park Avenue (S.R. 0363) to the south of the site. At a minimum, if sidewalk is not required along the frontage by the Board at this time, the frontage should be graded to accept future sidewalk construction and the cost for constructing this sidewalk provided to the Township by the applicant, along with the construction easement to construct it at a future date. The Township can hold this in escrow until sidewalk connections are made along North Park Avenue (S.R. 0363).
6. Since North Park Avenue (S.R. 0363) is a State Roadway, a Highway Occupancy Permit (HOP) will be required for any modifications to the site frontage of North Park Avenue (S.R. 0363). The Township must be copied on all plan submission and correspondence between the applicant and the State, and invited to any and all meetings between these parties.
7. According to the Township's Roadway Sufficiency Analysis, the proposed development is located in Transportation Service Area One, which has a corresponding impact fee of \$1,822 per

Mr. Michael Mrozinski

October 1, 2018

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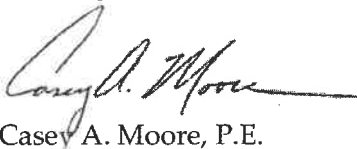
"new" weekday afternoon peak hour trip and the applicant will be required to pay a Transportation Impact Fee in accordance with the Township's Transportation Impact Fee Ordinance. This transportation impact fee will be calculated once development is proposed on land development plans for Lots #1 and #2. If two new single-family homes are being proposed, the impact fee equates to two new trips totaling \$3,644.

8. A more detailed review of the site and all transportation-related engineering elements on the plans will be conducted during the land development and PennDOT permit plan phase, once specific development is proposed for Lot #1 and #2. Additional comments may then follow.

Based on our review, the applicant should address the aforementioned comments, and provide revised plans to the Township and our office for further review and approval recommendations. A response letter addressing our comments should accompany the resubmission.

We trust that this review letter responds to your request and satisfactorily addresses the traffic issues that are related to the proposed addition apparent to us at this time. If you or the Township have any questions, or require clarification, please contact me.

Sincerely,



Casey A. Moore, P.E.

Executive Vice President & Regional Manager – Mid-Atlantic

CAM/BMJ

cc: Donald Delamater, Township Manager
John Rice, Esq., Township Solicitor
Tim Woodrow, P.E., Woodrow & Associates – Township Engineer
Maggie Dobbs, Montgomery County Planning Commission
Brad Grauel, PLS – Applicant's Surveyor