

**RESOLUTION NO. 2019-15
LOWER PROVIDENCE TOWNSHIP
(LD-18-05)**

**A RESOLUTION OF THE LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS, MONTGOMERY COUNTY,
PENNSYLVANIA, APPROVING THE PRELIMINARY/FINAL PLAN
OF LAND DEVELOPMENT FOR YUVAL BLAT TO CONSTRUCT
THE EVANSBURG WINERY AT 3855 GERMANTOWN PIKE**

WHEREAS, Yuval Blat (“Applicant”) has submitted Preliminary/Final Land Development Plan consisting of eight (8) sheets, last revised February 7, 2019, prepared by OTM, LLC, for approval of a proposed winery (“Plan”); and

WHEREAS, the Plan has 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 Preliminary/Final Land Development Plan for Yuval Blat.

NOW, THEREFORE, it is hereby **RESOLVED** that the Lower Providence Township Board of Supervisors does hereby approve the Preliminary/Final Land Development Plan for the Evansburg Winery located at 3855 Germantown Pike, said Plan prepared by OTM, LLC, consisting of eight (8) sheets, last revised February 7, 2019, subject to the following conditions:

1. The Applicant shall comply with the Woodrow and Associates correspondence dated February 20, 2019, a copy of which is attached hereto and incorporated herein as **Exhibit “A”**.
2. The Applicant shall comply with the March 19, 2019 McMahon Associates, Inc. correspondence, a copy of which is attached hereto and incorporated herein as **Exhibit “B”**.
3. The Applicant shall comply with the Thomas Comitta Associates, Inc. correspondence dated February 7, 2019, a copy of which is attached hereto and incorporated herein as **Exhibit “C”**.
4. The Applicant shall comply with the conditional use Adjudication dated February 7, 2019, adopted herein by reference.
5. The Applicant shall comply with all other applicable Township, County, State and Federal rules regulations and statutes.
6. The Applicant shall execute Development and Financial Security Agreements in a form and manner to be approved by the Township Solicitor.
7. The Applicant shall pay a traffic impact fee of \$10,932.00 in accordance with paragraph 8 of the McMahon Associates correspondence.

8. Within twelve months after issuance of a certificate of occupancy for the winery use, and upon request by the Township, the Applicant shall conduct a trip generation study to confirm the trip generation projections and traffic impact fee described in paragraph 7 of this resolution. Any documented trip increase as a result of this study shall obligate Applicant to pay an additional traffic impact fee.

9. The Applicant shall pay a park and recreation fee in the amount of \$2,310.00.

10. In addition to the foregoing conditions of approval, the following Subdivision and Land Development Ordinance and Stormwater Management Ordinance waivers are resolved as follows:

a. SLDO Section 123-32 requiring storm sewers.

 X Approved Denied

b. SLDO Section 123-31.D(2) regarding cartway width on Germantown Pike.

 X Approved Denied

c. Stormwater Ordinance Sections 129-19.C.(3) as to the required pipe diameter of 15 inches.

 X Approved Denied

d. Stormwater Ordinance section 129-19.G.(4),(5)(a), and (6) as to the steepness of excavation cuts, the steepness of hill slopes, and the proposed grading within 5 feet of a property line.

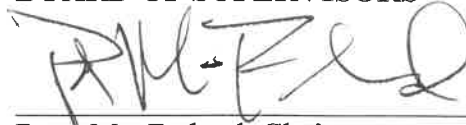
 X Approved Denied

e. Stormwater Ordinance Section 129-19.H.(9),(10),(12),(14),(15),(16) and (18) as to the rain garden berm slopes, the basin bottom slope requirement, the requirement that checker block emergency spillway lining be used, the minimum berm width of 10 feet, the minimum freeboard through the emergency spillway of the rain garden, the requirement that anti-seep collars be installed around the discharge pipe, and the requirement that piping be Class III reinforced concrete pipe.

 X Approved Denied

SO RESOLVED, at a duly convened meeting of the Board of Supervisors of Lower Providence Township conducted on this 21st day of March, 2019.

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS**

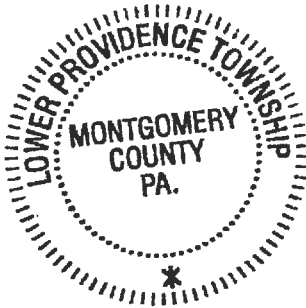


Peter MacFarland, Chairman

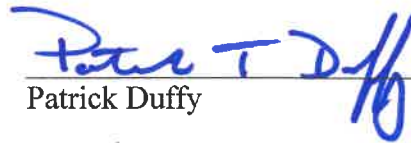
ATTEST:



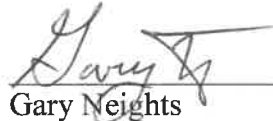
Don D. Delamater, Township Manager



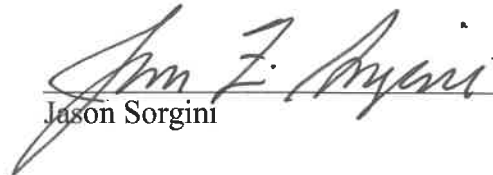
Colleen Eckman, Vice Chairwoman



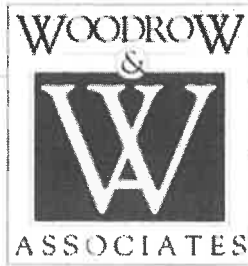
Patrick Duffy



Gary Neights



Jason Sorgini



February 20, 2019

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

Reference: 3855 Germantown Pike
Backyard Winery

Dear Mike:

I am in receipt of an eight-sheet set of plans prepared by OTM, LLC Engineers of Wyomissing, Pennsylvania. The plan is dated September 1, 2018; last revised February 7, 2019. This plan depicts the reuse of buildings at the above referenced address. The site has a rather narrow frontage on Germantown Pike, measuring approximately 62 feet wide. The land then opens into a much larger tract to the rear. The existing structure closest to Germantown Pike houses three residential rental units. The existing barn is to be expanded and utilized to serve as a wine making facility.

We have met with the applicant about his submission and I am happy to report that our conversations resulted in improvements of the site plan which include the following:

- Improvement to the driveway
- Creation of a cross access easement agreement allowing for the shared use of the property immediately west located at 3861 Germantown Pike to share the driveway and remove existing curb cut.
- The plan provides for six off-street parking spaces to support the rental units.
- The plan proposes the construction of 25 new parking spaces in support of the winery

A. Waivers Requested from the Subdivision and Land Development Ordinance:

1. Section 123-32 – A waiver has been requested from the installation of stormwater facilities along the frontage of Germantown Pike. There are currently no existing or planned stormwater facilities along the roadway.
2. Section 123-31.D – A waiver has been requested from widening the cartway for Germantown Pike to a 30-foot width. The applicant is requesting to be permitted to keep the current cartway width of 11-foot travel lanes to remain as is.
3. Section 123-114.B.6.b – A waiver has been requested to permit the removal of one “Heritage Tree” as defined by ordinance.

February 20, 2019

Michael Mrozinski, Director of Community Development

Lower Providence Township

Reference: 801 North Park Avenue

Minor Subdivision Application

B. Waivers Requested from the Stormwater Management Ordinance:

1. Section 129-19.(3) – A waiver has been requested from the required minimum pipe diameter of 15". The applicant is requesting the use of a 12" diameter discharge pipe from the proposed rain garden facility.
2. Section 129-19.G.(4) – A waiver has been requested from the maximum permitted cut embankments of 4:1. The applicant is requesting to be permitted a maximum of 3:1 earthen cut embankments.
3. Section 129-19.G.(5) – A waiver has been requested from the maximum permitted fill slopes of 4:1. The applicant is requesting to be permitted a maximum of 3:1 earthen cut embankments.
4. Section 129-19.G.(6) – A waiver has been requested from the requirement of grading and slopes within five feet of property line in order to adequately install the proposed improvements, grade and to provide a smooth transition to existing grades along the neighboring properties.
5. Section 129-19.H.(9) – A waiver has been requested from the maximum permitted berm side slopes of 4:1. The applicant is requesting the rain garden berm to have a maximum of 3:1 side slopes; this berm is designed to only be 18" in height.
6. Section 129-19.H.(10) – A waiver has been requested from the required basin bottom slope of 2%. The applicant is requesting that the rain garden facility has a 0% bottom slope.
7. Section 129-19.H.(10) – A waiver has been requested from the use of a Check Block Emergency Spillway Lining. The applicant is requesting to be permitted to use a permanent erosion control matting liner.
8. Section 129-19.H.(14) – A waiver has been requested from the required berm width of 10 feet. The applicant is requesting the rain garden have a berm width of four feet.
9. Section 129-19.H.(15) – A waiver has been requested from the use of a Checker Block Emergency Spillway Lining. The applicant is requesting the use of a permanent erosion control matting liner.
10. Section 129-19.H.(16) – A waiver has been requested from the requirement for the use of anti-seep collars on the basin discharge pipe due to the shallow design of the facility.
11. Section 129-19.H.(18) – A waiver has been requested from the requirement for the use of an O-Ring, reinforced concrete pipe and instead to utilize HDPE pipe in the rain garden.

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

1. PA DEP sewage facilities planning

February 20, 2019

Michael Mrozinski, Director of Community Development

Lower Providence Township

Reference: 801 North Park Avenue

Minor Subdivision Application

2. Lower Providence Township Sewer Authority determination and understanding of the quantity and quality of discharge to the sewer system.
3. Montgomery County Roads and Bridges – Highway Occupancy Permit.
4. Execution of Cross Access Easement Agreement to be approved by the Township solicitor.

D. Subdivision and land development ordinance review:

1. Section 123-54 – The plan should clearly indicate the obligation to install survey monumentation at all property boundary intersections. A concrete monument is needed along the right-of-way with the appropriate corners and distances.

E. Stormwater Management Review:

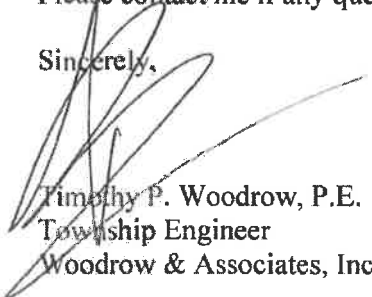
1. Section 129-29: As noted in this section of Chapter 129, As-builts will be required. The applicant's engineer shall add a note addressing the requirements of this section.
2. Section 129-39: The Stormwater Management Site Plan for the development must contain operation and maintenance requirements for all proposed Best Management Practices (BMPs) as designed as a part of this development.

The applicants engineer shall provide the required information.

3. Section 129-41: The applicant/owner will be required to enter into and Operation and Maintenance Agreement with Lower Providence Township as required by this section and sub-sections listed within.

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
Casey Moore, P.E., McMahon Associates
Bradford Grauel, P.E. – OTM Engineers
Dan Malik, Thomas Comitta Associates
Robert Jordan, Woodrow Associates



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

PRINCIPALS

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.

FOUNDER

Joseph W. McMahon, P.E.

March 19, 2019

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

RE: **Traffic Engineering Review #3**
Evansburg Winery Project
Lower Providence Township, Montgomery County, PA
McMahon Project No. 818686.11

Dear Mike:

As requested, on behalf of Lower Providence Township, McMahon Associates, Inc. completed our third traffic engineering review of the proposed winery located at 3855 Germantown Pike in Lower Providence Township, Montgomery County, PA. The proposed development has received conditional use approval. The project will consist of a vineyard with a 2,210 square foot bottling and tasting room (of which 780 square feet is dedicated to the tasting room), in addition to the existing 3-unit apartment building and 2,180 square foot barn on site. A total of 25 new parking spaces are proposed with the development. Access to the site will be provided via the existing, modified driveway to Germantown Pike, but modifying it to be a wider, shared-use driveway with the neighboring property. As such, it is proposed to close the Forsythe driveway immediately adjacent to the west of the site and replace it with a driveway that will take access to the existing, modified driveway to Germantown Pike for this site, along with working with that property on a driveway easement further into the site to allow for two-way access and parking provisions for uses on the subject site.

The following documents were reviewed in preparation of our review:

- Preliminary/Final Land Development Plans – Evansburg Winery Project, prepared by OTM, LLC, last revised February 7, 2019.
- Response to Comments Letter – Evansburg Winery Project, prepared by OTM, LLC, dated February 27, 2019.
- Memorandum responding to comments #1, #2, and #16 from the McMahon Associates, Inc. review letter #2 dated February 15, 2019, prepared by Pennoni Associates, last revised March 11, 2019.

- Floor Plan for the Evansburg Winery, prepared by Schillaci Architects, Ltd., dated February 7, 2019.

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

1. The applicant is requesting a waiver from **Section 123-31.D** of the **Subdivision and Land Development Ordinance**, requiring Germantown Pike to have a minimum cartway width of 30 feet. The plans currently show an approximate 23-foot cartway width along Germantown Pike, thereby not satisfying the ordinance requirement. The applicant has noted that they have provided curb along the 40 feet of property frontage, thereby providing an additional two feet of pavement to create 13-foot lanes. We strongly recommend to the applicant that the curb and sidewalk be extended further to the west across the Forsyth property, since there is a cross-access easement and driveways shared between the applicant and the Forsyth property. This will also help provide a section of sidewalk that will fulfill the Township goal of having Evansburg Village become more walkable. The applicant may be requested by the Board of Supervisors to provide escrow for funding this pedestrian connection and curbing if they cannot be constructed under present conditions.
2. According to **Section 123-37.N** of the **Subdivision and Land Development Ordinance**, no less than a five-foot curb radius shall be permitted in all parking areas. The plans currently show two locations that have a three-foot curb radius within the parking area, thereby not meeting the ordinance requirement. The plans should either be revised to show a minimum five-foot curb radius in these areas, or a waiver needs to be requested from this ordinance requirement.
3. The proposed curb ramps are located within the County Right-of-Way, and it is our understanding that they will be reviewed and approved by Montgomery County. All curb ramps and pedestrian routes (i.e., sidewalks, crosswalks, etc.) are to be designed and constructed in accordance with the current Federal and PennDOT ADA standards, and the applicant's engineer should confirm that they have been. The plans currently do not show a detailed design for all ramps, and this should be included on the plans beyond a standard detail for County review and approval.
4. The stop sign shown on the plans (Sheets 3 and 7 of 9) on the egress approach of the driveway at its intersection with Germantown Pike should be relocated so that it is immediately adjacent to the stop bar.
5. As previously requested, the parking spaces located to the southwest of the existing residential building should be signed "Residential Building Parking Only" so that these spaces are available for tenants of the residential building during potential events on-site that would require peak parking demand. Currently the plans do not show any signage deterring patrons

of the winery from parking in the spaces located southwest of the existing residential building; however, the applicant acknowledges this could become problematic and must address this issue accordingly as necessary.

6. A permanent driveway easement agreement is required for the driveway connection to the Forsythe property, located to the west of the proposed driveway. A recorded easement has been provided to the Township. The County access permit should also be modified to apply for a joint access for the properties served. Our office should receive copies of all documentation for concurrence.
7. Since Germantown Pike is a Montgomery County Roadway, a driveway access permit is required to be obtained. A plan has been provided, as Sheets 7 and 8 of 9, for the proposed modifications to the existing driveway that must be submitted, approved, and permitted by the County. Our office will review the permit plans in more detail upon the applicant's engineer addressing comments that they will receive from the County, as well as the other items contained in this letter. The Township must be copied on all future plan and report submissions and correspondence between the applicant and Montgomery County, and invited to any and all meetings between these parties. Any plans submitted to Montgomery County must be submitted to our office for review.
8. 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 "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. We are generally satisfied with trip generation information provided in the memorandum referenced in this letter, therefore, the proposed 780 square foot tasting room is expected to generate approximately six (6) "new" trips during the weekday afternoon peak hour, resulting in a transportation impact fee of \$10,932. We recommend to the Board of Supervisors to consider as a condition of approval that the applicant conduct a trip generation study for this site between six and twelve months after opening to the public to confirm the trip generation projections and transportation impact fee paid to the Township.
9. A response letter addressing our comments must accompany the resubmission, with information in the letter noting where in the plans or submission materials the comments have been addressed.

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 development apparent to us at this time. If you or the Township have any questions, or require clarification, please contact me or Michelle Eve, P.E.

Sincerely,



Casey A. Moore, P.E.
Executive Vice President – Corporate Operations

MEE/CAM/BMJ/smd

cc: Donald Delamater, Township Manager
John Rice, Esq., Township Solicitor
Tim Woodrow, P.E., Woodrow & Associates – Township Engineer
Maggie Dobbs, Montgomery County Planner
Anthony Valencia, McCormick Tayler (Montgomery County Review Consultant)
OTM, LLC – Applicant's Engineer



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

MEMORANDUM

TO: Michael W. Mrozinski, Director of Community Development, Lower Providence Township
Don Delamater, Township Manager, Lower Providence Township
Timothy Woodrow, P.E., Township Engineer, Woodrow & Associates, Inc.
John B. Rice, Esq., Township Solicitor, Grim, Biehn & Thatcher

FROM: Daniel B. Mallach, RLA, AICP, ASLA
Thomas J. Comitta, AICP, CNU-A, RLA

DATE: February 7, 2019

SUBJECT: **REVIEW COMMENTS - BACKYARD WINERY (BLAT VINEYARDS)**
PRELIMINARY-FINAL LAND DEVELOPMENT PLAN DATED REVISED 1-25-2019

The enclosed Review Comments pertain to the following documents that we received on January 28, 2019:

- Preliminary-Final Land Development Plan (Civil Drawings), consisting of eight (8) sheets dated revised January 25, 2019, prepared by OTM, LLC;
- Landscape Plan Sheet LS-1, "Tree Survey Plan" consisting of one (1) sheet dated revised January 25, 2019, prepared by InFocus Planning;
- Landscape Plan and Landscape Details Sheets LP-1 and LP-2, dated revised January 25, 2019, prepared by InFocus Planning;
- Response Letter from Rachel Scian Vahey, RLA, ALSA, LEED AP, InFocus Planning, dated January 25, 2019; and
- Request for Waivers dated January 25, 2019, prepared by Bradford R. Grauel, PLS, OTM, LLC.

All previously noted items have been addressed to our satisfaction, and we have no new recommendations.

Please let us know if there are any questions.





THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS - BACKYARD WINERY (BLAT VINEYARDS)
PRELIMINARY-FINAL LAND DEVELOPMENT PLAN DATED REVISED 1-25-2019

February 7, 2019

Please note the following Review Comments pertaining to the documents listed in the Cover Memorandum.

Items from our Review Comments dated October 1, 2018 that have been addressed are so noted.

New and updated text is in bold type.

1. Buffering - Recommend Satisfactory

1.A Requirements

Among the Legislative Intents of the Evansburg Village Commercial (EVC) District is the following Zoning Ordinance (ZO) text that pertains to "existing neighborhood protection":

"To ensure that neighboring noncommercial properties are protected from environmental impacts with measures such as, but not limited to, property line buffering and screening." (§143-274.E.3, ZO.)

To this end, per §143-278 (ZO) EVC District Screening Buffer requirements, "where a nonresidential use abuts a residential district, a ten-foot [wide] screening buffer pursuant to §123-50.C of the Lower Providence Township Subdivision and Land Development Ordinance shall be provided."

The primary component of a Screening Buffer shall be a double row of evergreen trees spaced 15 feet apart on center, with the trees in one (1) row offset seven and one-half feet (7½') from the trees in the other row, and the rows shall be at least five feet (5') apart. These trees shall be not less than six feet (6') in height at the time of planting and shall be of such species that the expected height at maturity shall be not less than 20 feet.

Additional buffering requirements apply, and there are some opportunities for design flexibility, utilizing earthen mounds, alternative tree placement, and fencing.

1.B Applicability Recommendation

We recommend that a complete Screening Buffer be required to screen views from the R-3 District properties of the Bottling and Tasting Room, Patio & Deck, Grape Crushing Pad, Barn, and Parking.

Additional screening should be provided along the property lines adjacent to the Vineyard Area, but not to the same extent as the other site elements.

1.C Proposal

Consistent with our above recommendations, a fully planted Screening Buffer, plus a six foot (6') high solid wood fence, has been proposed to screen views of the Bottling and Tasting Room, Patio & Deck, Grape Crushing Pad, Barn, and Parking.



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

**REVIEW COMMENTS - BACKYARD WINERY (BLAT VINEYARDS)
PRELIMINARY-FINAL LAND DEVELOPMENT PLAN DATED REVISED 1-25-2019**

February 7, 2019

Additional planting has been proposed adjacent to the other property lines in order to buffer views of the Vineyard Area; these plants will also soften the appearance of the eight foot (8') high vinyl mesh deer fence that has been proposed along a portion of the north property line.

A good detail has been provided for the wood fence, indicating that the finished side shall face toward the neighboring properties, which is excellent.

1.D Conclusion

The Plan indicates screening and visual buffering consistent with Zoning Ordinance requirements and the Legislative Intent of the Evansburg Village Commercial (EVC) District.

We recommend that the proposed Screening Buffer be considered satisfactory.

2. Internal Landscaping - Plan Compliant

2.A Requirements

§123-50.A.3 (SLDO) details the requirements for Internal Landscaping:

- §123-50.A.3.a - One (1) shade [deciduous] tree and one (1) evergreen tree per 5,000 square feet of paved area used as parking, loading and driveways.
- §123-50.A.3.b - One (1) flowering [deciduous] or evergreen shrub per 1,500 square feet of paved area used as parking, loading and driveways.

The area of paving for parking and driveways is 17,327 square feet.

Therefore, the Applicant is required to provide:

- Four (4) deciduous trees;
- Four (4) evergreen trees; and
- Twelve (12) deciduous or evergreen shrubs.

2.B Proposal

The Landscape Plan indicates four (4) deciduous trees, four (4) evergreen trees and a surplus quantity of shrubs that may be used to satisfy the Internal Landscaping requirement.

2.C Conclusion

We recommend that the proposed Internal Landscaping be considered satisfactory.



THOMAS COMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS - BACKYARD WINERY (BLAT VINEYARDS)
PRELIMINARY-FINAL LAND DEVELOPMENT PLAN DATED REVISED 1-25-2019

February 7, 2019

3. Street Trees - Satisfied via Tree Proposed for Preservation

Per §123-50.B.1 and §123-52 of the Subdivision and Land Development Ordinance (SLDO), shade trees shall be planted along the subject Germantown Pike frontage at an interval of no less than 40 feet and no more than 50 feet. Trees shall be placed behind the right-of-way line of the street.

For the 64 feet of frontage of the subject property (not including the driveway easement), one (1) shade tree is required (rounding to the nearest whole number, based on a 45-foot spacing.)

There is one (1) seven inch (7") diameter-at-breast-height (DBH) tree proposed to be preserved along Germantown Pike. Per §123-114.B.5 (SLDO), trees preserved in certain locations may be substituted for required trees, at a ratio based on the DBH of the preserved trees. A tree that is seven inches (7") DBH is the equivalent of two (2) new required trees.

Therefore, assuming that the seven inch (7") DBH tree is successfully preserved during construction, we still consider the Shade Tree requirement to be satisfied. **No further comment.**

4. Heritage Tree - Support Removal / Waiver

Lower Providence Township considers trees of a DBH greater than 40 inches to be a "Heritage Tree". Any such trees may not be removed for any reason without approval of the Board of Supervisors, per §123-114.B.6.b (SLDO).

The 60-inch DBH tree near the existing driveway entrance is proposed for removal. This removal will require the approval of the Board of Supervisors.

The subject tree is a Silver Maple reaching "veteran" maturity. Silver Maples regularly drop branches when they reach this age, and given this particular tree's location, we see no alternative to its removal from the standpoint of public safety and reasonable site development. Therefore, we support the removal of this tree.

A Waiver has been requested to permit the removal of this Heritage Tree. We support the granting of this Waiver, if necessary. (If the Board of Supervisors approves the removal of this Heritage Tree it would do so consistent with the Ordinance text. As such, Ordinance relief may not be necessary.)

5. Building Foundation Planting - Plan Compliant

Per §123-37.E (SLDO), the area between a building and a parking area shall be used for walkways and foundation planting.

The Landscape Plan Indicates the required Building Foundation Planting. **Therefore, this item has been resolved.**



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS - BACKYARD WINERY (BLAT VINEYARDS)
PRELIMINARY-FINAL LAND DEVELOPMENT PLAN DATED REVISED 1-25-2019

February 7, 2019

6. Rain Garden - Planting Satisfactory

The Plan indicates a "Rain Garden Stormwater Management Area" surface basin.

As requested, the 1-25-2019 Landscape Plan includes the specifications for the plants proposed for the Rain Garden, including trees and shrubs around its rim and a suitable seed mix specified along its floor.

Therefore, with respect to the Rain Garden planting, we consider this item to be resolved.

We defer to the Township Engineer regarding the location and design of the Rain Garden, and its role in the site's stormwater management.

7. Tree Protection Fencing - Satisfactory

Per §123-114.B.3 (SLDO), tree protection fencing shall be installed around the root protection zones of all trees to remain.

The root protection zone is defined as the distance from the trunk equivalent to at least one (1) foot for every inch DBH of the tree to remain, or the area under the dripline of the tree. (For instance, a 15-inch DBH tree would require a root protection zone with a radius of at least 15 feet.) The root protection zone is not to be disturbed by grading, or used for the storage of topsoil, machinery, or other construction equipment.

As recommended, Tree Protection Fencing is now indicated graphically on the Sediment Erosion Control Plan (Sheet 4 of 8) for the trees to remain.

In addition, the Construction Sequence on the SEC Notes and Details (Sheet 5 of 8) now lists the installation of the Tree Protection Fencing.

Details and notes are included with the Landscape Details (Sheet LP-2)

We consider this item to be resolved.

8. Frontage Sidewalk - Added to the Plan

Figure 11-3 of the Lower Providence Township Comprehensive Plan indicates a "Recommended Sidewalk" along the subject Germantown Pike frontage.

A sidewalk is now indicated along the subject property frontage. We defer to the Township Engineer regarding its design.



THOMAS COMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS - BACKYARD WINERY (BLAT VINEYARDS)
PRELIMINARY-FINAL LAND DEVELOPMENT PLAN DATED REVISED 1-25-2019

February 7, 2019

Otherwise, the Property Owner should consider extending the walkway leading to the Residential Dwelling so that it connects to this new sidewalk, as there appears to be only one to two feet (1'-2') that would separate them.

With respect to landscape architecture, *we consider this item to be resolved.*

9. Proposed Plants - Satisfactory

The proposed plants are appropriate for this project, and are specified properly on the Plant Schedule in terms of botanical name and installed size.

10. Landscape Planting Notes and Planting Details - Satisfactory

The Landscape Planting Notes and Planting Details are satisfactory.

11. Registered Landscape Architect - Resolved

Per §123-18.A.3.p (SLDO), the Planting Plan shall be prepared, signed and sealed by a Landscape Architect.

The signature and seal of **Rachel Sclan Vahey**, a Landscape Architect licensed to practice in Pennsylvania, is included on the Landscape Plans.

This item has been resolved.

12. Conclusion

All previously noted items have been addressed to our satisfaction, and we have no new recommendations.

Please let us know if there are any questions.



January 31, 2019

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

Reference: 3829 Yerkes Road
Subdivision Application - First Revision

Dear Mike:

I am in receipt of a six-sheet set of plans that revises the original application for the three-lot subdivision to occur at 3829 Yerkes Road in our community. This plan set represents the first revision to the application and bears a date of January 21, 2019. This plan revision addresses concerns raised in two Woodrow and Associates review letters. The first being dated October 25, 2018, which dealt with broad concepts regarding the application. A second letter, dated November 21, 2018, dealt with much more specific drainage, grading, and construction details and contractor direction and aspects of the plan. The applicant has met with my office to review some of outstanding concerns and I am happy to report that the reviews and meeting have resulted in a much-improved site plan. The stormwater management systems, the conveyance of stormwater and the overall plan I believe is approved by virtue of this working relationship. There are, however, several outstanding issues which must be addressed by actions from the Board of Supervisors. Those remaining concerns are as follows:

Approvals/Permits/Reviews - Any approval the board would grant this application should be conditioned upon the applicant securing the following approval/permit/reviews:

- PA DEP for sewage facilities planning.
- Lower Providence Township Sewer Authority for connection to their existing main.
- PennDOT for construction of a new minimum use driveway to Yerkes Road.
- Execution of cross access easement agreements providing for utilities and shared access for the three lots.
- PA DEP general permits for the driveway crossing of the wetland area acknowledgment of the proximity of the proposed driveway to the sidewall of the existing structure
- Conditional Use approval for riparian corridor from Board of Supervisors

Municipal/Civil Consulting Engineers
Suite 5 • 1108 North Bethlehem Pike • Lower Gwynedd, PA 19002
Phone: 215-542-5648 • Fax 215-542-5679
Established 1984



January 31, 2019
Michael Mroziński, Director of Community Development
Lower Providence Township
Reference: 3829 Yerkess Road
Subdivision Application – First Revision

General comments:

1. The Existing Features Plan must be updated to illustrate all utility line information such as type, size and slope where applicable. Also, add the appropriate rim and invert elevations for all structures where applicable.

A survey has been scheduled.

Stormwater Management Review:

1. Section 129-19.G.(4): Requires a maximum 4:1 cut slope, whereas the applicant's engineer is proposing 3:1. A waiver shall be requested and the applicant's engineer shall comply with the ordinance requirements of Section 129-19.G.(4)(a). Add a certification to the plans.

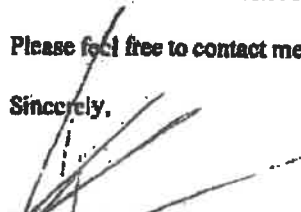
A waiver has been requested.

2. Section 129-19.G.(5): Requires a maximum 4:1 fill slope, whereas the applicant's engineer is proposing 3:1. A waiver shall be requested and the applicants engineer shall comply with the Ordinance requirements of Section 129-19.G.(5)(a)&(b). Add a certification to the plans.

A waiver has been requested.

Please feel free to contact me with any questions you may have regarding the comments in this review.

Sincerely,


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

TPW/del

cc: John Rice, Esq., Township Solicitor – Lower Providence Township
Dan Mallach, Thomas Comitta Associates
Rolph Graf
Casey Moore, P.E., McMahon Associates
Maggie Dobbs, Montgomery County Planning Commission
ASB home improvements LLC

Waiver Requests

1. The applicant is requesting a waiver from Section 123-31.E of the Subdivision and Land Development Ordinance, requiring a minimum cartway width of 30 feet along Yerkes Road (S.R. 4008). The plans currently show a cartway width of approximately 18 feet, thereby not satisfying the ordinance requirement. It should be noted that there is currently an approximate 3-foot westbound shoulder area along the site frontage. Since the travel lane itself is only nine feet wide in this area, it is minimally recommended that the applicant inspect this shoulder area and verify that the pavement section is constructed at full depth pavement suitable for travel. If the existing shoulder area is not full depth, we recommend that the applicant upgrade the shoulder area to full depth.
2. The applicant is requesting a waiver from Section 123-32.A of the Subdivision and Land Development Ordinance, requiring curbing to be constructed along all existing streets. The plans currently do not show any curbing along the site frontage, thereby not satisfying the ordinance requirement. McMahon does not have any opposition to the granting of a waiver for the provision of curbing along Yerkes Road (S.R. 4008) in this area given this relatively short area of frontage.
3. The applicant is requesting a waiver from Section 123-39.I(3)(h) of the Subdivision and Land Development Ordinance, requiring a driveway for a rear lot that also serves as the driveway for a street frontage lot to be a minimum of 20 feet wide. The notes indicate that these three lots will comprise of a home owners association. The larger portion of the proposed driveway is 15 feet wide between the existing dwelling on Lot #1 and remains at 15' wide until the termination of the driveway at Sta. 7+50 with the exception of a single pull-out area at Sta. 3+50, thereby not satisfying the ordinance requirement. The driveway is currently 750 feet long and will be longer to extend to Lot #3. McMahon prefers to have the new shared driveway between Sta. 2+00 and Sta. 7+50 (and further in the future for Lot #3) be a minimum 20-foot wide driveway that serves all three lots with the exception of the section between Sta. 1+40 and Sta. 2+00 by the existing dwelling.

Land Development Plans

4. The plans currently show sidewalk along a portion of the site frontage. The plans should be revised to show the sidewalk extending to the eastern and western property lines so that it is proposed along the entire site frontage. The proposed sidewalk must be designed according to Township Standards and will be subject to review during land development.
5. Sight distance measurements for egress movements have been provided on the plans at the proposed driveway along Yerkes Road (S.R. 4008). Sight distances for left-turn ingressing vehicles, both to the front and rear of the vehicle, should also be provided on the plans and must meet minimum safe stopping distance requirements.

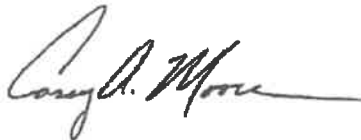
Mr. Michael Mrozinski
February 19, 2019
Page 4

PennDOT permit plan submission, once specific development is proposed for Lot #2 and #3, and the alterations to Lot #1 are clearly defined on land development plans and submitted for review. Additional comments may then follow.

16. A response letter addressing our comments should accompany the resubmission, noting where in the plans and materials the items have been addressed.

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

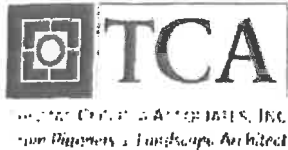
Sincerely,



Casey A. Moore, P.E.
Executive Vice President – Corporate Operations

CAM/BMJ/MEE

cc: Donald Delamater, Township Manager
John Rice, Esq., Township Solicitor
Tim Woodrow, P.E., Woodrow & Associates – Township Engineer
Maggie Dobbs, Montgomery County Planning Commission
Rolph Graf, Graf Engineering, LLC – Applicant's Engineer



REVIEW COMMENTS – 3829 YERKES ROAD / ASB HOME IMPROVEMENTS, LLC
PRELIMINARY PLAN DATED REVISED JANUARY 21, 2019

February 12, 2019; Updated February 15, 2019

Please note the following Review Comments pertaining to the documents listed in the Cover Memorandum.

Items from our November 28, 2018 Review Comments that have been addressed are so noted.

New and updated text is in bold type (2-12-2019 comments).

Further updates following the 2-15-2019 site visit are bold underlined. See comments 1, 3 and 4.C.

1. Tree Removal and Replacement

Per §123-114.B.6.a of the Lower Providence Township Subdivision and Land Development Ordinance (SLDO), one (1) 2½-inch caliper replacement tree shall be provided for each tree of eight inches (8") diameter-at-breast-height (DBH) or greater that is removed. Per §123-114.B.6.c (SLDO), replacement trees shall be planted in addition to the trees required by planting requirements otherwise set forth in the Subdivision and Land Development Ordinance, such as the Street Tree and Internal Landscaping requirements.

On February 15, 2019, we visited the site with Ms. Ashley Claycomb of Graf Engineering, LLC (the Applicant's Engineer) to count the trees of eight inches (8") in diameter and greater that will have to be removed to facilitate the construction of the proposed driveway, sidewalk, and related site infrastructure, and which would therefore be subject to the Township's tree replacement requirement. We counted 14 trees, not including two (2) Spruce trees along the Yerkes Road frontage that we hope can be preserved as street trees (see below comment 4.C).

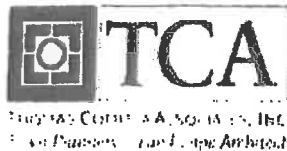
If, as will likely be the case, the Applicant finds that 14 Replacement Trees cannot reasonably fit on the property, §123-114.B.6.d.2 (SLDO) permits the payment of a fee-in-lieu to the Township for required replacement trees that are not planted on the subject property.

Based on our 2-15-2019 Site Visit, there may be some opportunity to fit smaller "understory" type replacement trees within open areas, primarily those associated with the existing dwelling. These would include native trees such as Eastern Redbud (*Cercis canadensis*) or Thornless Cockspur Hawthorn (*Crataegus crus-galli*) that since sold by height would be specified at a minimum of eight feet (8') in height for value equivalence with a tree sold at 2½-inches caliper.

Otherwise, the fee-in-lieu is calculated based on the wholesale cost of a 2½-inch caliper replacement shade tree, multiplied by 2.2 for installation, contractor overhead, and related costs.

Therefore, if the Applicant wishes to pursue the fee-in-lieu option for some or all of the tree replacement requirement (e.g., **to preserve open lawn area associated with the existing dwelling**), we recommend that it be based on a wholesale tree cost of \$175.00 per tree, multiplied by 2.2 for a fee-in-lieu contribution to the Township of \$385.00 per tree.

In addition, a Condition of Plan Approval could require a similar inventory of the trees to be removed to facilitate any future construction on Lot 2 and Lot 3. The Tree Replacement requirement for these lots would be established accordingly.



REVIEW COMMENTS – 3829 YERKES ROAD / ASB HOME IMPROVEMENTS, LLC
PRELIMINARY PLAN DATED REVISED JANUARY 21, 2019

February 12, 2019; Updated February 15, 2019

We recommend that these two (2) trees be indicated on the Plan, first to confirm that the proposed sidewalk and other proposed site features such as the seepage pit can be constructed without significantly impacting them.

Second, if these trees can be preserved, Tree Protection Fencing should be indicated around them on the Erosion & Sediment Control Plan.

If either or both of these Spruce trees can be preserved, per §123-114.B.5.b (SLDO) a tree between 18 and 29 inches DBH would be the equivalent of six (6) trees that may be utilized to satisfy the SLDO non-replacement planting requirements. As such, preserving either of these two (2) 23-inch DBH trees would satisfy in full the 6-tree street tree requirement.

If both of these trees will have to be removed to facilitate site work, the six (6) street trees currently indicated on the Plan should still be installed. Some field re-location of these trees may be necessary to provide adequate offsets from other site elements (e.g., the sidewalk, the seepage pit, other yard trees, etc.).

If either of these two (2) trees cannot be preserved, their removal shall be added to the replacement tree tally (currently 14 trees).

5. Internal Landscaping

The vegetation that is proposed to remain, if it is successfully preserved, would still satisfy the Internal Landscaping requirements contained in §123-114.B.5 (SLDO). *This item has been resolved.*

(Note: Preserved trees may not be used to satisfy the Tree Replacement requirement.

6. Landscape Plan Preparation – Waiver Supported

Per §123-18.A.3.p (SLDO) the planting plan (Landscape Plan) shall be signed and sealed by a Registered Landscape Architect. Given the relatively small scale of this project, we still have no objection to the granting of a Waiver to this requirement (Street Tree planting information is included on the Grading & Utility Plan).

7. Summary

7.A Based on our 2-15-2019 Site Visit, 14 Replacement Trees are required, assuming the two (2) Spruce trees along the Yerkes Road frontage can be preserved. See comment 1.

7.B Prior to Approval, the Applicant shall discuss with the Township how it will satisfy the Tree Replacement requirement (such as via a fee-in-lieu contribution to the Township). See comment 1.