

RESOLUTION NO. 2019- 17
LOWER PROVIDENCE TOWNSHIP

**A RESOLUTION OF LOWER PROVIDENCE TOWNSHIP,
MONTGOMERY COUNTY, PENNSYLVANIA, APPROVING THE
STORMWATER MANAGEMENT ORDINANCE WAIVERS FOR
AUDUBON SQUARE V- PHASE 2**

WHEREAS, Audubon Land Development (“Applicant”), having a mailing address of 2620 Egypt Road, Norristown, Pennsylvania, received conditional final land development plan approval by the Township pursuant to Resolution No. 2018-31 dated November 15, 2018; and

WHEREAS, the Applicant has submitted revised plans dated June 13, 2018, last revised January 7, 2019 in order to conform to the above mentioned final plan approval; and

WHEREAS, the Applicant has identified additional stormwater management ordinance waivers for consideration by the Board of Supervisors of Lower Providence Township.

WHEREAS, the Lower Providence Township Planning Commission and the Montgomery County Planning Commission have reviewed the land development plan of the Applicant; and

WHEREAS, the Board of Supervisors of Lower Providence Township now intends to approve the stormwater management ordinance waivers requested by the Applicant.

NOW, THEREFORE, be it hereby **RESOLVED** that the Lower Providence Township Board of Supervisors does hereby approve the stormwater management ordinance waivers, subject to the following approval conditions:

1. The Applicant shall comply with the Woodrow and Associates correspondence dated February 21, 2019, a copy of which is attached hereto and incorporated herein as **Exhibit “A”**.
2. The Applicant shall comply with Resolution No. 2018-31 which was approved on November 15, 2018, a copy of which is attached hereto and incorporated herein as **Exhibit “B”**.
3. The Applicant shall comply with all other applicable Township Ordinances with respect to sewage, stormwater management, zoning, and building code, and all applicable Township Sewer Authority, county, state and federal rules, regulations and statutes.
4. In addition to the foregoing conditions the following stormwater management ordinance waivers are resolved as follows:
 - a. Section 129-19.C.(3) to allow for a minimum of two 15” diameter pipes in lieu of a single 18” pipe.

_____ X _____ Approved

_____ Denied

b. Section 129-19.C.(6) to allow for less than 1.0% on terminal storm sewer runs.

 X Approved Denied

c. Section 129-19.C.(12) to allow for less than 18" minimum cover over all storm sewer pipes.

 X Approved Denied

d. Section 129-19.C.(19) to allow for less than a minimum of one foot of freeboard.

 X Approved Denied

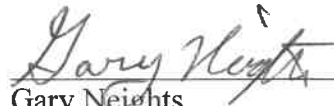
SO RESOLVED, at a duly convened meeting of the Board of Supervisor of Lower Providence Township conducted on this 21st day of March, 2019.

LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS

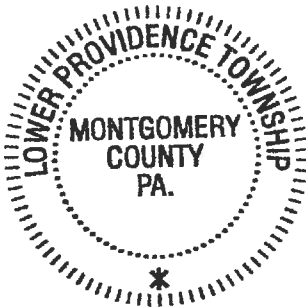

Peter MacFarland, Chairman


Colleen Eckman, Vice Chairwoman

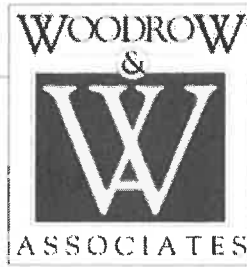

Patrick Duffy


Gary Neights


Jason Sorgini



ATTEST: 



February 21, 2019

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

Reference: Audubon Square V – Phase 2

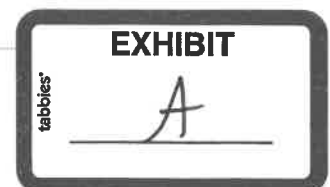
Dear Mike:

I am in receipt of a 65-sheet set of documents prepared by Bursich and Associates of Pottstown, Pennsylvania. The plan is dated June 13, 2018, and bears a revision date of January 7, 2019. The set of plans describe the construction of two new buildings, as well as additional parking facilities at the Audubon Square Campus. The two buildings include a 21,000 square-foot retail facility labeled as Building One on the plan. The second building, labeled as Building Eight on the plan, is subdivided into a 2,600 square-foot restaurant with drive-through facilities and a 3800 square-foot retail facility.

Recall that on September 4, 2018, I issued a fairly lengthy review of the applicant's plans. The review comments did not have wide sweeping conceptual impacts. In the alternative, the review dealt with specifics in design detail and construction expectations. I am happy to report that the vast majority of those items identified in my earlier review have been satisfactorily addressed by the applicant's engineer. Utilizing this letter as a punch list, I believe the following tasks remain:

Approval/Permit/Reviews – Any approval the Board of Supervisors would grant this application should be conditioned upon the applicant securing the following approval/permit/reviews

1. PA DEP NPDES Permit for construction activities
2. PA DEP Sewage Facilities Planning Approval
3. Approval – Lower Providence Township Sewer Authority for connection to their main. It is noted that the internal sewer collection system is proposed to remain private.



February 21, 2019

Michael Mrozinski, Director of Community Development

Lower Providence Township

Reference: Audubon Square V – Phase 2

4. The developer must enter into an agreement with Lower Providence Township which will provide financial security for the quasi-public improvements required in conjunction with the approved plans.
 - The board, thru resolution 2018-31, granted a conditional use final approval. This approval may need to be amended to capture four new code waivers revealed in the review response letter.
 - The applicant has acknowledged that they must comply with certain road improvement deadlines mandated by the earlier conditional use approval.

Threshold Issue:

An open item for discussion is the viability of a Norris Hall Road intersection to the southwest side of the retail complex. We acknowledge the ongoing conversations with landowners, traffic engineers and community stakeholders on this topic.

Zoning Ordinance Review:

It appears that the plans, as laid out, comply with the terms of our zoning code.

Subdivision and Land Development Ordinance Review:

It appears that from an engineering perspective the plans comply with the terms of our subdivision ordinance. We will, however, defer to our Township landscape architect for the appropriateness of buffer plantings, parking lot planting and screening.

Waivers Requested – The four waivers requested deal with rather fine details found on the stormwater management ordinance. As these improvements are to be privately held and not publicly dedicated, I do not take exception to the board acting favorably on the waiver requests.

1. The applicant is requesting a waiver from Section 129-19.C.(3) to allow for a minimum 12" diameter pipe. A complete analysis has been provided within the report.
2. The applicant is requesting a waiver from Section 129-19.C.(6) to allow for less than 1.0% on terminal storm sewer runs.
3. The applicant is requesting a waiver from Section 129-19.C.(12) to allow for less than 18" minimum cover over all storm sewer pipe.

February 21, 2019

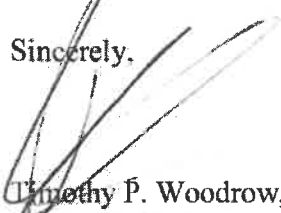
Michael Mrozinski, Director of Community Development

Lower Providence Township

Reference: Audubon Square V – Phase 2

4. The applicant is requesting a waiver from Section 129-19/C.(19) to allow for less than a minimum of one foot of freeboard.

Sincerely,



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

TPW/del

cc: Don D. Delamater, Township Manager – Lower Providence Township
John Rice, Esq., Township Solicitor – Lower Providence Township
Brad Macy, P.L.S., Audubon Land Development
Bernadette Kearney - Hamburg, Rubin, Mullin, Maxwell & Lupin, PC

**RESOLUTION NO. 2018-31
LOWER PROVIDENCE TOWNSHIP**

**A RESOLUTION OF LOWER PROVIDENCE TOWNSHIP,
MONTGOMERY COUNTY, PENNSYLVANIA, APPROVING THE
AMENDED FINAL LAND DEVELOPMENT PLAN OF AUDUBON
SQUARE 5 FOR A PROPERTY LOCATED AT THE NORTHWEST
SIDE OF TROOPER ROAD**

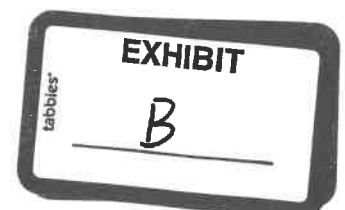
WHEREAS, Audubon Land Development ("Applicant"), having a mailing address of 2620 Egypt Road, Norristown, Pennsylvania, submitted an amended final land development plan to provide a larger Building 1 including 21,00 s.f of retail space and add an additional mixed-use Building 8 consisting of 2,661 s.f of restaurant space with drive-thru and 3,856 s.f of retail space; and

WHEREAS, the Lower Providence Township Planning Commission and the Montgomery County Planning Commission have reviewed the amended final land development plan of the Applicant; and

WHEREAS, the Board of Supervisors of Lower Providence Township now intends to approve the amended final land development plan of the Applicant, consisting of sixty-one (61) sheets, last revised June 13, 2018, prepared by Bursich Associates.

NOW, THEREFORE, be it hereby **RESOLVED** that the Lower Providence Township Board of Supervisors does hereby approve the Applicant's amended final land development plan prepared by Bursich Associates, consisting of sixty-one (61) sheets, dated June 13, 2018, subject to the following plan approval conditions:

1. The Applicant shall comply with the Woodrow and Associates correspondence dated September 4, 2018, a copy of which is attached hereto and incorporated herein as **Exhibit "A"**.
2. The Applicant shall comply with the General comments in paragraphs 3 and 4 and the Land Development Plans comments in paragraphs 1 through 13 of the McMahon Associates, Inc. correspondence dated September 21, 2018, a copy of which is attached hereto and incorporated herein as **Exhibit "B"**.
3. Compliance with the Conditional Use Adjudication and Order entered by the Board of Supervisors on November 1, 2018, copy of which is attached hereto and incorporated herein as **Exhibit "C"**.
4. The Applicant shall comply with all other applicable Township Ordinances with respect to sewage, stormwater management, zoning, and building code, and all applicable county, state and federal rules, regulations and statutes.
5. The Applicant shall execute Development and Financial Security Agreements in a form and manner to be approved by the Township Solicitor.



SO RESOLVED, at a duly convened meeting of the Board of Supervisor of Lower Providence Township conducted on this 15th day of November, 2018.

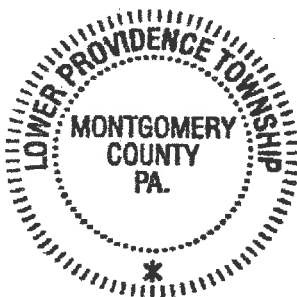
LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS

Patrick T. Duffy
Patrick T. Duffy

Jason F. Sorgini
Jason Sorgini

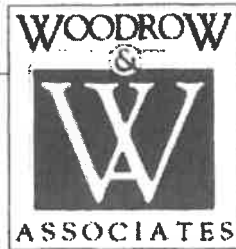
Colleen Eckman
Colleen Eckman

Peter MacFarland
Peter MacFarland



ATTEST: [Signature]

Gary Neights
Gary Neights



September 4, 2018

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

Reference: Audubon Square V – Phase 2

Dear Mike:

I am in receipt of a 61-sheet set of documents prepared by Bursich and Associates of Pottstown, Pennsylvania. The plan is dated June 13, 2018, and bears no revision date at this time. The set of plans describe the construction of two new buildings, as well as additional parking facilities at the Audubon Square Campus. The two buildings include a 21,000 square-foot retail facility labeled as Building One on the plan. The second building, labeled as Building Eight on the plan, is subdivided into a 2,600 square-foot restaurant with drive-through facilities and a 3800 square-foot retail facility. My further review comments are as follows:

Approval/Permit/Reviews – Any approval the Board of Supervisors would grant this application should be conditioned upon the applicant securing the following approval/permit/reviews

PA DEP NPDES Permit for construction activities

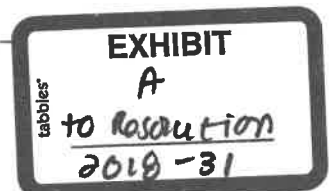
PA DEP Sewage Facilities Planning Approval

Approval – Lower Providence Township Sewer Authority for connection to their main. It is noted that the internal sewer collection system is proposed to remain private.

Threshold Issue:

The vast majority of the facilities planning for the campus has been completed in earlier discussions and improves the Trooper Road, Shenandoah Boulevard, and Forge Avenue pedestrian connectivity between the business park and the retail facilities which is currently in place. Open for discussion is the viability of Norris Hall Road to the southwest side of the retail structure as the beginnings of Norris Hall Road begin to take shape. However, this potential road extension ends in the middle of an existing parking facility and loading areas. The only viable access to this 28,000 square-foot retail complex is a single point of access off of Forge Avenue. We would ask our traffic planners to review this condition and the potential for traffic congestion at this single point of access. The broader topic for discussion is finding ability to extend this potential Norris

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



September 4, 2018
Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: Audubon Square V – Phase 2

Hall Road plan west to interconnect with the recently constructed Jefferson Avenue linkage. An on-site meeting with the developer, our traffic engineers and staff could be of some value to bring this question to closure.

Zoning Ordinance Review:

It appears that the plans, as laid out, comply with the terms of our zoning code.

Subdivision and Land Development Ordinance Review:

It appears that from an engineering perspective the plans comply with the terms of our subdivision ordinance. We will, however, defer to our Township landscape architect for the appropriateness of buffer plantings, parking lot planting and screening.

Stormwater Management Review:

A. General Stormwater Review Chapter 129:

We note that this applicant does not seem to be in keeping with the recently adopted Chapter 129. All calculations, plans and post construction stormwater management criteria must be revised accordingly. Given the deficiencies, we have only conducted a general review of the submitted report and offer the following comments. A detailed review will be conducted once the plans and calculations have been revised, pursuant to Chapter 129.

We would be happy to meet with the design engineer to discuss any issues that are found.

B. Drainage Area Boundary Plans:

1. A Predevelopment Drainage Area Boundary Plan must be submitted for review of the Stormwater Management Design. The following information must be included:

- The entire drainage area including any offsite area that contributes to the site.
- The time of concentration flow paths used in determining the Predevelopment time used in the report.
- We note that the Applicant's engineer uses a 5.00 min. time of concentration for each area in a predevelopment state. A time of concentration more consistent with the existing conditions should be used in the Predevelopment Analysis. We suggest that the Tc be calculated using the SCS Method to produce a more reasonable time.
- We note that the curve numbers do not take into consideration the 20% in existing impervious surface to meadow. Calculations must be revised accordingly.

2. The Post Construction Watershed Plan must be updated to include the Time of Concentration flow paths for each area.

September 4, 2018
Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: Audubon Square V – Phase 2

C. General Plan Review Comments:

An enlarged detail of the HC Ramps with additional spot elevations and slope percentages should be provided to show compliance with all ADA Standards and Specifications.

The proposed layout must be approved by the Lower Providence Township Fire Marshal.

1. Sheet 4-7 of 61:

- a. The Existing Features Plan must be updated to illustrate all utility line information such as type, size and slope where applicable.
- b. The Benchmark used in preparation of the survey must be added to the plans.

2. Sheet 8 of 61:

- a. A note should be added to the plan stating, "The contractor shall ensure that all necessary permits and/or approvals have been obtained prior to the commencement of any site related construction activities."
- b. A note should be added to the plan stating, "All erosion and sedimentation control measures must be installed and inspected by the Montgomery County Conservation District prior to any site disturbance within the tributary area."
- c. A note shall be added to the plan stating, "The contractor shall ensure compliance with all applicable ADA Standards and Specifications."
- d. A note shall be added to the plan stating, "All construction materials and procedures shall follow The Pennsylvania Department of Transportation Specifications and Standard Drawings (latest edition. Shop drawing of all stormwater related structures must be submitted and approved by the Township Engineers office prior to fabrication."
- e. A note shall be added to the plan stating, "Any/all stormwater conveyance system(s) and Best Management Practices shown on these plans are a basic and perpetual part of the stormwater management system for Lower Providence Township and as such, are to be maintained and preserved in accordance with the Post Construction Stormwater Management Plan. No modifications shall be made to any of the Best Management Practices shown on these plans without the approval of The Pennsylvania Department of Protection, The Montgomery County Conservation District and Lower Providence Township. The Township and/or its agents reserves the right and privilege to enter upon the lands for the purpose of inspection, maintenance, emergency repairs as necessary."
- f. A note shall be added to the plan listing the Water Authority serving the proposed land development.

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Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: Audubon Square V – Phase 2

- g. A note shall be added to the plan listing the Sewer Authority serving the proposed land development.
- h. A note shall be added to the plans stating, "All proposed utilities such as gas, electric, phone and cable, etc. shall be placed underground in strict compliance with all operating utility authority standards and specifications."

3. Sheet 10 of 61:

Call out all Handicap Ramp locations in note form on the plan. Reference proposed type of ramp being proposed for each location.

4. Sheet 12-13 of 61:

Additional dimensions must be added to the proposed parking areas.

5. Sheet 14-17 of 61:

- a. A note shall be added to the plans stating, "The proposed finished grading shown on this plan has been shown for the purpose of stormwater management design. The contractor shall comply with the grading scheme as shown unless otherwise approved by the Township and Design Engineer."
- b. A note shall be added to the plans stating, "The minimum slope within all lawn areas shall not be less than 2.00% and the minimum slope within all paved areas shall not be less than 1.00%. All stormwater runoff shall be directed towards the nearest inlet or water course without crossing sidewalks in a concentrated form."
- c. A note shall be added to the plans stating, "A minimum of 8" of topsoil shall be placed on all lawn area and planting areas. All slopes 3:1 or greater will require the placement of an approved erosion control blanket after seeding to prevent erosion of newly graded areas."
- d. A note shall be added to the plans stating, "The contractor shall be responsible for removing and replacing all soft, yielding or unsuitable materials and replacing it with suitable structural fill and/or stone. All excavated or filled areas shall be compacted to 95% of modified proctor maximum density per ASTM D-1557, moisture content at time of placement shall be no more than 2% above, nor more than 3% below optimum. The contractor shall submit a compaction report prepared by a qualified soils engineering firm, registered with the State where the work is being performed, verifying that all filled areas and subgrade areas within the building pads, paving areas and basin cores have been compacted in accordance with these specifications."

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Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: Audubon Square V – Phase 2

Sheet 18-21 of 61:

- a. The proposed pipe information must be added to the plans for the proposed storm sewer runs, pipe length, diameter, type of pipe and slope should be shown. A table of structures and pipe runs would be acceptable.
- b. Provide the location of the electric service line and its tie in with the proposed buildings.
- c. Indicate the type of pipe for all proposed utility services being proposed as part of this development.
- d. The pavement underdrain designations must be revised to show the location of the underdrain.

6. Sheet 30-32 of 61:

- a. The applicant's engineer is proposing a sumped inlet for B-25. We recommend a Snout Device be added and called out for this inlet and any other terminal inlet or manhole proposed to tie into the underground basin. Provide the appropriate details.
- b. The applicant's engineer is proposing HDPE Pipe for the entire stormwater management system. The Basin Outlet pipes must reference "Watertight" pipe.
- c. Additional details for the proposed grease trap must be added to the plans.
- d. The porous pavement must be called out on sheet 32 and reference details on sheet 33 for the appropriate pavement sections. In addition, the locations of the pavement underdrain must be added to the Utility Plans to eliminate confusion during construction.

7. Sheet 33 of 61:

The applicant's engineer must specify a 6" perforated underdrain with filter sock for the Porous Pavement Section.

Stormwater Management Review:

1. Section 129-13.T: All storm sewer inlets and storm sewer manholes must be identified with a storm drain marker. Add a note and detail in accordance with this section must be added to the plans.
2. Section 129-14: The Stormwater design must be revised to meet this section and subsections listed within.
3. Section 129-17: The applicant's engineer must address this section of the Township Stormwater Management Ordinance and the sub-sections listed within.

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 Michael Mrozinski, Director of Community Development
 Lower Providence Township
 Reference: Audubon Square V – Phase 2

The Post Construction Stormwater Management Report shall specifically address this ordinance section and sub-sections listed within. The required calculations must be added to the report.

4. Section 129-19.C.(3): Requires a minimum pipe diameter of 15" whereas, the applicant's engineer is proposing the use of pipe diameters less than the required 15". Either revise the minimum pipe size to 15" or provide supporting calculations and request a waiver. We have no objections to this waiver given this system will be privately owned and maintained.

We note a formal pipe analysis shall be provided accounting for both inlet and outlet control, Max. Highwater elevation and velocity for all proposed pipe runs.

5. Section 129-19.C.(4): All storm sewer inlets and storm sewer manholes must be identified with a storm drain marker. Add a bicycle safe inlet grate to the plans. In addition, add a note to the plans stating "All inlet grates proposed conjunction with this development shall be bicycle safe grates."
6. Section 129-19.C.(6): All terminal storm sewer runs shall have a minimum of 1.00%. Either revise the pipe design or request a waiver. We have no objections to a waiver given this system will be privately owned and maintained.
7. Section 129-19.C.(12): Requires a minimum cover of 18" over all storm sewer pipe. The applicant's engineer shall verify compliance with this section during the redesign of the storm sewer. If in the event due to grade and design this cannot be achieved, a waiver will be required.
8. Section 129-19.C.(19): Requires a minimum freeboard of one foot. The applicant's engineer must provide supporting calculations. If in the event due to grade and design this cannot be achieved, a waiver will be required.
9. Section 129-19.G.(7): Provide a note on the plans stating, "The lot shall be kept free and clear of any debris or nuisance whatsoever during construction."
10. Section 129-19.H.(2): A note shall be added to the plans stating, "During construction, duly authorized representatives of Lower Providence Township may enter at any reasonable time upon any property within the Township to investigate whether construction activities are in compliance with this Chapter."
11. Section 129-19.H.(3): The applicant's engineer shall illustrate compliance with this section and the sub-sections listed within. Add a table to basin cross section detail denoting the elevation of each storm event.
12. Section 129-19.H.(6): The applicant's engineer shall illustrate compliance with this section. In addition, a note shall be added to the plans addressing the requirements.
13. Section 129-19.H.(7) : A note shall be added to the plans stating the following, "The stormwater management basins/rain gardens shall be in place before the creation of any

September 4, 2018
Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: Audubon Square V – Phase 2

new impervious surfaces on site. As built Plans must be submitted to the Township for review. The Stormwater management basins/rain gardens shall not be considered functional until it is proved by the developer that the basins/rain garden meet the volume requirements and the outflow characteristics of the original design.”

14. Section 129-19.H.(8): The applicant’s engineer shall address how this site will be constructed in compliance with this section.
15. Section 129-19.H.(12): The applicant’s engineer shall address how emergency overflow from the proposed underground systems will be dealt with. Supporting calculations must be provided showing the overflow weirs and downstream pipe runs are adequately sized to accommodate the flow. Based upon the detail provided for Outlet Structure B42, there does not appear to be sufficient room available to accommodate emergency overflow. The applicant’s engineer must address this situation.
16. Section 129-19.H.(18): The basin outlet pipe run must be O-ring Reinforced Concrete Pipe. We note that applicant’s engineer is proposing HDPE. We have no objections to a waiver so long as the pipe is classified as “Watertight” HDPE.
17. Section 129-19.I.(4): The applicant’s engineer shall provide the necessary calculations to support the requirements of this section and sub-sections listed within.
18. Section 129-20.E: The time of concentration used for the Predevelopment Analysis assumes a 5.00 minutes Tc. As stated in this section, the time of concentration calculations must be computed using the SCS Method. As such, all of the predevelopment subareas must be recalculated. All predevelopment Sheet flow calculations must be reflective the actual conditions. Revise the Predevelopment and Post Development By-pass calculations accordingly.
19. Section 129-20.F.: The Predevelopment Calculations must also be revised to reflect meadow in good condition for all on site areas, unless the existing condition yields a lower curve number. Revise the Predevelopment calculations for each subarea accordingly.
20. Section 129-20.K: All Predevelopment and Post Development Time of Concentrations must be revised consistent with this section. Supporting calculations must be added to the Post Construction Stormwater Management Report.
21. Section 129-22 & 129-23: The applicant’s engineer shall prepare a Stormwater Management Site Plan in accordance with these sections and sub-sections listed within. The Standard Post Construction Stormwater Management Plan prepared in conjunction with the NPDES Application will be sufficient so long as the requirements of these sections are satisfied. The appropriate acknowledgements and owner signature blocks should be added to the plan.

We note once this plan is submitted a formal review will be conducted.

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 Michael Mrozinski, Director of Community Development
 Lower Providence Township
 Reference: Audubon Square V – Phase 2

22. 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.
23. Section 129-30: A note shall be added to the plans stating, "A set of plans approved by the Township shall be on file at the site throughout the duration of development activities. Periodic inspections may be may by the Township or designee during development activities.
24. Section 129-31: A note shall be added to the plans stating, "It shall be unlawful for any person to undertake any regulated activity on any property except as provided for in the approved plan and pursuant to the requirements of Chapter 129. It shall be unlawful to alter or remove any stormwater management facility or Best Management Practice (BMP) required by this plan pursuant to Chapter 129 or to allow the property to remain in a condition which does not conform to the approved plan."
25. Section 129-32 & 129-33: The applicant/owner at the completion of the project shall comply with the requirements and regulations of these sections and the subsections listed within.
26. Section 129-38: The applicant/owner shall provide a financial guarantee to the Lower Providence for the timely installation and proper construction of all stormwater management controls as required by the approved stormwater management site plan and Chapter 129 equal to the full construction cost of the required controls plus construction contingency and construction inspection costs, which amount shall be calculated by the Township Engineer.

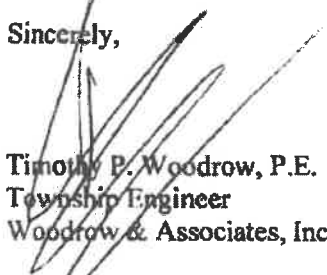
Note that prior to final plan approval the applicant's engineer shall supply a bonified construction estimate for all proposed Public Improvements or Qazi-Public Improvements associated with this project.
27. Section 129-39: The Stormwater Management Site Plan for the development must contain operation and maintenance requirements for all proposed Best Management Practices (BMP's) as designed as a part of this development.
The applicant's engineer shall provide the required information.
28. 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.
29. Section 129-42.A.(1): Requires stormwater management easements to permit access to the property by Lower Providence for the purpose of inspection and emergency maintenance. A note should be added to the plans stating, "A blanket easement is hereby granted to Lower Providence Township for the purposes of inspection and/or emergency repairs to the Best Management Practices (BMP's) shown as a part of the approved plans."

September 4, 2018
Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: Audubon Square V – Phase 2

30. Section 129-42.A.(2): All proposed Best Management Practices (BMP's) require easement as required by this section. The Record Plan must be revised to reflect all easements. All easements shall be provided in conjunction with section 129-42.B of this Chapter.

31. Section 129-43 & 129-44: This site is subject to the Stormwater Maintenance Fund and the Post Construction Maintenance Inspections as defined in these sections of Chapter 129. All fees will be determined prior to Final Plan approval.

Sincerely,



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

TPW/del

cc: Don D. Delamater, Township Manager – Lower Providence Township
John Rice, Esq., Township Solicitor – Lower Providence Township
Brad Macy, P.L.S., Audubon Land Development
Bernadette Kearney - Hamburg, Rubin, Mullin, Maxwell & Lupin, PC



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. Kozsueh, P.E.
Maureen Chlebek, P.E., PTOE
Dean A. Carr, P.E.

September 21, 2018

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

RE: **Traffic Engineering Review #8 – Amended Phase 2 Plan Submission**
Proposed Audubon Square V
900 Forge Avenue
Lower Providence Township, Montgomery County, PA
McMahon Project No. 813687.11

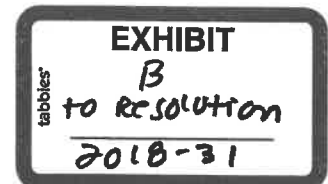
Dear Mike:

As requested on behalf of Lower Providence Township, McMahon Associates, Inc. has completed a traffic engineering review for the Audubon Square V development at 900 Forge Avenue, located within the Park Pointe at Lower Providence. Audubon Land Development proposes to amend their previously presented plans for their Phase 2 development. The applicant is building their project in three phases, as presented at the October 28, 2015 Planning Commission Meeting.

Phase 2, which this submission specifically addresses, deals with a previously proposed single building (Building 1) with 15,900 SF of retail. The proposed amendment to this parcel is to provide a larger Building 1 (21,000 s.f. of retail) which is set back further from Trooper Road (SR 0363), and adds an additional mixed-use Building 8 (2,661 s.f. of restaurant space with drive-thru and 3,856 s.f. of retail space). The Phase 2 access onto Forge Avenue opposite Access Drive 'D' is unchanged with the updated site layout. The proposed phasing for the entire project, as amended with this submission, is as follows:

Phase One (Construction Completed or In Progress)

- Building 2 – 6,400 SF retail building including Starbucks end cap
- Building 3 – 5,704 SF high turnover sit-down restaurant with drive-thru component
- Building 4 – 135-room Fairfield Marriott Hotel



Mr. Michael Mrozinski

September 21, 2018

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Phase Two (Current Submission)

- Building 1 – 21,000 SF retail building
- Building 8 – 2,661 SF drive-thru restaurant and 3,856 SF retail building

Phase Three

Not yet designed in this plan set, but discussed with Lower Providence Township Boards and Representatives is to include:

- **Norris Hall Lane Extension** – From our understanding, and based on our limited interactions with Audubon Land Development and the property owner of The Tavern at Valley Forge, there previously was no agreement reached to incorporate the property into the Audubon Square V design/layout, as well as for the site and area to benefit from an extension of Norris Hall Lane from Trooper Road thru to Egypt Road per the Township's Act 209 and long-range plans. **Note – However, these Phase 3 connections to both the Business Park between Trooper Road and Egypt Road are critical for the long-term, efficient flow of traffic and future land development beyond Phase 1 and 2 in and around this area. The Township Supervisors and Audubon Land Development have a resolution that references McMahon's March 6, 2017 letter to the Township, that will require Audubon Land Development to build this roadway connectivity by the year 2024, if not sooner. Added note: The submitted plan shows a faded outline of the future roadway/access connection to plan for it on the site layout.**

The following document was reviewed in preparation of our comments:

- **Amended Final Land Development Plans for Phase 2 for Audubon Square 5**, prepared by Bursich, dated June 13, 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 and their consultants.

General

1. As outlined in McMahon's letter to the Township Manager and Board of Supervisors on March 6, 2017, McMahon recommended that the applicant install the section of roadway to/from the Jefferson Avenue Extension and along the south and east sides of Building 900 to/from Forge Avenue. We acknowledge that a deadline of 8 years (9/15/2024) was given for these improvements; however, based on the proposed amendments for Building 1 and the addition of Building 8, combined with traffic, accessibility and improving circulation/flow in this area, provision of at least a portion of this connection in Phase 2 should be considered by the Township Supervisors and implemented by the applicant. While the ultimate provision of this connector will extend from Trooper Road to Egypt Road, the initial portion from Trooper Road towards Access Drive 'C' could be phased in sooner. This would entail updating the traffic analyses and modifying the plans accordingly.

2. Phase 3 roadway improvements, as denoted on the approved Road Master Plan and shown in RED on page 4 of Audubon Land Development's memo of March 3, 2017, must be under construction or financial security established per the Order of March 17, 2016 by 9/15/2024 to construct said improvements to extend Norris Hall Lane. It is our expectation that the application (ALD) will be advising and informing all of its tenants in Building 900 (left side of Building 6) and Building 950 (right side of Building 6) along Forge Avenue and others affected, of the Road Master Plan improvements that are required to be constructed to improve roadway connectivity in this area. The Township should not be put into a position in future years that the Road Master Plan will not be completed per the agreement with the applicant and/or its future owners of these properties in which the roadway master plan affects. Furthermore, ALD should be continuing to work diligently with the existing building tenants and the owners of the restaurant property along Trooper Road to inform and educate them of the Road Master Plan, in order for everything to be put into place no later than the agreement of the Order of March 17, 2016.
3. A portion of the Norris Hall Lane Extension will traverse through the existing parking lot of several buildings on the site owned by Audubon Land Development. Parking spaces in these existing lots will likely be eliminated with the design; however, it is unclear how many, and if the parking supply remaining would satisfy the Township Ordinance and tenant demands. The applicant and their engineer must provide details on this, and plan for it accordingly, as the project moves forward. Furthermore, a clear definition between the parking lots and the proposed connector road must be designed, and both vehicular and pedestrian access to/from the parking areas must be controlled and signed appropriately.
4. The proposed, rear future parking lot for ALD's Building 5 on Eisenhower Boulevard should not be constructed and utilized for parking until all of the roadway connections above are completed and open to traffic. At that point, the connection between the Building 5 west parking lot to/from Access Drive 'C' should be eliminated with the road connections in place per the Road Master Plan.

Land Development Plans

1. The site layout in the vicinity of the drive-through area near the first internal site intersection to the west of Forge Avenue and Access Drive 'D' seems that it may be potentially problematic for circulation. If the drive-thru queue extends out of the storage area to the north of Building 8, vehicles may end up blocking the main drive aisle and then potentially Forge Avenue, as well. The plans show 9 cars in the drive-thru queue, but without any physical separation provided between the drive-thru lane and the drive aisle to the north of Building 8 there is the potential of a vehicle blocking the drive aisle directly to the north of Building 8 while trying to access the drive-thru lane. Physical separation of the drive-thru lane and drive aisle to the north of Building 8 is recommended to be engineered on the plans, possibly with delineators or adding a raised median, as well as the provision of signage and pavement markings directing vehicles around the building (counter-

clockwise) to the drive-thru entrance. A "No Left Turn" sign into the drive-thru lane facing traffic entering from Access Drive 'D' should also be added.

2. Off-peak loading is proposed on the north side of the drive-thru lane within the drive-aisle of the parking area on the north side of the building. The applicant should add information to the plans as to what "off-peak" will be, and how the will be able to control deliveries in this area if problematic.
3. The internal intersection of Access Drive 'D' and Forge Avenue must be evaluated for control by a multi-way stop for the safety of pedestrians and vehicular movements, and the appropriate traffic control installed for the four-legged internal intersection along with pedestrian crossings.
4. Per Section 123-32 of the Subdivision and Land Development Ordinance, the size, type, and construction standards for curb shall be those specified in the Lower Providence Township Engineering Standards. Per Section 102.C.1 of the standards, concrete curb shall conform to the specifications and standards promulgated by PennDOT. Per PennDOT Publication 72M - RC 64 Sheet 1, typical concrete curb is to be 8" in height. The proposed curb reveal for this parcel appears to be 6". Revise the design of the curb or provide a waiver request.
5. Per Section 123-34.H of the Subdivision and Land Development Ordinance, all roadways must have a minimum curb radius of 25' at intersections with adjacent roadways. The proposed radii for the main drive aisle intersection with Forge Avenue do not appear to meet this requirement. Modify accordingly.
6. It appears that the fire truck circulation turning movements adjacent to Building 8 shown on Sheet 40 conflict with several parking spaces. Update the movements to demonstrate that the design fire truck can freely maneuver through the site when all of the parking spaces are occupied, and to the satisfaction of the Township Fire Marshall.
7. Truck circulation plans for the largest delivery vehicle for Building 1 and Building 8 must be provided for that design vehicle in the plan set.
8. The applicant should provide details on the timing and control for trash pick-up for Building 8. Of concern is the ability of a trash truck to enter the dumpster area when vehicles are stacked in the drive-thru lane.
9. 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. McMahon has not reviewed any ramp details internal to the site.
10. A pedestrian connection should be shown on the plans between Buildings 1 and 8 as there is expected to be pedestrian interaction between these buildings.

11. A stop sign and stop bar should be shown on the plans on the southern end of the drive-thru lane where this lane meets the drive aisle to the south of Building 8.
12. If and when the connection of a site access and connector road (Norris Hall Lane Extension) occurs at the Trooper Road/Norris Hall Lane signalized intersection, an updated traffic study must be provided for review and approval, and all submissions and interactions with PennDOT and others for permits and approvals must be coordinated with the Township and our office for inclusion in the process.
13. According to the Township's *Roadway Sufficiency Analysis*, the proposed development is located in Transportation Service Area Two, which has a corresponding impact fee of \$412.54 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*. The applicant must provide the incremental trip generation information for the proposed additional retail space and restaurant space currently proposed with Phase 2 of the development. Once this information is provided to our office for review, a transportation impact fee will be calculated and recommended.

We trust that this review letter responds to your request and satisfactorily addresses the traffic issues that are related to this project and apparent to us at this time. A response letter should be prepared by the applicant's consultants indicating how the comment has been addressed, and where. 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 & Regional Manager – Mid-Atlantic

CAM/BMJ/WLT

cc: Don Delamater, Township Manager
Tim Woodrow, P.E., Township Engineer
John Rice, Esquire, Township Solicitor
Maggie Dobbs, Montgomery County Planning Commission
Brad Macy, Audubon Land Development

**BEFORE THE LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS -**

IN RE: APPLICATION OF SWD 89, LLC, FORGE 20, LLC & EI3, LLC

ADJUDICATION

I. Background.

The Lower Providence Township Board of Supervisors held a conditional use hearing on October 18, 2018 on the application of SWD 89, LLC, Forge 20, LLC & Ei3, LLC with an address of 2620 Egypt Road, Norristown, PA 19040 (collectively the "*Applicant*"). The Applicant had previously received conditional use approval for the same property on March 17, 2016. The current conditional use application proposes to modify the 2016 conditional use decision by increasing the previously approved 15,900 square foot retail building to 21,000 square feet and by including a new building 8 in Phase 2 consisting of 6,517 square feet with a drive-thru. The hearing was advertised in the Times Herald on October 5, 2018 and October 11, 2018. Proofs of publication are on file at the Lower Providence Township Municipal Building. A Stenographic record of the hearing was taken by Mark Manjardi. At the hearing, the Board of Supervisors was represented by the Township Solicitor, John B. Rice, Esquire. There were no other parties to the hearing.

The following exhibits were admitted without objection at the hearing:

Board Exhibits:

- B-1 Conditional Use Application, CU-18-04 received by Lower Providence Township on September 24, 2018
- A-1 C.V. of Kim R. Kryder, LRA
- A-2 C.V. of Eric Ostimchuk, PE
- A-3 Deed dated August 16, 2007 between Seton Company and Forge 20, LLC
- A-4 Deed dated August 20, 2013 between BMR-2600 Eisenhower Avenue, LLC and Ei3, LLC
- A-5 The 5th Amendment to Declaration of ACP Condominium by SWD89, LLC dated November 16, 2010
- A-6 Conditional Use Adjudication dated March 17, 2016
- A-7 Resolution No. 2016-52 dated May 5, 2016 granting final land development plan approval for Audubon Square 5
- A-8 Bursich plans, dated June 13, 2018 for Audubon Square 5.2 (Phase 2)
- A-9 Bursich plans, dated June 13, 2018 for Audubon Square 5 (Phase 2, Sheets 23, 25 & 26 of 61)



A-10 Bursich plan for Audubon Square 5, sheet 9 or 61, dated October 11, 2018

A-11 Bursich plan, dated June 13, 2018, sheet 2 or 61

Based on the testimony and evidence presented, the Board hereby makes the following Findings of Fact and Conclusions of Law.

II. Findings of Fact.

1. The Applicant received conditional use approval for the same property on March 17, 2016 and preliminary final land development approval on May 5, 2016 pursuant to Resolution No. 2016-52.

2. The Applicant is proposing to amend both the conditional use approval and final land development approval by increasing the size of building 1 in Phase 2 from 15,900 square feet to 21,000 square feet and by adding a new building 8 in Phase 2, consisting of 6,517 square feet which would include 2,661 square feet of restaurant space with a drive-thru and 3,856 square feet of retail space.

3. The Applicant testified that no other changes are proposed for the plan which was approved pursuant to Resolution No. 2016-52 and that the conditions attached to the conditional use adjudication of March 17, 2016 would be a continuing obligation of the Applicant.

4. The total tract area for Audubon Square 3, 4 & 5 is 85.908 acres and is generally bound by Egypt Road, Rittenhouse Road, Shannondell Boulevard, Trooper Road, Forge Avenue and Eisenhower Avenue.

III. Conclusions of Law.

1. The subject Property is located in the Industrial Park Zoning District (IP).

2. Applicant's proposed drive-thru restaurant use is permitted within the IP District by conditional use pursuant to Section 143-136.A. of the Lower Providence Township Zoning Ordinance.

3. Applicant is requesting conditional use relief pursuant to Sections 143-13.B and 143-113 for multiple uses on the lot. Buildings 1, 2, 3 & 8 are being developed in accordance with Section 143.136.B for class 2 highway commercial uses within 600 feet of the general commercial district boundary.

4. The Municipalities Planning Code, 53 P.S. 10913.2 sets forth standards for conditional use approvals and permits the imposition of conditions by the governing body in approving such uses.

5. Section 143-136.E. and F. sets forth procedures and standards for consideration of conditional use applications by the Board of Supervisors. The requested conditional uses are appropriate for the property in question in that they constitute a continuation of the previously approved commercial, retail and restaurant uses and will not have an adverse impact on the surrounding vicinity.

ORDER

AND NOW, this 1st day of November, 2018, after due deliberation and discussion at public hearing, the Lower Providence Township Board of Supervisors does hereby grant the conditional use application of the Applicant, subject to the following conditions:

1. Applicant shall obtain revised final land development approval for its revised conditional use approval and proposed revisions to the Audubon Square 5 land development plan in accordance with Township Ordinances.

2. Applicant shall comply with all other applicable Township, County, State, Federal Rules and Regulations, Ordinances and Statutes.

3. Applicant shall continue to be bound by the conditions set forth in the March 17, 2016 conditional use adjudication order and paragraphs 2, 3 and 4 of that order are incorporated and adopted herein as follows:

a. Applicant shall construct all Phase 1 road improvements as shown on the Road Master Plan prepared for Audubon Land Development, Exhibit "A-6", as part of its pending land development application upon approval of the overall project. The Road Master Plan is attached hereto as "Exhibit I" to this Order.

b. Applicant shall construct all other Phase 2 road improvements and/or establish financial security within three years from the date of execution of development and financial security agreements for the Audubon Square 5, Phase 1 project.

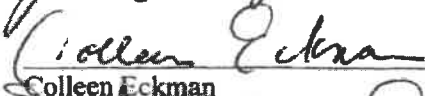
c. Within 8 years from execution of Development and Financial Security Agreements for the Audubon Square 5, Phase 1 project, Applicant shall construct and/or establish financial security for the Norris Hall Road extension and improvements as shown on Exhibit "A-6" or construct and/or establish financial security for a mutually agreeable alternative. The Township reserves the right to modify the construction or location of the Phase 2 and/or Phase 3 road improvements provided that the Township's traffic engineer establishes a better alternative to relieve existing and future traffic congestion and that Applicant agrees to such modification.

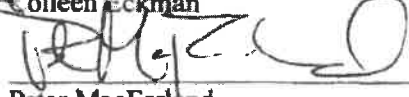
d. For Purposes of paragraphs 3.b. and c., the date of execution of Development and Financial Security Agreements for Audubon Square 5, Phase 1 project was September 15, 2016.

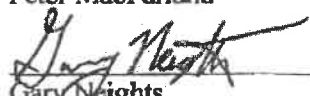
LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS


Patrick T. Duffy


Jason Sorgini


Colleen Eckman


Peter MacFarland


Gary Neights

Date of Mailing: 11/2/18

