

**RESOLUTION NO. 2019-29
LOWER PROVIDENCE TOWNSHIP**

**A RESOLUTION OF THE LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS, MONTGOMERY COUNTY,
PENNSYLVANIA, APPROVING THE PRELIMINARY MINOR
SUBDIVISION PLAN FOR FRANK M. AND JENNIFER A. VENEZIA
FOR THE PROPERTY LOCATED AT 3880 YERKES ROAD**

WHEREAS, Frank M. and Jennifer A. Venezia (“Applicant”) has submitted a Preliminary Minor Subdivision Plan to add an additional flag building lot behind the existing single-family dwelling; 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 Minor Subdivision Plan for Frank M. and Jennifer A. Venezia.

NOW, THEREFORE, it is hereby **RESOLVED** that the Lower Providence Township Board of Supervisors does hereby approve the Preliminary Minor Subdivision Plan submitted by Applicant, consisting of one (1) sheet prepared by Bercek and Smith Engineering, Inc., dated April 24, 2019, subject to the following conditions:

1. The Applicant shall comply with the Woodrow and Associates correspondence dated May 29, 2019, a copy of which is attached hereto and incorporated herein as **Exhibit “A”**.
2. The Applicant shall comply with the Gannett Fleming correspondence dated June 13, 2019, a copy of which is attached hereto and incorporated herein as **Exhibit “B”**.
3. The Applicant shall execute and record the final record plan in accordance with the requirements of Lower Providence Township.
4. The Applicant shall comply with all other applicable Township, 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.
6. The Applicant shall pay a traffic impact fee as required by Township ordinances and a park and recreation fee in the amount of \$1,160.00.
7. In addition to the foregoing conditions of approval, the following Subdivision and Land Development Ordinance modifications are resolved as follows:

- a. SLDO Section 123-14.D.(4) requiring a planting plan showing the location, species, size and number of all required plant materials.

 X Approved Denied

- b. SLDO Section 123-14.F. requiring compliance from the Township Stormwater and Erosion Control Ordinance.

 X Approved Denied

- c. SLDO Section 123-31.F.(2) requiring a minimum cartway width of 26 feet.

 X Approved Denied

- d. SLDO Section 123-31.J.(6) requiring streets constructed without curbs shall have 6-foot wide shoulders.

 X Approved Denied

- e. SLDO Section 123-32 requiring curbs and storm sewers be constructed along all existing streets.

 X Approved Denied

- f. SLDO Section 123-33 requiring sidewalks be installed along all existing streets.

 X Approved Denied

- g. SLDO Section 123-36.B.(1) requiring driveway accesses shall be at least 200 feet apart.

 X Approved Denied

- h. SLDO Section 123-45.B. requiring an erosion and sediment control plan.

 X Approved Denied

- i. SLDO Section 123-52 requiring shade trees be planted along both sides of all new or existing streets.

 X Approved Denied

- j. SLDO Section 123-54 requiring monuments to be installed on the street right-of-way and the original tract boundary.

 X Approved Denied

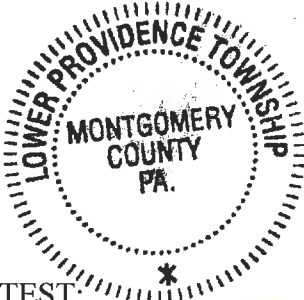
- k. SLDO Section 123-114.A.(1) requiring a natural resource plan.

 X Approved Denied

8. The forgoing modifications set forth in paragraph 7 are subject to the following conditions:

- a. That all existing vegetation along Yerkes Road shall be maintained and no clear cutting may occur. The Township may require additional street tree plantings as a condition of final plan.
- b. No clear cutting or tree removal shall occur on the new lot #2 except for construction of a new dwelling and storm water improvements. The applicant shall mark on the final plan the proposed limits of clearing and tree removal which shall be approved by the Board of Supervisors.

SO RESOLVED, at a duly convened meeting of the Board of Supervisors of Lower Providence Township conducted on this 17th day of October, 2019.



ATTEST:

A handwritten signature in blue ink, appearing to be "Don D. Delamater".

Don D. Delamater, Township Manager

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS**

A handwritten signature in blue ink, appearing to be "Peter MacFarland".

Peter MacFarland, Chairman

A handwritten signature in blue ink, appearing to be "Colleen Eckman".

Colleen Eckman, Vice Chairwoman

A handwritten signature in blue ink, appearing to be "Patrick Duffy".

Patrick Duffy

Gary Neights

A handwritten signature in blue ink, appearing to be "Jason Sorgini".

Jason Sorgini



May 29, 2019

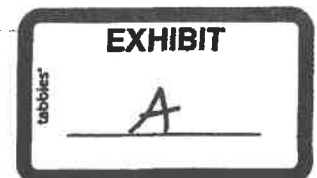
Michael Mrozinski, Director of Community Development
Lower Providence Township
100 Parklane Drive
Eagleville, PA 19403

Reference: 3880 Yerkes Road
Two Lot Subdivision Application

Dear Mike:

I am in receipt of a single-sheet plan application prepared by Bercek and Smith Engineers of Royersford, PA. The plan is dated April 24, 2019, and has not been revised at this time. The plan describes the creation of a two-lot subdivision for the property. Lot one is to capture the existing home improvements. Lot two is reserved for a future single-family home building lot. The applicant is seeking a number of waivers from the ordinance, mostly with regard to street improvements and stormwater management. Those waiver requests are as follows:

- A. **Waivers Requested** – The applicant has requested the following waivers from our ordinance:
1. Section 123-14.D.(4) – A waiver has been requested from the requirement of a planting plan showing the location, species, size and number of required plant material.
 2. Section 123-14.F. – A waiver has been requested from the requirement of stormwater and erosion control.
 3. Section 123-31.F.(2) – A waiver has been requested from the requirement of a minimum cartway width of 30 feet. Requesting 26 feet.
 4. Section 132-31.J.(6) – A waiver has been requested from the requirement that residential streets without curbs have six-foot shoulders.
 5. Section 123-32 – A waiver has been requested from the requirement of curbs and storm sewers be constructed along all existing streets.
 6. Section 123-33 – A waiver has been requested from the requirement of sidewalks being installed along all existing streets.



May 29, 2019

Michael Mrozinski, Director of Community Development

Lower Providence Township

Reference: 3880 Yerkes Road

Two Lot Subdivision Application

7. Section 123-36.B.(1) – A waiver has been requested from the requirement of driveway accesses being at least 200 feet apart.
 8. Section 123-45.B – A waiver has been requested from the requirement that no subdivision or land development plan shall be approved unless there has been a plan approved by the Board of Supervisors that provides for minimizing erosion and sedimentation.
 9. Section 123-52 – A waiver has been requested from the requirement of that shade trees be planted along both sides of all new or existing streets.
 10. Section 123-54 – A waiver has been requested from the requirement of monuments on the street right-of-way and original tract boundary.
 11. Section 123-114.A.(1) – A waiver has been requested from the requirement of requirement of a natural resource plan.
- B. Approval/Permit/Reviews** – Any approval the board may grant this application should be conditioned upon the applicant securing the following approval/permit/reviews:
1. PA DEP – Sewage Facilities Planning
 2. PA dot – Minimum Use Driveway Permit
 3. PennDOT – Storm Sewer Outfall and Improvements Permits
 4. Proof of public water supply availability
- C. Zoning Ordinance Review** – The property is located within our R-2 Zoning District which requires a 25,000 square-foot lot size, so long as public water and sewer are provided the flag lot has increased lot area and setback requirements.
1. Section 143-20 – Access to public streets – The portion of the rear lot required for access driveways shall not be included in calculating the required lot area. The plan is not entirely clear that the 25-foot access strip has been deducted from the lot area. The zoning tabulation chart should be amended to clearly define how the net lot area was calculated.
- D. Subdivision and Land Development Ordinance Review:**
1. Section 123-9.B – Minor Subdivision – The application qualifies as a minor subdivision plan application and will be reviewed accordingly.
 2. Section 123-14.F – The ordinance requires that the application deal with storm water and erosion control measures. The current plan is silent to this requirement.

May 29, 2019

Michael Mrozinski, Director of Community Development

Lower Providence Township

Reference: 3880 Yerkes Road

Two Lot Subdivision Application

3. Section 123-31 – With regard to classification of the roadway, we will defer to McMahon and Associates to determine whether Yerkes Road should be defined as a residential street or a feeder street.
4. Section 123-31.E – As a residential street, the minimum cartway width is required to be 26 feet. This obligation would require a widening of Yerkes Road of approximately 1.5 feet.
5. Section 123-32 – This code citation requires that any new subdivision be required to provide vertical concrete curbing and storm sewer improvements along its frontage. In my opinion, at a minimum, storm sewer improvements along Yerkes Road should be provided.
6. Section 123-33 – This code citation requires the applicant to install sidewalks for the full frontage of the property.
7. Section 123-36.B(1) – The location for proposed new driveways must be reviewed with a goal of a 200-foot offset. The numerous homes on Yerkes Road make a 200-foot offset difficult. In my opinion, we should defer to PennDOT for the issuance of a minimum use driveway permit as the board deliberates over the waiver being requested from this ordinance section.
8. Section 123-42 – Grading – The ordinance anticipates the potential adverse impacts of new construction on adjacent properties. Therefore, the ordinance requires that a grading plan be prepared to identify and mitigate any potential impacts. In my opinion the proposed location and construction of a driveway to serve Lot #2 must be shown on the plans. This driveway should be fitted with the available sight distance, taking into account adjacent embankments, vegetation and alignments of the highway. The driveway plan must consider grading and its proximity to adjacent property boundaries and a stormwater plan to properly collecting and convey runoff from the new driveway to a point at which shall have no adverse impact on adjacent properties.
9. Section 123-43 – Stormwater Management – Provisions of our new stormwater management ordinance will be an important consideration as the project proceeds through approvals. While the final configuration of a new home may not be available, it will be important to understand how runoff will be managed and more importantly directed. In my opinion, a stormwater conveyance easement must be created on top of Lot #1, providing a point of outfall for a stormwater management system to access the storm sewer system in Yerkes Road.
10. Section 123-45.B – The ordinance states “no subdivision or land development plan shall be approved unless a plan for erosion control measures has been provided and approved.” The current plan is silent to erosion control measures. At a minimum,

May 29, 2019

Michael Mrozinski, Director of Community Development

Lower Providence Township

Reference: 3880 Yerkes Road

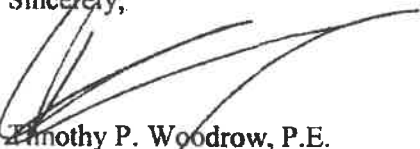
Two Lot Subdivision Application

erosion control measures for the construction of the proposed driveway, as well as the proposed home should be provided at this time.

11. Section 123-47 -The plan must describe how sanitary sewer service will be provided to Lot #2. The plan must also show the location of the sanitary sewer lateral which serves the dwelling on Lot #1.
12. Section 123-48 -The lot area utilized relies on the availability of a public water supply. The plan must describe how public water is provided to both Lot #1 and Lot #2.
13. Section 123-54 -- Concrete survey monuments are required along the ultimate right-of-way line for the roadway, and iron pins are to be placed at the newly created and existing property boundaries. The plan must describe this obligation and show them as being installed in conjunction with the required improvements on the land.

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

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
Thomas Smith, P.E., Bercek and Smith Engineering, Inc.
Frank and Jennifer Venezia, Homeowners



Gannett Fleming

Excellence Delivered As Promised

June 13, 2019

Bercek and Smith Engineering, Inc.
358 Main Street
Suite 1
Royersford, PA 19468

**RE: Lower Providence Township Sewer Authority
Frank M. & Jennifer A. Venezia – 3880 Yerkes Road Subdivision**

Gentlemen:

We have reviewed the plans for "Frank M. & Jennifer A. Venezia-3880 Yerkes Road," prepared by Bercek and Smith Engineering, Inc., dated April 24, 2019. The following items should be addressed:

1. The final plans must be signed and sealed by a Professional Engineer.
2. All utilities crossing the sanitary sewers must be shown on the profile view to insure adequate vertical clearance.
3. The size and type of sewer must be shown on the profile view.
4. Minimum depth of cover for all main line sewers and laterals shall be 5.0 feet and shall be 3.0 feet for building sewers.
5. A minimum 10-foot horizontal and 18-inch vertical separation must be maintained between the sanitary sewer and the water and storm sewer lines.
6. The numbers of all existing manholes must be shown on the plans.
7. A detail or narrative on the method of connection to the existing system must be provided.
8. The location of the sanitary sewer laterals must be shown on the plan view.
9. All elevations shown on construction plans shall be based on the datum of the existing sewers of the Lower Providence Township Sewer Authority or contain an equivalency note.
10. A note should be added to the plans stating that all materials used and all construction methods employed shall be in accordance with the latest edition of the Standard Construction and Material Specifications for Sanitary Sewer Extensions for the Lower Providence Township Sewer Authority.
11. A note should be added to the plans stating whether the buildings will have basements; and if so, whether sewer service will be provided to the basement.

EXHIBIT

B

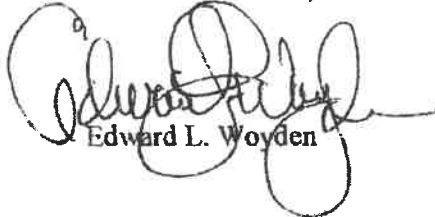
6/13/19

Page 2

12. The Act 287 List of Utilities should be shown on the plans with a reference for the PA One Call requirements.
13. A note should be added to the plans which must be prominently displayed and clearly legible stating who the owner of the sanitary sewer system will be and who will be responsible for its maintenance.
14. In accordance with the Standard Construction and Material Specifications for Sanitary Sewer Extensions for the Lower Providence Township Sewer Authority, shop drawings of all materials to be used in the construction of the sanitary sewer system must be submitted.
15. Prior to commencing construction, all materials to be used on the job must be inspected by a representative of the Lower Providence Township Sewer Authority. This inspection is to insure conformance with the approved shop drawings.

If you have any questions, please contact us.

Very truly yours,
GANNETT FLEMING, INC.



Edward L. Woyden

c: A. Rubendall [w/drawings]
M. Mrozinski