

**LOWER PROVIDENCE TOWNSHIP
RESOLUTION NO. 2019-37
(LD-19-03)**

**A RESOLUTION OF THE LOWER PROVIDENCE TOWNSHIP BOARD
OF SUPERVISORS, MONTGOMERY COUNTY, PENNSYLVANIA,
APPROVING THE PRELIMINARY/FINAL MINOR LAND
DEVELOPMENT PLAN FOR 9 S. PARK AVENUE, PROPERTY OF
ROBERT & ANNE MARIE GAMBONE**

WHEREAS, Robert and Anne Marie Gambone (“Applicant”) have submitted a land development application dated June 17, 2019, last revised August 5, 2019 to reconstruct and expand an existing commercial office building on the property located at 9 S. Park Avenue, TMP No. 40-00-10198-00-1 (“Property”); and

WHEREAS, the Applicant proposes to operate its business, American Tile and Mable, Inc., from the Property and construct two apartments on the second floor of the improved building each approximately 700 square feet; 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 minor land development Plan for 9 S. Park Avenue.

NOW, THEREFORE, it is hereby **RESOLVED** that the Lower Providence Township Board of Supervisors does hereby approve the preliminary/final minor land development Plan submitted by Applicant, prepared by RKW Engineering Services, consisting of two (2) sheets, dated June 17, 2019, last revised August 5, 2019, subject to the following conditions:

1. Compliance with the Woodrow and Associates review letter dated November 19, 2019, a copy of which is attached hereto and incorporated herein as **Exhibit “A”**.
2. Compliance with the Thomas Comitta Associates, Inc. review letter dated November 25, 2019, a copy of which is attached hereto and incorporated herein as **Exhibit “B”**.
3. Compliance with the Suburban Lighting Consultants review letter dated November 21, 2019, a copy of which is attached hereto and incorporated herein as **Exhibit “C”**.
4. Compliance with all other Township, County, State and Federal rules, regulations and statutes, including the requirements of the Lower Providence Township Sewer Authority.
5. The Applicant shall execute Development and Financial Security Agreements in a form and manner approved by the Township Solicitor.

6. The Applicant shall pay a traffic impact fee to be determined by the Township's traffic engineer and a park and recreation fee in the amount of \$5,620.00 at the time of execution of Development and Financial Security Agreements.

7. In addition to the foregoing conditions of approval, the following Subdivision and Land Development ordinance waivers are resolved as follows:

- a. SALDO Section 123-37.B – as to perpendicular parking along Second Avenue.

 X Approved Denied

- b. SALDO Section 123-50 – as to landscape plan and buffer requirements.

 X Approved Denied

- c. SALDO Section 123-51 – as to a natural features plan.

 X Approved Denied


- d. SALDO Section 123-52 – as to shade trees along Second Avenue.

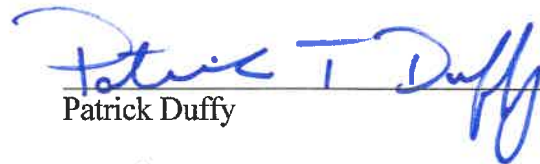
 X Approved Denied

SO RESOLVED, at a duly convened meeting of the Board of Supervisors conducted on this 19th day of December, 2019.

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS**

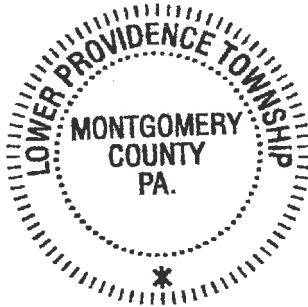

Peter MacFarland


Colleen Eckman


Patrick Duffy

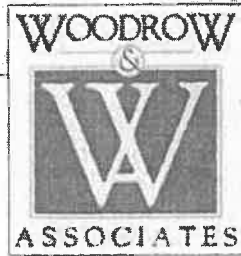

Gary Neights


Jason Sorgini



ATTEST:





November 19, 2019

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

Reference: 9 South Park Avenue – Land Development Application

Dear Mike:

My office is in receipt of a two-sheet set of documents prepared by RKW Engineers of Havertown, Pennsylvania. Please recall that our Board of Supervisors looked favorably on a proposal to add warehouse space to the existing structure on the land. There was a requirement that a land development plan in a modified form be submitted. This revised plan accomplishes the following:

1. A stormwater management system capturing and treating the new addition has been added.
2. Sidewalks are shown along the Park Avenue frontage.
3. Landscape buffering has been proposed along the perimeter of the new parking lot to protect the residents on Second Avenue from an increased use of this property.
4. Concrete curbing has been proposed along Second Avenue to better define the travel lane, parking areas and private spaces.
5. A plan for erosion control has been submitted to protect our waterways from sediment pollution during modification to the site.

In general, I am comfortable with the site plan; I would ask for the following additional permissions to be addressed during the approval process:

1. Six waivers have been requested from our subdivision land development ordinance. These waivers should be enumerated in a formal letter to the supervisors. I take no exception to the stormwater measure request as improvements are being made to a completely imperiously covered lot today. The proposed treatment system will be of benefit to the community.
2. The applicant seeks an acknowledgment from our sewer authority that no additional sewage facilities planning needs exist.

November 19, 2019

Michael Mrozinski, Director of Community Development

Lower Providence Township

Reference: 9 South Park Avenue – Land Development Application

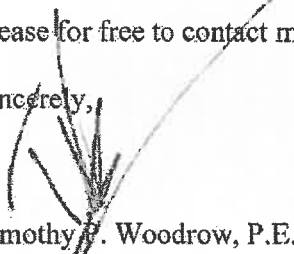
3. A plan be prepared and submitted for parking lot lighting to assure proper shielding and protection of adjacent properties from glare and nuisance.
4. The note regarding the conditional use approval by the Board of Supervisors should be accompanied by a hearing date and resolution number.
5. Additional grading spot elevations should be provided for construction layout for the proposed curbing, parking areas and the grading in the side yard between the proposed warehouse and the existing property to the northeast of the site.
6. Additional grading detail is required to assure proper handicap accessible routes exists from the proposed parking space into the building.

Environmental Sustainability – We offer the following encouragements with regard to the Township's green initiative goals:

1. Recapture and reuse of gathered stormwater runoff can be considered, specifically for irrigation of the landscaping and lawn areas for the property.
2. The large warehouse addition with a southwest exposure may be a good candidate for solar energy supplements.
3. If parking spaces are not anticipated to have high turnover rates, the applicant may wish to consider utilizing pervious paving materials for some of those space requirements.

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

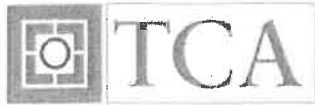
Sincerely,



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

TPW/del

Cc: John Rice, Esq., Township Solicitor – Lower Providence Township
Brian Wayland, Owner
RKW Engineering



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

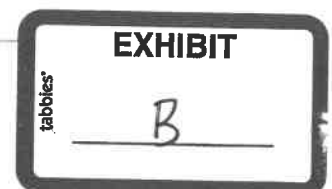
DATE: November 25, 2019

SUBJECT: **REVIEW COMMENTS - 9 SOUTH PARK AVENUE (AMERICAN TILE)**
TENTATIVE SKETCH PLAN DATED REVISED AUGUST 5, 2019

The enclosed comments pertain to the following document that we received on October 31, 2019, and to a Site Visit on November 18, 2019:

- Tentative Sketch Plan consisting of two (2) sheets dated revised August 5, 2019, prepared by RKW Engineering Services, Robert K. Wager, P.E.

Please let us know if there are any questions.





THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS - 9 SOUTH PARK AVENUE (AMERICAN TILE)
TENTATIVE SKETCH PLAN DATED REVISED AUGUST 5, 2019

November 25, 2019

The following Review Comments pertain to the document listed in the Cover Memorandum.

1. Introduction

The Plan indicates construction of a 3,000 square foot (50' x 60') warehouse building and additions to the existing building to remain on a 19,772 square foot property in the RPBD Ridge Pike Business District. In addition to the proposed warehouse building and additions, the Plan indicates the improvement of existing paved areas for additional upgraded parking, planting areas and stormwater management infrastructure.

The comments herein are intended to address compliance with Township landscape architectural Ordinance requirements, and to promote "best practices" for tree preservation, planting and the functional and aesthetic improvement of the property.

2. Shade (Street) Trees

2.A. Requirements

Per §123-52 of the Subdivision and Land Development Ordinance (SLDO), shade trees (i.e., street trees) "shall be planted along the road frontages at an interval of no less than 40 feet and no more than 50 feet." Trees shall be of two-inch (2") caliper, balled and burlapped, and guaranteed for 18 months after planting.

Species selection shall be at the discretion of the Board of Supervisors or as recommended by the Planning Commission. The types of shade trees shall be such that when grown to full maturity the trees shall not impede the utilization of solar energy by neighboring structures.

2.B Park Avenue Frontage Shade (Street) Trees

Along the 89 feet of Park Avenue frontage, two (2) street trees are required ($89 \div 50 = 1.78 = 2$).

Consistent with the preserved-tree provisions of §123-51.F (SLDO) and 123-114.B.5 (SLDO), this shade tree requirement would be satisfied by the preservation of the healthy ± 26 -inch DBH Willow Oak along the Park Avenue frontage (photo at right). However, the Plan currently indicates grading in the location of this tree, perhaps to facilitate the construction of a frontage sidewalk. The Township Engineer and Applicant should explore whether a small retaining wall adjacent to the sidewalk and/or a small tree well would help to minimize grading (cut or fill) within the root protection area of this tree (essentially below its dripline).





THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS - 9 SOUTH PARK AVENUE (AMERICAN TILE)
TENTATIVE SKETCH PLAN DATED REVISED AUGUST 5, 2019

November 25, 2019

(Note: it appears that this tree is indicated on the Plan to be closer to 2nd Street than it is. Rather, it is closer to the "dsg creative" monument business sign seen behind the tree in the above photo. If there will be an effort to adjust proposed grading in order to preserve this tree, its location should be confirmed.)

If this Willow Oak can be preserved, its root protection zone should be protected to the maximum extent possible with Tree Protection Fencing as per §123-114.B.3 (SLDO), and as discussed in below comment 5.

If this tree cannot be preserved due to the grading required to install a new required sidewalk, two (2) new street trees shall be required along the Park Avenue frontage.

2.C 2nd Street Frontage Shade (Street) Trees

Along the 324 feet of 2nd Street frontage, six (6) shade trees are required ($324 \div 50 = 6.48 = 6$).

A Waiver has been requested from §123-52 (SLDO) with specific respect to "tree spacing" along 2nd Street, given the location of parking. We support this Waiver.

However, the trees proposed along 2nd Street are Emerald Green Arborvitae, a short and narrow evergreen tree that grows to about 12 feet high and four feet (4') feet wide. Eighteen (18) of these trees are indicated along 2nd Street, in a zig-zag configuration. Therefore, aside from overall any spacing issues due to site constraints, the Board of Supervisors should consider whether the use of 18 of these Arborvitae would be more appropriate on this project than fewer (6) of the explicitly required "shade" (deciduous canopy) trees.

Certainly, if properly maintained, the Emerald Green Arborvitae would provide far superior screening of the warehouse building and parking than would canopy shade trees, in a manner more consistent with the =screening requirement (as discussed in below comment 3.B). As such, if the Board of Supervisors supports Waivers to permit Emerald Green Arborvitae as street trees at the proposed spacing, we recommend that they be installed at a significantly larger size than the currently-specified two (2) gallon pot; depending on the grower, this size would typically be about two feet (2') tall or less, and Emerald Green is a relatively slow growing Arborvitae (unlike the popular but much larger Green Giant). Bottom line, we would recommend balled and burlapped (not potted) trees installed at a minimum height of six feet (6'). This height would provide the required screening, and given their low individual cost they would also provide comparable monetary compliance with the original shade tree requirement.

Finally, if Emerald Green Arborvitae will be specified, the cultivar name 'Smaragd' should be included in the Planting Chart: *Thuja occidentalis* 'Smaragd'. While most vendors will know "Emerald Green" just fine, using the full botanical name is wise because the "base" *Thuja occidentalis* species, without the added **cultivated variety** name, is a much larger tree.



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS - 9 SOUTH PARK AVENUE (AMERICAN TILE)
TENTATIVE SKETCH PLAN DATED REVISED AUGUST 5, 2019

November 25, 2019

3. Property Line Screen Buffers

3.A Requirements

Per §123-50.B.3 (SLDO), where a Non-Residential Use abuts a Single-Family Residential District or Use, a Screen Buffer designed according to the requirements of §123-50.C (SLDO) shall be provided along the property boundary.

The subject property abuts the residential R-2 District across 2nd Street. Also, the dwelling along 2nd Street to the north of the subject property (#2805), while in the RPBD District, appears to be in Residential Use as well.

Therefore, per §123-50.C (SLDO), the "primary" component of a Screen 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.

The "secondary" component of a Screening Buffer shall be either earthen mounding or the use of additional plant materials to supplement the evergreen trees.

3.B 2nd Street Frontage Screen Buffer

A Waiver has been requested to forgo planting the buffer along the 2nd Street frontage. However, the Emerald Green Arborvitae indicated along the 2nd Street frontage of the proposed construction does satisfy the "primary" component of the required Screen Buffer.

Where adjacent to parking, it may be appropriate to supplement this planting with a short (36-42 inch high) wooden or composite (i.e., non-vinyl) fence at the property line (between the trees and the cartway) to help screen headlight glare from the two (2) residences directly across the street. Pending confirmation by the Township Engineer or Code Enforcement Officer that a fence could be installed in this location, that would provide sufficient "secondary" screening where we believe it would be most useful.

3.C North Property Line Screen Buffer & Scarlet Oak Preservation

The proposed Emerald Green Arborvitae would provide a suitable "primary" buffer along the north property line as well, adjacent to the (apparently) residential use at 2805 2nd Street.

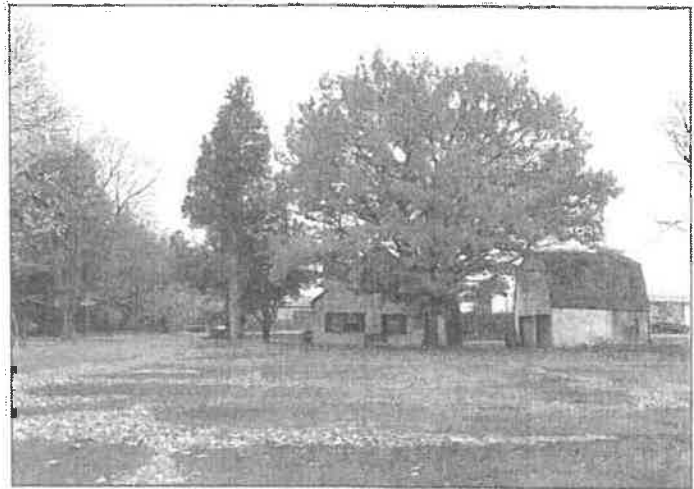
However, as seen in the photographs below, there is a Scarlet Oak on or near the shared north property line. Based on the pavement treatment, it may on the neighboring property. Although this tree has been growing under adverse conditions (a lack of direct water infiltration plus reflected heat from the pavement), it appears to be healthy and we recommend that every effort be made toward its successful preservation, particularly if it is on the neighboring property.



THOMAS COMMITTA ASSOCIATES, INC.
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REVIEW COMMENTS - 9 SOUTH PARK AVENUE (AMERICAN TILE)
TENTATIVE SKETCH PLAN DATED REVISED AUGUST 5, 2019

November 25, 2019



Per our field measurements, the low canopy of this tree extends 30 feet outward into the subject property (toward the left of the above-left photo). The subsurface root system likely extends approximately this distance as well, below the pavement.

Accordingly, preserving this tree and providing required screening raises two (2) chief concerns:

1. The enormous physical disturbance necessary to remove pavement, while seemingly a worthwhile end goal to reduce overall impervious coverage and provide new planting, may irreparably harm this tree's root system. Digging holes for new tree planting would also disturb this tree's root system.
2. There is insufficient vertical space under much of this tree's canopy to plant the proposed Emerald Green Arborvitae.

If it is determined that efforts should be focused on preserving this tree, an attractive, perhaps lattice-top five to six foot (5'-6') high wood, composite or high-quality vinyl fence installed into the existing pavement may be a good solution for providing screening that meets the intent of the SLDO residential screening requirement. A fence that is solid for at least its lower four feet (4') would also do a better job of blocking headlight glare than would the Arborvitae.



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS - 9 SOUTH PARK AVENUE (AMERICAN TILE)
TENTATIVE SKETCH PLAN DATED REVISED AUGUST 5, 2019

November 25, 2019

4. Internal Landscaping

§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.

Based on our measurement in AutoCAD, the Plan indicates 7,840 square feet of paved area to be used as parking and driveways. Therefore, the Applicant is required to provide:

- Two (2) deciduous trees;
- Two (2) evergreen trees; and
- Five (5) deciduous or evergreen shrubs.

Per §123-114.B.5 (SLDO), the deciduous tree planting requirement can be met via the preservation of the Willow Oak at the front of the property discussed in above comment 2.B. The evergreen tree planting requirement can also be met via the preservation of existing evergreen trees along the east property line. Similarly, the shrub requirement can be met with preservation of the shrubs around the existing building to remain.

Therefore, the Internal Landscaping Requirement can be met via the successful preservation of existing vegetation. However, additional planting may be required per §123-50.A.3 (SLDO) if some of these plants cannot be preserved.

5. Tree Preservation / Tree Protection Fencing

Per §123-114.B.3 (SLDO), all applications for a grading permit, building permit and land development shall be prepared in such a manner to preserve the healthy trees and shrubs on the site.

To this end, "prior to construction, protective fencing shall be placed around the root protection zone of the trees to minimize damage to root systems." The fencing shall be highly visible (orange), at least four feet high and staked with posts every 10 feet on center. Nothing shall be stored, stockpiled, temporarily placed or allowed in the root protection zone.

This fencing will be installed prior to any and all work conducted, e.g., excavation, grading, trenching (especially silt fencing), cleaning, etc. Any damage to the fencing or encroachment on the protected areas shall be remedied immediately.

Any observed damage to the trees shall be immediately reported to the Township and remedied as soon as practicable. At the discretion of the Township Landscape Architect, approved



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS - 9 SOUTH PARK AVENUE (AMERICAN TILE)
TENTATIVE SKETCH PLAN DATED REVISED AUGUST 5, 2019

November 25, 2019

preserved trees that have not been adequately protected or damaged may be required to be removed and replaced at the expense of the Applicant.

Per these noted requirements, a forthcoming Erosion & Sediment Control Plan and/or Demolition Plan should indicate a Limit of Disturbance line and the graphic indication of Tree Protection Fencing, shown at the maximum possible distance from all trees and shrubs to be preserved. Specifically, the protected vegetation should include:

- The 26-inch DBH Willow Oak along Park Avenue (if it can be preserved);
- The 30-inch DBH Scarlet Oak along the north property line, which may be on the neighboring property;
- The evergreen trees along the east property line adjacent to the gas station property; and
- The shrubs adjacent to the existing parking area on the west side of the single-story block building.

A Sequence of Construction should direct the installation of the Tree Protection Fencing at the outset of construction, at the same time as the compost filter socks. A Detail should indicate the type of fencing and include notes for its installation at the outset of construction and its maintenance throughout construction per §123-114.B.3 (SLDO).

6. Building Foundation Planting

Per §123-37.E (SLDO), the area between a building and a parking area shall be used for walkways and foundation planting. To this end, as part of the overall building and site enhancement effort described by the Applicant during the 8-15-2019 Conditional Use Hearing, we recommend that additional shrubs be installed in the planting bed along the west (2nd Street) side of the block building.

7. Natural Features Waiver Request

A Waiver has been requested from the Natural Features; Critical Impact Areas §123-51 (SLDO) requirements, because "no natural features will be disturbed as part of the proposed design".

However, although the site is already developed, §123-51 (SLDO) lists "large trees" and "street shade trees" among the "natural features" to be protected.

That said, assuming that vegetation protection measures are specified, installed and maintained (see above comment 5), we would not object to a partial Waiver from §123-51 (SLDO), such that the Applicant need not indicate "all critical impact areas" on the Planting Plan or prepare "a statement of the impacts upon critical areas of the Plan".

All other provisions of §123-51 (SLDO) should be achievable, including justification that "any material changes in the natural features" (such as the removal of the 26-inch DBH Willow Oak) are only necessary because there are "no practical alternatives".



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS - 9 SOUTH PARK AVENUE (AMERICAN TILE)
TENTATIVE SKETCH PLAN DATED REVISED AUGUST 5, 2019

November 25, 2019

8. Lighting

Any pole-mounted area lighting for the parking and building entrances should be indicated on the Plans to ensure that there will be no conflicts with the planting (existing and proposed).

9. Wheel Stops

We recommend that wheel stops be installed for the parking spaces within the parking area to the north of the proposed warehouse building, in order to minimize damage to the existing trees to be preserved along the east property line and the new trees proposed along the 2nd Street frontage.

10. Refuse Area / Trash Enclosure

The Applicant should confirm whether an outdoor Refuse Area will be necessary as part of the planned business operations and/or for the new apartments. If so, it should be indicated on the Plan.

If an outdoor Refuse Area is provided, it should not interfere with circulation within the parking lot, and it should be shielded from direct view from the surrounding properties and cartways via an enclosure. We recommend that such an enclosure be constructed of attractive materials that are coordinated with the design of the buildings.

11. Required Landscape Plan

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

Assuming that Plan revisions can be made consistent with the recommendations herein, we would not object to the granting of a Waiver from this requirement, if requested, given the relatively small scale of this project.

(Moving forward, if the Applicant Team has particular questions about appropriate plant selection, planting location, tree preservation and/or the interpretation of applicable Ordinance planting requirements, they can contact our office.)

12. Conclusion

We recommend that a forthcoming Plan submission address the comments herein.

Please let us know if there are any questions.

Suburban Lighting Consultants

A Suburban Technical
Associates Group
Company

30 Hibiscus Ct • Doylestown, PA 18901 • (215) 348-7858 • FAX (215) 230-9112

NOV 25 2019 AM 11:43

November 21, 2019

Mr. Robert K. Wager, P.E.
RKW Engineering Services
1610 Pelham Ave.
Havertown, Pa. 19083

Re: **LIGHTING DESIGN EVALUATION**
GAMBONE
9 SOUTH PARK AVENUE
LOWER PROVIDENCE TOWNSHIP

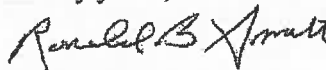
Dear Mr Wager:

Your designs for the above listed location have been submitted for the purposes of Lighting Design Review. Unfortunately, while you have supplied data for fixtures listed in items #1, #2 and #3, no data was provided for item #4. Note that fixtures provided are not acceptable, in that they are not in compliance with Township Ordinance #523, as to cutoff type luminaires in Table 105-1. Please design with conforming type fixtures accompanied by the following information.

1. Individual Fixture Numeric Candela Distribution
2. Fixture Cut Sheet
3. Individual isocandle curve
4. Over 20' x 20' isocandle point by point grid

I have been requested to complete my review by **December 15, 2019**. To accomplish this review, the above listed information must be provided to me, no later than one week in advance of that date. Should this information not be provided, your submitted design would be deemed **unacceptable** to this municipality from a lighting standpoint and will be so treated until redesign system is submitted.

Sincerely yours,



Ronald B. Smith
Senior Engineer

RBS/bs

Cc: Mr. Michael Mrozinski ✓

Director of Planning and Development
LOWER PROVIDENCE TOWNSHIP
100 Parklane Drive
Eaglesville, Pa. 19403

EXHIBIT

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C