



LOWER PROVIDENCE TOWNSHIP

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BOARD OF SUPERVISORS BUSINESS MEETING Thursday, January 19, 2023 – 7:00 p.m.

EXECUTIVE SESSION – 6:00 p.m.

NOTE: The meeting is being held as an in-person and virtual public meeting using Zoom. Directions on how to access the meeting online or via phone are available at lowerprovidence.org.

- *The meeting is video recorded for posting on the Township website.*
- *A video camera has been installed in the Township Auditorium for security purposes.*

Call to Order

Pledge of Allegiance

Protocol for Hybrid Meetings

Roll Call:

___ C. Coless ___ J. Darby ___ P. MacFarland ___ G. Neights ___ J. Sorgini ___ A. Jeyapratap

Chairman's Comments

1. Presentations

- a. Student representative report – Ash Jeyapratap

2. Consent Agenda

- a. Acceptance of the minutes of the Board of Supervisors business meeting of December 15, 2022 and reorganization meeting of January 3, 2023

The following Meeting Minutes

- Environmental Advisory Council
- Parks & Recreation Board
- Planning Commission – *Not yet approved*
- Sewer Authority

b. Monthly Reports - December

- | | |
|-------------------------|------------------------|
| • Community Development | • Human Resources |
| • Community Relations | • Parks and Recreation |
| • Finance | • Police |
| • Fire Marshal | • Public Works |

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS BUSINESS MEETING
December 15, 2022**

Call to Order: Vice Chair Coless called the hybrid live/virtual meeting to order at 7:00 p.m.

Pledge of Allegiance

Protocol for Hybrid Meetings: Vice Chair Coless provided an overview of the protocols for public participation for members of the public attending the meeting virtually over Zoom.

Roll Call:

- a. The following Board members were in attendance: Vice Chair Coless, Supervisors Darby, MacFarland and Sorgini. Chairman Neights was absent.
- b. Also in attendance were: E.J. Mentry, Township Manager; Michael Clarke, Township Solicitor; Tim Woodrow, Township Engineer, Mike Mrozinski, Community Development Director; Rich Lafiata, Director of Finance; Detective Michael Higgins, and Student Representative Kaitlyn Phan.

Vice Chair's Comments

Vice Chair Coless announced that an executive session was held prior to the meeting on December 15, 2022, to discuss personnel and legal matters.

Vice Chair Coless announced that a proclamation was to be presented to Permit Administrator Joan Holley recognizing her service and retirement. Mr. Mrozinski read the proclamation and made the presentation to Mrs. Holley.

1) Presentations

- A) Annual contributions were presented to:
 - i) Visiting Nurse Association
 - ii) Victim Services Center of Montgomery County
 - iii) Family Services on Montgomery County
 - iv) Lower Providence EMS/Medic 322 and Community Center
 - v) Lower Providence Fire Department
- B) Student representative report – Kaitlyn Phan
 - i) Ms. Phan, a student at Methacton High School, shared news and announcements from the school district: A lot extension has made additional parking for juniors available; two shows are planned for Dec. 21 at the Arcola Intermediate School planetarium; the high school's winter concert will be held Dec. 21, and schools will be closed for break from Dec. 23 to Jan. 2.

2) Consent Agenda

- A) **MOTION:** Supervisor Sorgini made a motion to approve the consent agenda, moving the minutes of the Board of Supervisors business meeting of December 1, 2022 into the record. Supervisor Darby seconded the motion.
 - i) The consent agenda also included:
 - (1) Meeting minutes of the Environmental Advisory Council, Parks & Recreation Board, Planning Commission, and Sewer Authority

- (2) Departmental monthly reports for November 2022
- (3) Payment of bills in the amount of \$411, 884.44
- (4) Treasurer's Report
- (5) Escrow Releases: 109 River Road release #2 in the amount of \$40,782.75 and Woodland Avenue tract release #2 in the amount of \$141,865.45
- (6) Authorization to advertise the Board's reorganization meeting for January 3, 2023 at 6:30 p.m. and the Board of Auditors meeting for January 4, 2023 at 4:00 p.m.
- (7) Approval of 2023 holidays
- ii) There was no public comment.
- iii) The motion *passed* 4-0.

3) Old Business

- A) Consideration of Ordinance 675 amending Chapter 11A of Lower Providence Township Code, Environmental Advisory Council ordinance regarding membership
 - i) Mr. Mentry said the item would be tabled to allow appropriate advertisement of the ordinance.
- B) Consideration of bid award for Natural Resources Conservation Services (NRCS) grant for Redwing drainage improvement project
 - i) Mr. Mentry explained that a resident had applied on their own for an NRCS grant for a drainage improvement project. The Township is serving as the required sponsor with no financial obligation. The low bid amount submitted for the work is higher than the grant funds received from state and federal agencies. Both have agreed to additional funding to meet the bid, but the revised amount cannot be processed prior to the scheduled start of work. In the meantime, the homeowner has agreed to provide a bridge loan of \$10,000 to meet the program deadline.
 - ii) **MOTION:** Supervisor Sorgini made a motion to approve the bid award to Site Preparation LLC in the amount of \$97,939.00 conditioned on the property owner providing the bridge loan. Supervisor Darby seconded the motion.
 - iii) There was no public comment.
 - iv) The motion *passed* 4-0.

4) New Business

- A) Consideration of Fund Balance Policy
 - i) Mr. Lafiata said that as discussed at the Board's December 1, 2022 meeting, a Fund Balance Policy has been drafted for the Board's consideration, replacing a policy adopted in 2012. The proposed policy recommends the General Fund maintain a minimum unassigned fund balance of 25% or three months of the next year's operating budget, compared to the current policy of 5%-7%. He said staff intends to revisit the policy in 2023 after the completion of the 2022 audit to consider formal fund balance replenishment plans and guidelines for surpluses.
 - ii) **MOTION:** Supervisor MacFarland made a motion to approve the Fund Balance Policy, seconded by Supervisor Sorgini.
 - iii) There was no public comment.
 - iv) The motion *passed* 4-0.
- B) Commit Fund Balance equal to 25% of the 2023 General Fund operating expenditures per the Fund Balance Policy

- i) Mr. Mentry said this will be an annual action taken by the Board. He said for the 2023 budget designating 25% of the General Fund operating expenditures to the Fund Balance amounts to \$3,264,392.00
 - ii) Supervisor MacFarland noted that because the commitment is a percentage of the operating budget which is anticipated to increase every year, the amount designated to the fund balance therefore would increase yearly.
 - iii) There was discussion on provisions should the fund balance fall below the target.
 - iv) Supervisor Sorgini confirmed that the current Fund Balance is well above the threshold being established.
 - v) **MOTION:** Supervisor Sorgini made a motion to commit a Fund Balance of 25% of the 2023 General Fund operating expenditures. Supervisor MacFarland seconded the motion.
 - vi) There was no public comment.
 - vii) The motion *passed* 4-0.
- C) Consideration of Resolution 2022-37 authorizing creation of a Municipal Complex fund
- i) Mr. Mentry said there was a presentation and discussion at the December 1, 2022 Board meeting regarding excess fund balance beyond was committed in the 25% that included establishing a new fund for major capital improvements to the Township property. It was clarified that the fund would be established and funds moved before the end of 2022.
 - ii) **MOTION:** Supervisor MacFarland made a motion to approve Resolution 2022-37, seconded by Supervisor Darby.
 - iii) There was no public comment.
 - iv) The motion *passed* 4-0.
- D) Consideration of Resolution 2022-38 authorizing Capital Fund, Municipal Complex Fund and Stormwater Fund transfers
- i) Mr. Mentry said the resolution authorizes moving \$1 million into the newly-created Municipal Complex Fund, \$600,000 into the Capital Reserve Fund and \$300,000 into the Stormwater Fund. All of the money is currently sitting in the General Fund in excess of the balance established to be the target per the new fund balance policy.
 - ii) **MOTION:** Supervisor Sorgini made a motion to approve Resolution 2022-38, seconded by Supervisor MacFarland.
 - iii) There was no public comment.
 - iv) The motion *passed* 4-0.
- E) Consideration of proposal for grant writing services
- i) Mr. Mentry said a proposal was before the Board from Cedarville Engineering Group and had been discussed during the budget workshops. The cost was included in the adopted 2023 budget. He said he is seeking approval of the proposal now in order to start formulating a grant plan, but no costs will be incurred under the 2022 budget. The proposal for \$26,000 covers four full grant applications.
 - ii) There was discussion about latitude for smaller grants.
 - iii) **MOTION:** Supervisors MacFarland made a motion to approve the proposal from Cedarville Engineering Group for grant writing services, seconded by Supervisor Darby.
 - iv) There was no public comment.
 - v) The motion *passed* 4-0.
- F) Acceptance of resignation of Joseph Lulis from the Environmental Advisory Council
- i) Vice Chair Coless said Mr. Lulis, who had served on the EAC and the Comprehensive Plan Steering Committee, had moved out of the Township. Mr. Mentry stated that acceptance of his resignation is a formality.

- ii) **MOTION:** Supervisor Darby made a motion to accept the resignation of Mr. Lulis. Vice Chair Coless seconded the motion
- iii) There was no public comment.
- iv) The motion *passed* 4-0.

5) Announcements/Meetings

- A) Environmental Advisory Council – Dec. 19 at 7:00 p.m.
- B) Parks & Recreation Board – Dec. 20 at 7:00 p.m.
- C) Zoning Hearing Board – Dec. 22 - *Cancelled*
- D) Planning Commission – Dec. 28 – *Cancelled*
- E) The Administration Office will be closed Dec. 23, Dec. 26 and Jan. 2 for the Christmas and New Year’s holidays.

6) Comments and other Business

- A) Supervisor Sorgini thanked Mr. Lulis for his service. He reported on the Sewer Authority’s December meeting and said the Authority’s next construction project is due to begin in January. He said it is important for residents to note that is an independent sewer authority that is working to keep rates low. He noted that the Authority’s efforts to repair and replace lines throughout the Township have resulted in the pumping stations no longer having surcharges during heavy rainfall.
- B) Supervisor MacFarland thanked the Township employees for their extraordinary efforts on the Caring and Sharing holiday gift program for less fortunate residents of the community.
- C) Supervisor Darby wished the Township staff and community Happy Holidays.
- D) Vice Chair Coless said details had been finalized for the community holiday party community to be held Dec. 23 at Chadwick’s from 4:30 p.m. to 7:00 p.m. with to-go meals available. She thanked Audubon Land Development and many volunteers for stepping in to help. Questions and RSVPs can be directed to ccoless@lowerprovidence.org.

7) Courtesy of the Floor

- A) There was no public comment.

8) Adjournment

- A) **MOTION:** Supervisor Darby made a motion to adjourn. Supervisor Sorgini seconded the motion. The motion *passed* 4-0. The meeting adjourned at 7:50 p.m.

Reorganization Meeting: January 3, 2023 @ 6:30 p.m.

Next Business Meeting: January 19, 2023 @ 7:00 p.m.

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS REORGANIZATION MEETING
JANUARY 3, 2023**

The Township Manager acted as temporary chair for the purpose of organization.

Call to Order: Township Manager E.J. Mentry called the meeting to order at 6:30 p.m.

Pledge of Allegiance

Protocol for Hybrid Meeting: Mr. Mentry provided an overview of the protocols for public participation for members of the public attending the meeting virtually over Zoom.

Announcement of Executive Session: Prior to the meeting on January 3, 2023, an executive session was held to discuss personnel matters.

Roll Call:

The following members were in attendance: Supervisors Cara Coless, Janine Darby, Peter MacFarland, Gary Neights and Jason Sorgini. Also in attendance were: E.J. Mentry, Township Manager; Michael Clarke, Township Solicitor; Mike Mrozinski, Community Development Director; Rich Lafiata, Director of Finance; Police Chief Michael Jackson; and Student Representative Kaitlyn Phan.

1) Nomination and Election of Chair

- A) **NOMINATIONS:** Supervisors Neights and Darby nominated Cara Coless for Chair.
i) Cara Coless was unanimously elected Chair.

2) Election of Vice-Chair

- A) **NOMINATIONS:** Supervisors Neights and Coless nominated Dr. Janine Darby for Vice-Chair.
i) Supervisor Darby was unanimously elected Vice-Chair.

3) Approval of Township Manager Employment Agreement Addendum

- i) **MOTION:** Supervisor MacFarland made a motion to approve the addendum to the Township Manager Employment Agreement, specifying the manager's salary for 2023. Supervisor Sorgini seconded the motion.
ii) There was no public comment.
iii) The motion *passed* 5-0.

Administrative Appointments

- 4) Appointment of Secretary - E.J. Mentry
5) Assistant Secretary - Denise Walsh
6) Treasurer - E.J. Mentry
7) Assistant Treasurer - Rich Lafiata
8) Open Records Officer - Denise Walsh
9) Alternate Open Records Officer - E.J. Mentry
10) Police Department Open Records Officer - Jill Sauermelch
11) Deputy Fire Marshal / Assistant Emergency Management Coordinator - Bill Hine
12) Zoning Officer - Mike Mrozinski

13) Building Code Official - Brad Bollinger

- i) **MOTION:** Supervisor Neights made a motion to approve the administrative appointments listed in Agenda Items 4 through 13. Chair Coless seconded the motion.
- ii) There was no public comment.
- iii) The motion *passed* 5-0.

Board/Council/Commission Appointments

It was noted that all appointments are conditioned on the signing and submittal of the Township Ethics Verification Form.

14) Appointment to Library Board of Trustees (two (2) three-year terms)

- A) **NOMINATIONS:** Supervisor Neights and Vice-Chair Darby nominated Karen Stine and Raji Venkatesan. Supervisors MacFarland and Sorgini nominated Gary Brown.
 - i) There was discussion about considering each appointment individually. Supervisor Neights and Darby agreed to amend their nomination to do so.
- B) **MOTION:** Supervisor Neights made a motion to appoint Karen Stine to the Library Board. Supervisor Darby seconded the motion.
 - i) There was no public comment.
 - ii) The motion *passed* 5-0.
- C) **MOTION:** Supervisor Neights, seconded by Vice-Chair Darby, made a motion to appoint Ravi Venkatesan to the Library Board.
 - i) There was no public comment.
 - ii) The motion passed 3-2, with Supervisors MacFarland and Sorgini opposing.
- D) With the two seats filled, there was no other vote.

15) Appointment to the Sewer Authority (One (1) five-year term)

- A) **MOTION:** Supervisor Sorgini made a motion to appoint Fred Walker to serve on the Sewer Authority. Supervisor MacFarland seconded the motion.
 - i) There was no public comment.
 - ii) The motion *passed* 5-0.

16) Appointment to Planning Commission (Two (2) four-year term)

- A) **MOTION:** Supervisor Sorgini made a motion to appoint Patrick Neary to the Planning Commission, seconded by Supervisor MacFarland.
 - i) There was no public comment.
 - ii) The motion *passed* 5-0.
- B) **MOTION:** Supervisor MacFarland made a motion to appoint Gary Brown to the Planning Commission. The motion failed for lack of a second.
- C) **MOTION:** Supervisor Neights made a motion to appoint Samantha Grant to the Planning Commission, seconded by Vice-Chair Darby.
 - i) There was no public comment.
 - ii) The motion *passed* 4-1 with Supervisor MacFarland opposing.

17) Appointment to Zoning Hearing Board by Resolution #2023-01 (One (1) five-year term)

- A) **NOMINATIONS:** Chair Coless recommended advancing Zoning Hearing Board alternate Randy Klein to regular membership for a full 5-year term.
- B) **MOTION:** Supervisor Neights, seconded by Chair Coless, made a motion to appoint Randy Klein to the Zoning Hearing Board for full membership for a five-year term.
 - i) There was no public comment.
 - ii) The motion *passed* 5-0.

- C) **MOTION:** Supervisor MacFarland made a motion to appoint Gary Brown to fill a five-year term as a Zoning Hearing Board alternate, seconded by Supervisor Nights.
 - i) There was no public comment.
 - ii) The motion *passed 5-0*.
- D) **MOTION:** Chair Coless, seconded by Supervisor Sorgini, made a motion to appoint Tejal Mehta to fill the unexpired Zoning Hearing Board alternate position vacated Randy Klein.
 - i) There was no public comment.
 - ii) The motion *passed 5-0*.
- E) **MOTION:** Supervisor Sorgini made a motion to approve Resolution 2023-01 approving the appointments to the Zoning Hearing Board. Supervisor Darby seconded the motion.
 - i) There was no public comment.
 - ii) The motion *passed 5-0*.
- 18) Appointment to Parks & Recreation Board (one (1) five-year terms)
 - A) **NOMINATIONS:** Supervisor Neights and Vice-Chair Darby nominated Kasey Walker. Supervisors MacFarland and Sorgini nominated Dr. Jeff Scott.
 - B) **MOTION:** Supervisor Neights made a motion to appoint Kasey Walker to the Parks and Recreation Board, seconded by Chair Coless.
 - i) There was no public comment
 - ii) The motion *passed 3-2*, with Supervisors MacFarland and Sorgini opposed.
 - iii) There was no other vote taken as the position was filled.
- 19) Appointment to Vacancy Board One (1) four-year term
 - A) **MOTION:** Vice-Chair Darby made a motion to appoint Jeanine Sheldon as Vacancy Board Chair. Supervisor Neights seconded the motion.
 - i) Mr. Mentry explained that in the event of an unexpected vacancy on the Board of Supervisors, the Board has 30 days to fill the position. If within that timeframe it cannot and there is a deadlock, the Vacancy Board Chair would step in.
 - ii) There was no public comment.
 - iii) The motion *passed 5-0*.
- 20) Appointment to UCC Board of Appeals (one (1) Three-year Term)
 - A) **MOTION:** Supervisor MacFarland made a motion to appoint Steve Gillan to the UCC Board of Appeals, seconded by Supervisor Sorgini.
 - i) There was no public comment.
 - ii) The motion *passed 5-0*.
- 21) Ordinance 675 amending Chapter 11A of the Lower Providence Township Code, Environmental Advisory Council ordinance regarding membership
 - A) Mr. Mentry explained that this agenda item had been tabled at a previous meeting because of an advertising error. The ordinance expands the membership of the council from 5 to 7 and changes the authority for selecting the chair from the Board of Supervisors to the EAC.
 - B) **MOTION:** Supervisor Neights made a motion to adopt Ordinance 675, seconded by Supervisor Sorgini.
 - C) There was no public comment.
 - D) The motion *passed 5-0*.
- 22) Environmental Advisory Board (two (2) three-year terms, one (1) term expiring in 2023, one (1) one-year term and one (1) two-year term
 - A) **NOMINATIONS:** Supervisor Neights nominated Laura Winslow to fill an unexpired term on the EAC.

- B) There was discussion regarding the reappointment of the two sitting members and deferring a vote on the other vacancies until a future meeting.
- C) Supervisor Neights withdrew his nomination.
- D) **MOTION:** Supervisor Neights made a motion to reappoint Erin McCool and Amber Minnick to the Environmental Advisory Council for three-year terms. Supervisor Darby seconded the motion.
 - i) There was no public comment.
 - ii) The motion *passed* 5-0.
 - iii) The remaining appointments were deferred.

Consultant Appointments

Mr. Mentry reviewed the list of current consultants and noted that all had submitted fee schedules for 2023 with their hourly fees. The consultants considered for appointment are:

23) Consulting Engineer - Woodrow & Associates with Tim Woodrow as the engineer of record

24) Traffic Engineer - McMahon Associates with Casey Moore as the engineer of record

25) Landscape Architectural Consultant - Thomas Comitta Associates with Thomas Comitta as the LA of record

26) Actuary for Township Pension Plans, Township Employees' Pension Plan and the Defined Contribution Plan - Municipal Finance Partners, Charles Friedlander

27) Labor Attorney - Eckert, Seamans, Cherin & Mellot with Scott Blissman as the attorney of record

28) Solicitor - Rudolph Clarke LLC with Michael Clarke as the solicitor of record

A) **MOTION:** Supervisor Neights made a motion to approve the appointments listed in Agenda Items 23 through 28 in accordance with the fee schedules provided to the Board. Supervisor Sorgini seconded the motion.

- i) Supervisor MacFarland noted that there were no significant fee increases with the exception of the actuary whose increase was due to the actuarial valuation, which is done every two years, occurring in 2023.
- ii) There was no public comment.
- iii) The motion *passed* 5-0.

29) Fixing of Compensation for Zoning Hearing Board Solicitor

A) **MOTION:** Supervisor Sorgini made a motion to set compensation for the solicitor selected by the Zoning Hearing Board at the same rate as submitted by Miller, Turetsky, Rule and McLennan, not to exceed \$20,000. Supervisor MacFarland seconded the motion.

- i) There was no public comment.
- ii) The motion *passed* 5-0.

30) Appointment of Board Liaisons

A) Chair Coless announced the following Board liaison appointments:

- i) Business Development Committee: Chair Coless and Supervisor MacFarland
- ii) Emergency Services Committee: Vice-Chair Darby and Supervisor Sorgini
- iii) Environmental Advisory Council: Supervisor Neights
- iv) Library Board: Supervisor Sorgini
- v) Parks & Recreation Board: Vice-Chair Darby
- vi) Pension Committee: Supervisors Neights and Sorgini
- vii) Planning Commission: Supervisor Neights
- viii) Sewer Authority: Supervisor Sorgini

- ix) Chair Coless recommended the formation of an Intermunicipal Consortium to meet once per quarter with neighboring municipalities attended by two supervisors on a rotating basis.

31) Resolutions

- A) Resolution No. 2023-02 authorizing the appropriate Township Officials to affix signatures on checks
 - i) **MOTION:** Supervisor MacFarland made a motion to adopt Resolution 2023-02 authorizing appropriate Township Officials to affix signatures on checks. Supervisor Sorgini seconded the motion.
 - ii) There was no public comment.
 - iii) The motion *passed* 5-0.
- B) Resolution No. 2023-03 designating depositories for Township funds
 - i) **MOTION:** Supervisor Sorgini made a motion to adopt Resolution 2023-03 designating depositories for Township funds. Vice Chair Darby seconded the motion.
 - ii) There was no public comment.
 - iii) The motion *passed* 5-0.
- C) Resolution No. 2023-04 establishing the amount of the Treasurer's and Assistant Treasurer's Bond at \$1,000,000 which will apply to the Township Manager-Secretary and Finance Director, respectively
 - i) **MOTION:** Supervisors Neights made a motion to adopt Resolution 2023-04 to establish the amount of the Treasurer's and Assistant Treasurer's Bond at \$1,000,000. Supervisor Sorgini seconded the motion.
 - ii) There was no public comment.
 - iii) The motion *passed* 5-0.
- D) Resolution No. 2023-05 establishing the Police Officers contributions to the Police Pension Plan for the Year 2023
 - i) **MOTION:** Supervisor Neights made a motion to adopt Resolution 2023-05 establishing the Police Officers contributions to the Police Pension for the year 2023. Supervisor Sorgini seconded the motion.
 - ii) Supervisors Neights confirmed that the amount is set by the collective bargaining agreement.
 - iii) There was no public comment.
 - iv) The motion *passed* 5-0.
- E) Resolution No. 2023-06 establishing member contributions to the Employees' Pension Fund for the Year 2023
 - i) **MOTION:** Supervisor Neights made a motion to adopt Resolution 2023-06 establishing member contributions to the Employee Pension Fund for the year 2023. Supervisor Sorgini seconded the motion.
 - ii) Supervisor Neights confirmed that the amount is set by the collective bargaining agreement.
 - iii) There was no public comment.
 - iv) The motion *passed* 5-0.
- F) Resolution No. 2023-07 Appointing the Certified Public Accounting Firm of BBD LLP to Serve as Auditors to Audit the Accounts of Lower Providence Township for Fiscal Year 2022
 - i) **MOTION:** Supervisor MacFarland made a motion to adopt Resolution 2023-07 appointing BBD LLP certified public accounts to audit the Township accounts for the fiscal year 2022. Supervisor Sorgini seconded the motion.
 - ii) There was no public comment.
 - iii) The motion *passed* 5-0.

- G) Resolution No. 2023-08 approving the 2023 Fee Schedule
 - i) **MOTION:** Supervisor MacFarland made a motion, seconded by Vice-Chair Darby, to approve the 2023 fee schedule.
 - ii) Notable increases are the business registration fee from \$100 to \$150, the first increase since its inception in 2006, and summer camp fees which were raised primarily to address staffing issues.
 - iii) There was no public comment.
 - iv) The motion *passed* 5-0.
- H) Discussion of a resolution establishing roles, responsibilities and general code of conduct for the Board of Supervisors
 - i) There was consensus that the draft resolution provided needed guidance and was a good overview of the expectations for board members.
 - ii) The supervisors were asked to provide comments and changes to the Chair and Manager; the revised draft will be given to Solicitor for review.

32) Certification of Delegates and Voting Delegate to PSATS Annual State Convention

- A) **MOTION:** Supervisor Sorgini made a motion to certify Chair Coless as the voting delegate and Mr. Mentry as the alternate for the 2023 PSATS Annual State Convention. Supervisor MacFarland seconded the motion.
 - i) There was no public comment.
 - ii) The motion *passed* 5-0.

33) Approval and authorization to advertise 2023 meeting schedule

- A) **MOTION:** Supervisor MacFarland made a motion to approve and authorize advertisement of the 2023 meeting schedule as presented. Supervisor Sorgini seconded the motion.
 - i) Supervisor Sorgini recommended moving the meeting scheduled for Dec. 7, which is the first day of Hanukkah, to Wednesday, Dec. 6.
 - ii) There was no public comment.
 - iii) The motion *passed* 5-0 with the schedule to include the date change.

34) Other Business

- A) Authorization to advertise for bids for installation of Accessible Pedestrian System (APS) at Ridge Pike/Parklane Drive
 - i) **MOTION:** Supervisor Neights made a motion to advertise for bids for the APS system at Ridge Pike/Parklane Drive, seconded by Supervisor Sorgini.
 - ii) There was no public comment.
 - iii) The motion *passed* 5-0.
- B) Acceptance of retirement of Susan Law who left full-time employment with the Township on December 31, 2022.
 - i) **MOTION:** Supervisor MacFarland made a motion to accept the retirement of Susan Law, seconded by Supervisor Neights.
 - ii) Supervisor MacFarland noted that Ms. Law's retirement, after many years of service, was accepted with gratitude and appreciation.
 - iii) There was no public comment.
 - iv) The motion *passed* 5-0.

35) Announcements

- A) Upcoming meetings:
 - Parks & Recreation Board - Jan. 17 at 7:00 p.m.
 - Environmental Advisory Council - Jan. 23 at 7:00 p.m.

- Planning Commission - Jan.25 at 7:00 p.m.
 - Zoning Hearing Board - Jan.26 at 7:00 p.m.
- B) Chair Coless recommended continuing the Board's strategic planning sessions, with the public workshops convening after the adjournment of one or more future board meetings.
- i) Vice-Chair Darby noted feedback from the community is an important part of the planning sessions.

36) Courtesy of the Floor – no public comment

37) Adjournment

- A) **MOTION:** Vice-Chair Darby made a motion to adjourn the meeting. Supervisor Sorgini seconded the motion. The motion *passed* 5-0. The meeting adjourned at 7:55 p.m.

Next Business Meeting: January 19, 2023
February 2, 2023

DRAFT

Minutes of Lower Providence Environmental Advisory Council Meeting – November 21, 2022

The meeting began at 7:04 PM. Council members Erin McCool, Amber Minnick, Douglas White, John Zollers, Sameeksha Panda, Jessica Gabell, Sarah Kim and Madison Roeger were present.

1. Approval of Minutes. The minutes from the October 2022 meeting were approved 4-0, Mr. White making the motion for approval and Ms. Minnick seconding.

2. **Old Business**

a) The Township is currently soliciting interest in filling open seats on the Council and other Township boards. Ms. McCool also noted prior to the meeting that Council member Joseph Lulis has resigned.

i) Ms. McCool explained to the Council that the Board of Supervisors will be reviewing many existing Township ordinances in the coming year, which will be a good opportunity for the Council to advise the Board on possible changes.

ii) Ms. McCool advised the Council that Supervisor Gary Neights and Township Manager E.J. Mentry are reviewing the addition of members to the Council, creating the position of Associate Member, and allowed the Council itself to appoint the chairperson.

b) Council members were advised of an update to Pennsylvania Sunshine requirements. It was noted that the Council is already generally in compliance with these requirements.

c) Subcommittee Reports

Education / Communication

1. Ms. McCool noted the availability of a graphic design available for possible use on a reusable bag program and proposed purchasing the image from the designer for this purpose. Ms. McCool was to discuss the possibility with the Township Manager for further discussion at the December meeting.

2. [No notes?]

3. The Perkiomen Watershed Conservancy is working on a stream monitoring program to be presented to the Council in 2023. Resident Laura Winslow noted that a general stream study of the Skippack Creek watershed is being pursued by State Representative Joe Webster.

4. Ms. Minnick met with Township staff to set up the Council Facebook and Instagram accounts. Ms. Minnick will manage these accounts and oversee content generated by Council members and student representatives along with Ms. McCool. Two (2) posts per month will be the minimum target. Mr. Zollers asked if the accounts can also be used to solicit input from residents on Council initiatives to general assent.

5. Ms. McCool volunteered to take the lead on the Green Sustainability awards.

Stormwater

No updates

Built Infrastructure / Ecological Restoration

Ms. McCool noted the need to develop a process and limit comment to public meetings with regard to future comments by the Council on development plans. Mr. Zollers commented on some of the difficulties involved in reviewing development plans, including the need to become more generally familiar with Township procedures regarding proposed development.

Ms. Minnick noted that Jean Akers of the Parks and Recreation Board will present to the Council on the state of the park tree planting plan.

Ms. Minnick presented her research on the requirements for Lower Providence to become an Audubon Bird Town. A three-person committee is needed (which Mr. Zollers offered to join). There is a requirement to develop specific bird-friendly goals for the Township and demonstrate progress.

Green Energy

Mr. White presented on the concept of Conservation Subdivisions as presented by the Chester County Planning Commission, a way to arrange housing on a plot of land and preserve most of the land as open space. Mr. Zollers noted that the layouts provided by the Chester County Planning Commission still represent isolated housing subdivisions that require residents to drive for most purposes.

Mr. White proposed to update the Township Sustainability Resolution to set concrete goals and a current baseline for comparison, create a position of Sustainability Manager (possibly to be shared with neighboring municipalities), and proposed second resolution relating to community development patterns to address previous comments by Mr. Zollers.

Ms. Minnick provided an update on her research into tabletop solar chargers, particularly the Sunvolt Sprint, already purchased by West Norriton and Lower Gwynedd townships. With installation the cost for one unit is \$3,250 plus shipping. Ms. Winslow noted this would be useful for the MARA baseball fields, and that organizations like Mascaro and Audubon Land may have interest in contributing towards the costs.

d. The Council Workplan is to be updated to include several new initiatives:

1. Development Plan Review
2. Audubon Bird-Town Application
3. Proposals for FEMA property buyouts
4. Proposals for gathering information and insights from the community at large

3. New Business.

None.

4. Comments and Other Business. Mr. Mentry to further review possible acquisition of solar power station for Township parks / events.

5. Courtesy of the Floor. Resident Laura Winslow provided the following comments:

- Ross Snook of New Hanover Township has developed an online tool to help municipalities manage stormwater.
- FEMA purchase of properties damaged in Hurricane Ida has been delayed, but trees are being planted by community volunteers with landowners permission.
- Author Doug Tallamy is coming out with a new book.
- A “Friends of Eagleville Park” group may be helpful in accelerating progress in restoration of Eagleville Park.
- An e-mailed newsletter would be valuable for keeping connections with interested community residents on environmental issues. The Bird-Town application and membership could be a good hook to start a newsletter.

Resident Julia Nakhleh recommended that decals be installed to advised visitors of the Township’s use of clean energy, efficient systems, etc.

6. Adjournment. Mr. Zollers made a motion to adjourn the meeting, seconded by Mr. White, which passed 4-0.

**LOWER PROVIDENCE TOWNSHIP
PARKS & RECREATION
November 15, 2022, MEETING MINUTES**

1) Call to Order.

A) Amy Johnston-Smith called the meeting to order at 7:05 p.m.

2) Pledge of Allegiance

3) Roll Call:

- A) The following Parks & Recreation board members were in attendance: Amy Johnston-Smith, Erin Di Paolo, Michelle Brown, Stephanie Padula and Ray Lotfi. Beth Ann Mazza and Jean Akers were absent
B) Also, in attendance: Jane Delaney, Director, and Karen Hegedus, Recreational Superintendent and Student Rep. Parmesh Sivakumar and Sameeksha Panda. Riley McDonald was absent.

4) Meeting Minutes:

- A) Review/Approve meeting minutes of October 18, 2022.
B) **MOTION:** Michelle Brown made a motion to approve minutes of October 18, 2022, Ray Lotfi seconded the motion. The motion *passed* 7-0.

5) Old Business

- A) Trunk or Treat event, we had 21 Trunkers and more than 400 people enjoying them.
B) Kids Night Out we had 8 children participate in the evening's events.

6) New Business

- A) Trees were ordered for Eskie Park and will be installed by Colonial Gardens (4 River Birch & 3 Northern Red Oak) in the end of November.
B) **UPCOMING PROGRAMS AND EVENTS**
(1) Caring and Sharing Thanksgiving – Karen Barron heads this program, and we will help 12 families this year. Accepting donations and the stockings for the Angel Tree are ready.
(2) Pet Photos December 1st from 6pm-8pm.
(3) Planning of the Annual Community Tree Lighting December 2, 2022 – 6:30pm
(4) Santa Hotline – Need to confirm with Tom from the Optimist, scheduled for December 6th & 7th.
(5) Senior Games Volunteers are needed for May 1st – May 5th

7) Board Comments

- A) Ray Lotfi was asking about the trees being replaced by Arrowhead School construction. Also, brought up an idea of rent out space for residents to create vegetable gardens.

8) Supervisor Liaison Report

Cara Coless was absent

9) Motion to Adjourn.

- A) **MOTION:** Erin Di Paolo made a motion to adjourn. Michelle Brown seconded the motion. The motion *passed* 7-0. The meeting adjourned at 7:45 p.m.

Next Meeting: December 20, 2022

REGULAR MEETING

**LOWER PROVIDENCE TOWNSHIP SEWER AUTHORITY
MINUTES OF NOVEMBER 14, 2022**

The Regular Meeting of the Lower Providence Township Sewer Authority was held on Monday, November 14, 2022, at 4:30 PM in the Authority's Board Room at the Sewer Authority Office, located at 20 Parklane Drive, Eagleville, PA, pursuant to public notice and posting of time and place of said meeting.

Present were Authority Members:

Mr. Fred Walker, Chairman; Mr. Charles Rose, Vice Chairman; Mr. Robert Tschoepe, Secretary; and Mr. Frank McDonough, Assistant Treasurer

In addition, thereto, the following persons were present:

Mr. Alan Rubendall, System Superintendent; Mrs. Lori Connolly, Office Manager; Mr. Ed Woyden, Engineer; Mr. Eric Frey, Solicitor

Absent was Authority Member:

Dr. Jason Sorgini, Treasurer

Visitor not on Agenda: Ms. Leah Baird

Visitors on Agenda: Mr. Michael Moronese, Ms. Angela Upright

CALL TO ORDER

The Chairman called the meeting to order at 4:30 PM and led everyone in the Pledge of Allegiance.

The Chairman stated that there was an Executive Session prior to the meeting to discuss legal issues.

PUBLIC COMMENTS

2976 Second Street

The Chairman asked for a motion to deviate from the agenda. Upon motion of Mr. Rose, seconded by Mr. McDonough and unanimously carried, the Board deviated from the Agenda for Public Comments.

Mr. Michael Moronese and Ms. Angela Upright of 2976 Second Street presented a timeline of events they've had since March 17, 2022, through the present at their home. They have experienced an extreme amount of water flowing into their basement since the sewer line was replaced on the street and on July 21, 2022, noticed a mold issue in their basement.

They are asking for financial support for the mold remediation and a waterproofing system for their front foundation wall that has taken significant damage from the consistent ground waterflow.

The Solicitor stated to Mr. Moronese & Ms. Upright that the Sewer Authority offered to attempt to reduce the groundwater in the with the first notification and the Authority offered and planned to install a pipe around their home to allow water (being ground water), that is collecting in the sanitary sewer line trench, to flow around their home. This pipe is an effort to help the ground water flow toward the creek located behind their home instead of against their foundation and potentially into their home. The Solicitor also stated that the Authority's efforts to install the pipe shall not be considered an admission of any wrong-doing or of changing a prior condition.

The Solicitor furthered stated that the homeowner's did not respond to the request for entering the property to attempt to lessen the problem. They stated that they would accept it if they knew it would guarantee it would help and they would not have any future financial burden as a result.

The Chairman asked the property owners if they had a home sale inspection. They responded they did not have one.

The Chairman asked for a motion to return to the agenda. Upon motion of Mr. Rose, seconded by Mr. McDonough and unanimously carried, the Board returned to the agenda.

MINUTES

The minutes of the October 10, 2022, meeting was presented. Upon motion of Mr. Rose, seconded by Mr. McDonough and unanimously carried, the reading of the minutes was waived and approved.

SECRETARY'S REPORT

Healthcare Reimbursement Arrangements Update

Mr. Tschoepe stated to the Board that the administrator of the Payroll Company suggested we reach out to Richard Miller of the Harrison Group. He confirmed that the medical expenses paid through Healthcare Reimbursement Arrangements (HRA) do not have to be reported on the employee W-2. He also suggested if we don't already have one that we should have an HRA Agreement in place.

Mrs. Connolly also spoke to Brown & Brown, the Authority's Insurance Broker and they also confirmed that the expenses do not have to go on the W-2. They suggest we use an HRA reimbursement form. The Authority needs to pay the PCORI (Patient-Centered Outcomes Research Institute) fee tax which is \$2.79 per employee per year.

After discussion, Mr. Tschoepe suggested we continue with the check reimbursement in house and two (2) Board members will initial the new form for approval.

TREASURER'S REPORT - EXHIBIT 'A'

Mr. McDonough presented to the Board the bills to be paid from the Revenue & Administration, Capital Improvement and Capital Reserve accounts.

Upon motion of Mr. McDonough seconded by Mr. Tschoepe and unanimously carried, the Board approved payment of bills from Revenue & Administration, Capital Improvement and Capital Reserve accounts hereto marked as Exhibit 'A'.

EDU SALES

A motion was made by Mr. Tschoepe, seconded by Mr. McDonough and unanimously carried to approve one (1) EDU for 105 N. Cherry Tree Blvd.

BUDGET, RATES / AUDIT

Mr. McDonough stated to the Board that Audit Committee met with the Auditor on October 18, 2022, to review the Audit and each Board Member received a copy and it's on the Agenda under New Business for approval.

For rates, we have received confirmation from the Lower Perkiomen Valley Regional Sewer Authority that they have increased their rate by \$2.00 per month per EDU. We did plan for this increase, and it was added to our budget. Resolution No. 2022-06 which was included in your packet is on the agenda for approval which reflects the Regional's increase and the Authority's.

PERSONNEL & PENSION

Sewer Laborer New Hire

Mr. Tschoepe stated to the Board that as discussed at the last meeting, the Sewer Laborer job description was sent to Upper Bucks Tech School, Central Montco Technical High School, Western Montgomery Career & Technology Center, Eastern Center for Arts & Technology, Bucks County

Technical High School, Middle Bucks Institute of Technology. In addition, it was re-posted on the Pennsylvania Municipal Authorities Association and the Township Facebook page. We have received no inquires to date.

CAPITAL PROJECTS

2021 Sanitary Sewer Line Replacement

Mr. Rose stated to the Board that the 2021 Sanitary Sewer Line Replacement project is complete. The Engineer is preparing the final paperwork to be sent to Anrich.

Since the last meeting the items on the punch list have been completed.

Final Estimate number twelve in the amount of \$171,479.90 (the retainage) was presented for payment and will need approval for the Chairman to sign. (At this time, we have not yet received the executed paperwork from Anrich).

2022 Sanitary Sewer Line Replacement

Mr. Rose stated to the Board the Notice to Proceed date was set at September 15, 2022. Shop drawing reviews are underway, and Doli has indicated field work will start in mid-December 2022.

2023 Sanitary Sewer Line Replacement

Surveying for 2023 Project has been completed.

ENGINEER'S REPORT - EXHIBIT 'B'

There were no questions on the Engineer's Report.

2021 Sanitary Sewer Line Replacement

Mr. Woyden stated to the Board that they should not approve, or sign payment estimate number twelve since Anrich has not responded.

SYSTEM SUPERINTENDENT'S REPORT - EXHIBIT 'C'

There were no questions on the System Superintendent's Report.

ATTORNEY REPORT

Mr. Frey reported that all his comments on legal matters had been previously discussed in Executive Session.

OLD BUSINESS

PMAA Act 43 Policy Update

Mr. Frey stated to the Board that the Attorney for the Lower Perkiomen Valley Regional Authority responded and is reviewing our application guidelines.

NEW BUSINESS

Accept FYE June 30, 2022 Audit and Advertise Condensed Balance Sheet

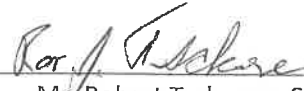
Upon motion of Mr. McDonough, seconded by Mr. Tschoepe and unanimously carried, the Board accepted the Audit prepared by Bee, Bergvall & Co. for the Fiscal Year ending June 30, 2022, and authorized the publication of the Condensed Sheet Statement.

Amending Sewer Rental Rates and Other Charges Resolution No. 2022-06 - EXHIBIT "D"

Upon motion of Mr. Tschoepe, seconded by Rose and unanimously carried, the Board approved Rates & Fees Resolution No. 2022-06 hereto marked as Exhibit "D".

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 5:27 PM by motion of Mr. Rose seconded by Mr. McDonough and unanimously carried.

A handwritten signature in cursive script, appearing to read "Rob. J. Tschoepe", written over a horizontal line.

Mr. Robert Tschoepe, Secretary

| BILLS PAID FROM REVENUE & ADMIN NOVEMBER 14, 2022 BOARD MEETING | | |
|--|---|-------------------------|
| AMERICAN WATER COMPANY | COMPUTER BILLING: MONTHLY METER READINGS | 64.62 |
| APPLIED COMPUTER SOLUTIONS, INC | OFFICE EQUIPMENT REPAIR: COMPUTER | 150.00 |
| AMS | COMPUTER BILLING: MONTHLY MAINTENANCE | 472.45 |
| AT&T | TELEPHONE: GARAGE & PUMP STATIONS | 122.81 |
| AUDUBON WATER COMPANY | COMPUTER BILLING: MONTHLY METER READINGS | 65.06 |
| BEE, BERGVALL & CO. | AUDIT: FINAL PROGRESS BILL | 3600.00 |
| CLEANING SERVICES | BUILDING OPERATION & MAINT: OFFICE CLEANING OCTOBER | 350.00 |
| CONNOLLY, LORI | HOSPITALIZATION: REIMBURSEMENT OF COPAY | 427.54 |
| COX, ROBERT | SEWER RENTAL: OVERPAYMENT SEWER RENTAL - PREVIOUS OWNER | 83.00 |
| DISCHEL BARTLE & DOOLEY | LEGAL FEES, REF, SPECIAL PROJECTS: MONTH OF OCTOBER | 2505.50 |
| GANNETT FLEMING, INC | ENGINEERING FEES, REF, SPECIAL PROJECTS: AUGUST 27, 2022 - SEPTEMBER 30, 2022 | 9412.08 |
| GRAINGER | PUMP STATION MAINT: CAPACITOR FOR OLD BAPTIST PS | 23.98 |
| HOME DEPOT | BUILDING OPERATION & MAINT: PAINT, DRYWALL, MATERIALS | 991.66 |
| HOMER GROUP | ADMINISTRATION: CUSTOMER CARDS | 63.50 |
| JP MASCARO | OPERATING EXPENSES: TRASH REMOVAL | 89.05 |
| JOHN JAMES AUDUBON CENTER | RETURN OF ESCROW: ROAD OPENING PERMIT (RESTORATION APPROVED) | 3000.00 |
| LPTSA | PETTY CASH | 165.50 |
| LPVRS | TREATMENT CHARGES | 193455.00 |
| MCBLANE, GEORGIA | SEWER RENTAL: OVERPAYMENT SEWER RENTAL - PREVIOUS OWNER | 83.00 |
| NAPA AUTO PARTS | PUMP STATION MAINT, TRUCK & EQUIPMENT: BLOCK HEATER, OIL FILTER | 144.17 |
| PA AMERICAN WATER COMPANY | WATER: GARAGE & OFFICE | 80.88 |
| PA ONE CALL | COLLECTION SYSTEM MAINT: NOTIFICATION OF CONTRACTORS DIGGING | 255.51 |
| PECO | GAS & ELECTRIC | 4144.32 |
| RICHTER OFFICE SUPPLY COMPANY, INC. | OFFICE SUPPLIES, DOCUMENT SHREDDING, OFFICE FURNITURE | 1811.58 |
| SANTONIS GARAGE | TRUCK & EQUIPMENT MAINT: INSPECTION 2017 FORD F-350 | 154.07 |
| SDJ CONSTRUCTION CO, INC | BUILDING OPERATION & MAINT: FLOORING, WINDOWS, REMOVE FRONT REVERSE "A" | 12150.00 |
| SHARP WATER CULLIGAN | OPERATING EXPENSES: WATER | 26.00 |
| SHAYA TROOPER, LP | RETURN OF ESCROW: ROAD OPENING PERMIT (RESTORATION APPROVED) | 3000.00 |
| SIGMA CONTROLS, INC | PUMP STATION MAINT: REBUILD TRANSDUCER FOR WALKER, FOX ROAD & PROVIDENCE | 1327.27 |
| STONE RIDGE ACQUISITIONS, LP | RETURN OF ESCROW: ROAD OPENING PERMIT (RESTORATION APPROVED) | 3000.00 |
| STRATIX SYSTEMS | ADMINISTRATION: CONTRACT BASE RATE 9/11/2022 - 12/10/2022 | 336.26 |
| UNIFIRST | HEALTH & SAFETY: UNIFORM RENTAL & CLEANING | 204.72 |
| UNITED HEALTHCARE | HOSPITALIZATION: PREMIUM | 4887.23 |
| USPS | POSTAGE | 600.00 |
| VALLEY FORGE SECURITY CENTER | BUILDING OPERATION & MAINT: TROUBLESHOOT ALARM | 95.00 |
| VERIZON | TELEPHONE: GARAGE & PUMP STATIONS | 867.20 |
| VERIZON | TELEPHONE: OFFICE FIOS | 218.52 |
| VERIZON | TELEPHONE: OFFICE INTERNET | 109.00 |
| VERIZON WIRELESS | TELEPHONE: MOBILE PHONES | 206.44 |
| SUNOCO WEX | TRUCK & EQUIPMENT: FUEL FOR VEHICLES & EQUIPMENT | 917.34 |
| PREMIER PAYROLL | ADMINISTRATION: PAYROLL PROCESSING | [AUTO DEBIT] 216.41 |
| STRATIX LEASING | ADMINISTRATION: COPIER LEASE | [AUTO DEBIT] 321.00 |
| SUN LIFE | INSURANCE: PREMIUM LIFE, AD&D, LTD, STD, DENTAL, VISION | [AUTO DEBIT] 1050.57 |
| WELLS FARGO | DEBT SERVICE: INTEREST 2020 NOTE | [AUTO DEBIT] 11039.46 |
| LPTSA CREDIT CARD | ADMIN MISC, TRUCK & EQUIP MAINT, BUILDING MAINT, OPERATING EXPENSE | [TRANSFERRED] 293.05 |
| LPTSA | PAYROLL | [TRANSFERRED] 30,000.00 |
| | TOTAL | 292580.75 |

| BILLS PAID FROM CAPITAL IMPROVEMENT | | |
|--|--|------------------|
| GANNETT FLEMING | ENGINEERING FEES: AUGUST 27, 2022 - SEPTEMBER 30, 2022 | 34399.15 |
| LOWER PROVIDENCE TOWNSHIP | PAVING | 463680.79 |
| | TOTAL | 498079.94 |

| BILLS PAID FROM CAPITAL RESERVE | | |
|--|------------------|-----------------|
| LPVRS | CAPACITY PERMITS | -2670.00 |
| | TOTAL | -2670.00 |

GANNETT FLEMING'S REPORT
for the
LOWER PROVIDENCE TOWNSHIP SEWER AUTHORITY
November 14, 2022

| | | | |
|-----------|---|---|--|
| 66692.105 | Connection Management Plan | - | Submitted CMP for the Mine Run Basin to the PA DEP November 4, 2022. |
| 66692.110 | 2021 Capital Project | - | Final closeout paperwork transmitted to Anrich November 7, 2022. |
| | | - | Final Estimate #12 in the amount of \$171,479.90 will be presented at the November 14, 2022 meeting. |
| 66692.119 | 2022 Capital Project | - | Contractor expects to begin projects in mid-December. |
| 66692.123 | Ridge and Germantown Pike | - | Potential service to unsewered projects discussion. |
| 66692.129 | 2023 Capital Project | - | Surveying is complete. |
| 66692.222 | Montco. Coroner's Building, Archive Building and Garage/Warehouse | - | Construction is complete. There are some punch list items that need to be resolved. |

SYSTEM SUPERINTENDENT'S REPORT
NOVEMBER 2022
FOR WORK DONE OCTOBER 1, 2022 – OCTOBER 31, 2022

SEWER AUTHORITY PROJECTS:

NEW – We are ninety percent done with the remodeling of the new office space. We are moving the filing cabinets back into the new area and will be installing new flooring in the existing office area and repainting. We will have a new phone system installed when all construction is complete.

NEW - We put in a new cellular style alarm/calling system on a trial basis at one of our stations and determined that there's a lot of issues that need to be worked out with them before we convert over to them. We pulled the one caller and returned it and asked them to keep in touch with us to let us know when they make the improvements needed.

UPDATE - SECOND STREET BASEMENTS WITH WATER ISSUES: We had a permission letter created by our Attorney to have signed by a property owner to allow us on the property to install a trench drainpipe to try to relieve the ground water issue but can't get one of the two owners needed to sign it to allow us to perform the work.

UPDATE – NEW LABORER EMPLOYEE: We have put together a new sewer laborer job posting and sent it to the Township and asked them to put it on the Township Website and Township Facebook. We haven't gotten any response yet.

UPDATE - 2021 SEWER REPLACEMENT PROJECT: Anrich has completed the contracted work for the project. They have a small list of Lateral ditches that need topsoil added due to settlement. The work is scheduled to be done on 11/11/2022. All the streets have been paved in the project areas.

NO UPDATE - DISLODGED MANHOLES AND DAMAGE FROM HURRICANE IDA: We are still working closely with FEMA on the damage from reimbursement. There has been a change in staff with FEMA and we are now dealing with two new representatives for FEMA, and we are having meetings with them to explain and bring them up to date with the information needed.

NO UPDATE - ST GABES AND GERTRUDE STATION: Both pumps were evaluated and will need repairs and rebuild. We gave them the okay to do the work at the quoted price.

MAINTENANCE DEPARTMENT:

In addition to the daily inspection and maintenance of the pumping stations, the Maintenance Department:

- Responded to 277 locations (PA One Calls).
- Replace faulty level transducer at Walker Lane station.
- Called all stations to confirm operation of automated fault callers. Cross Keys station was not responding, it was determined to be a telephone line issue. Verizon was notified and the issue was resolved.
- Replaced faulty generator block heater at Grange Ave station.
- Refueled all stationary bypass pumps.
- Exercised all station and trailer generators that don't do so automatically.
- Conducted field trials of potential new cellular text message-based fault monitoring system. It was determined that the current program limitations of the unit made it impractical.
- Worked to complete office renovations, including various general construction tasks, demolition, framing, electrical, drywall, and painting.
- Completed confined space rescue course.
- Changed oil and filter on unit one.
- Plunged and cleared lateral at 11 Lawrence Rd.
- Inspect lateral repair at 2880 Ringneck Rd.
- Inspect lateral repair at 975 Madison Ave.
- Inspect new sewer connection at 2976 Sixth Street.
- Inspect new sewer lateral repair at 2975 Fourth Street.

DEPARTMENT INFORMATION:

| | Maintenance | Administration |
|----------------------|-------------|----------------|
| Regular hours worked | 320 | 492.5 |
| PTO hours | 16 | 11.5 |
| Holiday hours | 0 | 0 |
| Overtime | 0 | n/a |
| Part-time hours | | 120 |
| Injury related hours | 0 | 0 |

**LOWER PROVIDENCE TOWNSHIP
SEWER AUTHORITY**

RESOLUTION NO. 2022 - 06

**A RESOLUTION AMENDING THE SEWER RENTAL RATES AND OTHER
CHARGES**

WHEREAS, the Lower Providence Township Sewer Authority (hereinafter "LPTSA") is a Municipal Authority duly organized and existing under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, LPTSA is governed by the Municipality Authorities Act of 1945, 53 Pa.C.S.A. 5601, *et. seq.*; and

WHEREAS, LPTSA's duties include, *inter alia*, operating, acquiring, constructing, improving, maintaining, owning and leasing a system of sewers and sewage treatment works to serve Lower Providence Township; and

WHEREAS, the Municipality Authorities Act authorizes LPTSA to impose and collect an annual rental, rate or charge for its customers' use of its sewers and sewage treatment works; and

WHEREAS, this Authority adopted a Resolution dated August 18, 1964 ("Resolution") setting forth the sewer rental rates and other charges for use of the sewer system, and amendments thereto;

WHEREAS, LPTSA, in order to maintain its sanitary sewer facilities, has determined that the quarterly rental rate or charge and fees for the use of the sewage treatment works to residents shall be consistent with the rate schedules listed below.

NOW, THEREFORE, BE IT RESOLVED:

1. The LPTSA Board hereby confirms the quarterly rental rate for all users pursuant to the schedule(s) set forth below.
2. Calculation of User Rates. User rates applicable to any improved property constituting a residential dwelling unit, a commercial establishment, an industrial establishment, an institutional establishment or large consumer shall be calculated, imposed and collected, at the sole discretion of LPTSA, in accordance with rate schedule attached hereto as Exhibit "A." Customers shall be billed on a quarterly basis in April, July, October and January of each year, for the immediately preceding quarter.
3. Calculation of Fees. The LPTSA Board hereby confirms its sewer inspection fee, tapping fee, finance and penalty charges and sewer certification fee in accordance with the schedule attached as Exhibit "B."
4. The above rates and fees were, and shall continue to be, effective beginning January 1, 2023, until amended by a future resolution adopted by the LPTSA Board.

EXHIBIT "A"

| <u>Category</u> | <u>Quarterly Rental Rate</u> |
|---|--|
| Residential | \$372.00 per annum, payable at the rate of \$93.00 per billing quarter per EDU (LPTSA collection rate of \$42.00, and LPVRSAs treatment rate of \$51.00 per EDU) |
| Residential (Skippack rate) | \$168.00 per annum, payable at \$42.00 per billing quarter (Skippack customers are billed for LPTSA collection rate only at \$42.00 per quarter. Skippack customers pay the LPVRSAs treatment rate directly to LPVRSAs) |
| Nonresidential ¹ | \$51.00 per assigned UFU (user fee unit) per quarter plus \$1.51 per 1,000 gallons of water use (as measured by the water bill promulgated to each nonresidential user) which is consumed during the quarter for which the billing is rendered. The minimum sewer rental charge for each nonresidential improved property shall remain \$42.00 per quarterly billing period in addition to the charge related to UFUs. |
| Non-Residential with Apartment Units | In addition to the charges associated with the nonresidential rate (as set forth above), each apartment units shall be billed \$168.00 annually (\$42.00 per billing quarter) for collection. Should a property owner contend that this amount is already being collected pursuant to the water usage calculation, then a separate water meter shall be installed for the nonresidential and the residential apartment use(s) to determine actual water usage. |
| Reserved Capacity | \$372.00 per annum, payable at the rate of \$93.00 per billing quarter per EDU (LPTSA collection rate of \$42.00, and LPVRSAs treatment rate of \$51.00 per EDU). Customer has two years from the time of permit purchase to connect to sanitary sewer or full rate is charged per EDU. |

¹ Nonresidential shall consist of any and all commercial, industrial, schools, clubhouses, firehouses, offices, banks, hospitals, churches, chapels, institutions and any other non-residential users

EXHIBIT "B"

| <u>Category</u> | <u>Fee</u> |
|-------------------------|--|
| Sewer Inspection Fee | Inspection fees shall be paid by the property owner for the actual time utilized for the inspection(s) at the following rates: \$96.19 per hour M-F 7:00 AM to 3:30 PM; \$116.32 per hour after 3:30 PM and Saturdays (minimum billing of 4 hours); and \$136.46 per hour Sundays and holidays (minimum billing of 4 hours) |
| Tapping Fee* | \$4,176.00 |
| Finance Charge | 6% annually |
| Penalty Charge | 10% |
| Sewer Certification Fee | \$25.00 |

*Applicants shall also apply to, pay for and obtain sewer capacity from the Lower Perkiomen Valley Regional Sewer Authority ("LPVRSa"). The current rate for this must be paid in the amount of \$2,670.00 (subject to change per the fee schedule of the LPVRSa).

RESOLVED and **ADOPTED** this 14th day of November, 2022.

Attest:

**LOWER PROVIDENCE TOWNSHIP
SEWER AUTHORITY**



Robert Tschoepe, Secretary



Fred Walker, Chairman



LOWER PROVIDENCE COMMUNITY DEVELOPMENT DEPARTMENT MONTHLY REPORT – DECEMBER 2022

The Township Planning Commission and Zoning Hearing Board did not meet in December 2022.

The one outstanding application to be heard by the Zoning Hearing Board came in recently, so this will be placed on the agenda for February.

The Township Planning Commission will meet on January 25th for the required public hearing relating to the 2040 Comprehensive Plan and to review the PJ Land Development-Tidal Wave Project-2619 Ridge Pike.

At the Moscariello Crosskeys Development, work is wrapping up on all but the last townhouse building. Most of the units are sold and some are occupied. Work on the last building will begin shortly. The mixed-use buildings at the front are under roof. The building at the corner will house the District Justice office, as they move from 133 Level Road into a more accessible location. Moscariello, who is building the front buildings, is taking a winter recess.

Work has begun at the Whitetail Ridge-2711 Woodland Avenue development. The preliminary site work is completed and Salvi Builders has begun applying for building permits. Four of the nine lots have been purchased. Work continues at the two projects at the County Facility. The renovation of Bud's Bar at 2797 Egypt Road is proceeding with framing, while we still await further developed plans for the buildings systems. Across the street at Nudy's, the issues with Audubon Water have been resolved enough for a fire suppression permit to be issued. This should be the last piece of construction before opening. The Enclaves at Evansburg still has some very minor site work to complete ahead of dedication.

We issued 50 building permits, 20 zoning permits, 1 new business licenses, 16 resale U&Os, and handled 50 service requests in December. Permitting did slow down this month and we likely will be slightly below our budget for the year.

The Department is pursuing code enforcements actions in the Court of Common Pleas. The Krill matter at 3460 Ridge Pike and the CPM matter at 3752 Ridge Pike have progressed towards resolution. Vison Solar has not.

Joan Holley ended her full-time service to the township but remains assisting us part-time in the transition. Hedi Arturi is a welcome addition to the team and is quickly picking up on our work and quirks.

As always, please contact us with any questions or concerns.

**LOWER PROVIDENCE TOWNSHIP
COMMUNITY RELATIONS DEPARTMENT
MONTHLY REPORT
DECEMBER 2022**

HIGHLIGHTS

Communications / Community Outreach

Website and social media posts of note:

- Holiday office closures
- Job posting: Social Services Liaison
- Share of Police post: Icy road conditions
- Job posting: Front Office Liaison
- Photos of annual BOS donations
- Joan Holley retirement
- Share of Police post: Drug & Alcohol presentations at Methacton High School
- Community Dinner
- Share LP Police post – police activity Level Road
- Caring & Sharing program
- Board, commission meetings
- Good Morning LP posts

Work on the winter newsletter was finalized during the month; delivery is slated for late January.

I assisted at the Parks and Recreation tree lighting event on Dec. 2.

Administration

I continued work on responsibilities related to the Board of Supervisors' reorganization. Work also was started on correspondence and updates that will need to be completed following the meeting.

Right-to-Know Office

During the month, requests for information under the Right-to-Know Law were logged and processed, totaling 7 police and 12 non-police. (Copies of reports prepared as a result of an accident investigation conducted by the Lower Providence Township Police Department are now obtained through Carfax.)

ON-GOING RESPONSIBILITIES

Communications

- Website posts, updates
- Facebook, Twitter and Instagram posts
- Press releases
- Constant Contact emails
- Cable Access Channel posts
- Trash & recycling concerns

**LOWER PROVIDENCE TOWNSHIP
COMMUNITY RELATIONS DEPARTMENT
MONTHLY REPORT
DECEMBER 2022**

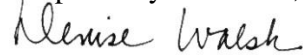
Administration

- Weekly email to Board of Supervisors with informational items
- Legal advertisements as needed
- Scheduling, correspondence and miscellaneous tasks as needed
- Preparation and distribution of Board of Supervisors' agenda packets
- Completion of post-Board meeting tasks, including posting of meeting summary and approved minutes on website
- Scheduling, setup of auditorium
- Attendance at various meetings; preparation and distribution of meeting notes
- Maintenance of Resolution, Minute and Ordinance books

Meetings / Training

- Board of Supervisors - Dec. 1, 15 (prepared minutes)
- Staff meetings - Dec. 6, 20
- PSATS webinar "Preparation for 2023 Organization Meeting" - Dec. 13

Respectfully submitted,



Denise Walsh
Community Relations Coordinator



LOWER PROVIDENCE TOWNSHIP

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Administration: 610 539-8020 • Fax: 610 539-6347

Police: 610-539-5901 • Fax: 610-630-2219



LOWER PROVIDENCE TOWNSHIP INTER-OFFICE CORRESPONDENCE

TO: Board of Supervisors

FROM: Rich Lafiata & Susan Law

DATE: January 11, 2022

SUBJECT: December 2022 Finance Department Monthly Report

Budget

- Attended the December 1, 2022 & December 15, 2022, Board of Supervisors meetings
- Loaded 2023 Adopted Budget in Freedom Software Systems
- Uploaded 2023 Adopted Budget to Township Website

Payroll

- Processed payroll with cleaning, clothing allowance and education incentives for police officers
- Entered 2023 holidays in Paychex
- Updated 2023 employee pay rates
- Discussed various time and attendance matters with Human Resources
- Reconciled benefit time for various employees

Miscellaneous

- Updated Fund Balance Policy for December 15, 2022, Board of Supervisors meeting
- Prepared Resolution 2022-37 which created the Municipal Complex Fund
- Prepared Resolution 2022-38 allowing transfers of funds to the Capital Fund, Stormwater Fund and Municipal Complex Fund
- Updated 2023 Fee Schedule for Township Reorganization Meeting
- Updated bank signature cards for Township Reorganization meeting
- Reinvested matured Certificate of Deposit (CD) with T.D Bank
- Discussed 2023 ARPA and Capital Fund purchases with various directors to ensure the Township has enough liquid cash available when payments are due
- Attended Delaware Valley Insurance Trust meeting to review 2023 insurance policies

- Investigated legal invoices per Board of Supervisors request
- Completed 2022 Auditor Reorganization meeting minutes for 2023 Auditor Re-Organization meeting
- Drafted 2023 Auditor Re-organization meeting agenda
- Registered Township with State and National Government Finance Officers Association
- Contacted CBIZ to reconcile 2022 401a and 457 contributions
- Worked with I.T. Support to setup new Finance Director on various computer systems.

Ongoing tasks

- Cash Flow, Revenue and Expenditure, Treasurer's and Revenue Trends reports completed
- Follow the purchasing policy for proper approval of all purchases. Review open Purchase Orders
- Distribute for approval, enter, and pay invoices.
 - Follow up with vendors regarding unpaid/past due invoices.
- Daily reconciliation of receipts for front counter, permits and LPT rec.
- Bill developers/residents for legal/engineering, alarm violations and other fees due the Township.
- Review all entries to General Ledger.
- Reconcile all bank accounts.
- Transfer funds to the Library.
- Process Payroll for December 16, 2022 & December 30, 2022 pay dates.



LOWER PROVIDENCE TOWNSHIP

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Fire Marshal & Emergency Management Coordinator

December 2022 Report

During the month of December 2022:

- Lower Providence Fire Department responded to 49 emergency incidents within the Township
- Participated in Montgomery County Emergency Management in-service training
- Met with Audubon Water and their lawyer to discuss ongoing issues
- Investigated one building fire
 - Limerick Township – Ruled undetermined
- Made donation requests to Kidde and First Alert on behalf of the Fire Department for carbon monoxide alarms
- Received personal protective equipment from PEMA
 - Placed in emergency management trailer
- Participated in a webinar hosted by NOAA on extreme weather and climate preparedness
- Applied to the National Fire Academy to attend their forensic interviewing class
- Completed IS 2700, 2900 and 2901 through FEMA as part of the new certification requirements for emergency management coordinators
- Conducted forcible entry training at Jeffersonville Fire Department
- Completed hazardous materials operations and blood borne pathogens refresher class
- Met with Mike Heffrich of Moyer's Restoration to discuss board up services in our Township
- Met with Township Manager to discuss business license program
- Met with Bill Hine to discuss Deputy Fire Marshal duties

Notes:

**LOWER PROVIDENCE TOWNSHIP
PARKS AND RECREATION**

**MONTHLY REPORT
December 2022**

Administration:

- Daily communication with Joe Chillano, Director of Public Works, to discuss job tasks/duties for parks crew.
- Attended the staff meeting.
- Transfer monthly CCFee report.
- Met with Mike Nester and Zach about the supplies and decorations that are needed for the Tree Lighting event.
- Met with the Park and Recreation staff throughout the month to prepare for future programs/trips.
- Worked on preparing for Community Tree Lighting event with Karen Barron, Karen Hegedus and Rylie Cox (intern)– set-up itinerary, supplies ordered, meetings with public works staff, met with the LP Police Chief, met with the Fire Marshal, memo to the Fire Department to confirm the trucks and their placement, ordered sponsorship sign, booklets made, confirm optimistic personnel for the event. Friday- Set up, run, and break down the Tree Lighting event.
- Residents came out and thoroughly enjoyed themselves during the 14th Annual Tree Lighting Event! There was wonderful music sung by the Arcola Chorus and Macrina Academy of Dance put on a wonderful dance performance while residents enjoyed hot chocolate, cookies, and candy canes! Thank you to all who helped make this possible especially the Lower Providence Township Fire Department, Lower Providence Police Department, all our volunteers and Santa!
- This year we included a new event the night before the Tree Lighting festivities. We included Pet Photos with Santa at the Winter Wonderland display. It was so well received this year; we are going to continue to offer this event again next year. A special “thank you” to Gary Brown, for volunteering his time to be Santa!
- This year we would like to thank everyone who participated in the 2022 “Caring & Sharing and “Angel Tree” programs. The generosity was amazing; it helped brighten the holidays for so many families in our community! A special thank you to Karen Barron and Rylie Cox (intern) for all their hard work organizing the program. With the addition of Rylie coming on board, we were able to add two more families to partake in the program.
- We offered a Red Cross Babysitting Course on December 3rd; we had 18 children participated in class.
- Prepare and lead the Park Board Meeting. I also would like to thank Jean Akers, Park Board member, for her service over the years.
- I attended a monthly meeting for Montgomery County Senior Games. We will continue to meet as a committee monthly to prepare for the games. The Senior Games will begin the first week in May.
- Prepare for the 2023 Summer Camp Program.
- We sold 104 discounted Movie Tavern tickets in December. Movie Tavern tickets are sold for \$8.50 year -round.
- We sold 84 discounted Regal Movie ticket. Movie tickets are sold at a discounted price of \$10.00 per ticket year- round.
- We continue to offer Memorial Donation Program which allows residents to purchase a bench, a tree, or a brick in a loved one’s honor and have it placed in a special location in one of our beautiful parks.
- We continue to offer our Hometown Heroes Program and have been replacing the banners throughout Eagleville Park as they are purchased.

All Parks/ Facilities Maintenance:

- Continue to communicate with Mike Nester and Zach on any matters that need attention over the winter months.
- Trash is picked up weekly or as needed at area parks.
- Continue to check and replenish Mutt Mitts in area parks.
- Continue to inspect area parks daily and make repairs as needed.
- We cleaned and reorganized the barn. We made room to store the new equipment and camp supplies.
- Parks staff will continue to oversee all area parks over the winter months.
- Parks guys took the remaining donated food items from the Shoemaker House to area shelters.

Eagleville Park:

- Installed a brick at the memorial.
- Parks Department took down the holiday displays and decorations and returned them to storage.

Pond View Park:

- We had a tree down at Pond View Park. It was cut up and area was cleaned up.

Upcoming Programs:

- Firebirds Theatre Acting Class Session
- Line Dancing Fusion Class
- Shining Knights Chess Club
- Scrapbooking Fun Class
- Pottery Heart Workshop
- Kids Pottery Class
- Casino Trip
- Washington Trip

Daily Tasks:

- Return calls and emails daily.
- Respond to requests from the residents.
- Multiple meetings with Karen Hegedus, Karen Barron, and Rylie Cox regarding winter/spring programs as well as ongoing programs and events.
- Continue to participate in Zoom/ in person meetings and webinar with PRPS.
- Update P & R web page, Facebook, Instagram, MyRec and the marquee as needed

Respectfully Submitted,

Jane C. Delaney
Director of Parks and Recreation



LOWER PROVIDENCE TOWNSHIP POLICE DEPARTMENT

100 Parklane Drive • Eagleville, PA 19403 • www.lowerprovidence.org
Phone: 610-539-5901 • Fax: 610-630-2219



Michael Jackson, Chief of Police

Submitted By: Michael Jackson, Chief of Police

| | | | | | | |
|------------------------------------|--------|--------|--------|--------|--------|---------|
| <i>POLICE FLEET</i> | Aug-22 | Sep-22 | Oct-22 | Nov-22 | Dec-22 | Total |
| <i>Miles Traveled</i> | 23,859 | 23,870 | 23,570 | 21,513 | 21,134 | 280,246 |
| <i>INCIDENTS</i> | | | | | | |
| <i>Police Activity (CAD)</i> | 2,158 | 2,133 | 2,064 | 2,110 | 2,019 | 23,298 |
| <i>ENFORCEMENT ACTIVITY</i> | | | | | | |
| <i>Traffic Stops</i> | 564 | 457 | 295 | 381 | 354 | 4,861 |
| <i>Traffic Citations</i> | 178 | 177 | 170 | 177 | 175 | 1,590 |
| <i>Non-Traffic Citations</i> | 11 | 7 | 18 | 13 | 5 | 114 |
| <i>Criminal Arrests</i> | 46 | 30 | 25 | 23 | 24 | 397 |
| <i>Foot and Bike Patrols</i> | 237 | 228 | 176 | 184 | 188 | 2276 |
| <i>Traffic Details</i> | 163 | 133 | 92 | 115 | 105 | 1612 |
| <i>Public Contacts (Minimum)</i> | 1074 | 954 | 848 | 920 | 874 | 10,588 |
| <i>Formal Personnel Complaints</i> | 0 | 0 | 0 | 2 | 0 | 3 |
| <i>Personnel Compliments</i> | 5 | 5 | 3 | 3 | 6 | 35 |
| <i>JUVENILE CONTACTS</i> | | | | | | |
| <i>Juvenile Contacts</i> | 51 | 41 | 44 | 55 | 49 | 548 |
| <i>Juveniles Petitioned</i> | 1 | 1 | 2 | 1 | 0 | 11 |
| <i>Warnings Issued</i> | 15 | 6 | 10 | 18 | 9 | 129 |
| <i>Citations Issued</i> | 2 | 1 | 1 | 5 | 0 | 22 |
| <i>Referral to Other Agencies</i> | 2 | 0 | 1 | 0 | 3 | 15 |
| <i>ACCIDENTS</i> | | | | | | |
| <i>Total Number of Accidents</i> | 41 | 42 | 48 | 73 | 72 | 580 |
| <i>Reportable Accidents</i> | 12 | 18 | 17 | 23 | 29 | 208 |
| <i>Non-Reportable Accidents</i> | 29 | 24 | 31 | 50 | 43 | 372 |



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Michael Jackson, Chief of Police

| | | | | | | |
|----------------------------------|--------|--------|--------|--------|--------|-------|
| ALARM RESPONSES | Aug-22 | Sep-22 | Oct-22 | Nov-22 | Dec-22 | Total |
| <i>Total Alarms</i> | 40 | 73 | 47 | 61 | 54 | 673 |
| <i>Security Alarms</i> | 24 | 41 | 27 | 40 | 33 | 461 |
| <i>Fire Alarms</i> | 16 | 32 | 20 | 21 | 21 | 212 |
| DETECTIVE DIVISION | Aug-22 | Sep-22 | Oct-22 | Nov-22 | Dec-22 | Total |
| <i>Investigations</i> | 77 | 37 | 26 | 28 | 47 | 534 |
| SUBPOENAS FOR COURT | Aug-22 | Sep-22 | Oct-22 | Nov-22 | Dec-22 | Total |
| <i>District Court 38-1-20</i> | 45 | 125 | 67 | 38 | 78 | 684 |
| <i>Montgomery County</i> | 3 | 6 | 4 | 4 | 10 | 57 |
| <i>All Others</i> | 0 | 1 | 0 | 0 | 0 | 10 |
| DUI TASK FORCE | Aug-22 | Sep-22 | Oct-22 | Nov-22 | Dec-22 | Total |
| <i>Reimbursed Overtime Hours</i> | 64 | 30 | 8 | 0 | 0 | 134 |
| AGGRESSIVE DRIVING | Aug-22 | Sep-22 | Oct-22 | Nov-22 | Dec-22 | Total |
| <i>Reimbursed Overtime Hours</i> | 0 | 24 | 0 | 0 | 0 | 78 |
| DRUG TASK FORCE | Aug-22 | Sep-22 | Oct-22 | Nov-22 | Dec-22 | Total |
| <i>Reimbursed Overtime Hours</i> | 0 | 0 | 0 | 0 | 0 | 66 |
| PA LIQUOR CONTROL BOARD | Aug-22 | Sep-22 | Oct-22 | Nov-22 | Dec-22 | Total |
| <i>Reimbursed Overtime Hours</i> | 24 | 24 | 21 | 0 | 0 | 139 |



LOWER PROVIDENCE TOWNSHIP POLICE DEPARTMENT

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Michael Jackson, Chief of Police

The following is a list of Community Relations details for December 2022:

On Tuesday, December 13, Sgt. Stead presented several drug and alcohol lessons in 8th-grade health classes at the Arcola Intermediate School.

On Wednesday, December 14, Sgt. Stead and Montgomery County Detective Lieutenant Paul Bradbury gave several drug presentations for the entire Methacton High School junior class.

On Thursday, December 15, Lt. Hopkins and Sgt. Stead participated in the 27th Annual Lt. Patty Simon's Law Enforcement Food Drive by delivering and unloading a tractor-trailer full of nonperishable goods to the Salvation Army in Norristown, PA.

On Monday, December 19, Sgt. Stead and Montgomery County Detective Lieutenant Paul Bradbury gave several drug presentations for the entire Methacton High School senior class.

The following is a list of notable TSU activities for December 2022:

A total of one hundred and twelve (112) Bus Patrol submissions resulted in sixty-four (64) civil citations being issued to drivers passing school buses with their red lights flashing.

There were no traffic complaints made by residents during the month.

Traffic studies were conducted in the 35 MPH and 40 MPH speed limit zones of Level Road indicating no need for additional enforcement or other traffic calming measures.

Youth Aid Panel:

There were three (3) juveniles submitted to the Montgomery County District Attorney's Office Youth Aid Panel Program during the month.

Curfew:

There were three (3) violations of the Lower Providence Township curfew ordinance.

LOWER PROVIDENCE TOWNSHIP

PUBLIC WORKS DEPARTMENT

MONTHLY REPORT

DECEMBER 2022

Below is a list of some items that the Public Works Department accomplished during the month of December.

- Meet with Jane Delaney daily to review/ discuss departmental needs
- All PA One call notifications were reviewed, field marked and responded to appropriately
- Director reviewed road opening permits, performed inspections where required
- The department completed various and multiple building maintenance tasks
- Street signs were repaired/replaced
- Meet with PW Foreman and Interim Parks Crew Leader to discuss work assignments and scheduling
- Director had several meetings with staff on various topics
- Mechanics performed routine maintenance on Township fleet and equipment
- Director approved bills associated with the department
- Janitor cleaned our buildings during the month of December
- PW & Parks guys did trash runs twice this week in our Parks. Every Monday and Friday
- Director returned phone calls and emails addressing residents' concerns
- Director worked on the monthly report
- Storm sewer inlets were cleaned prior to any rainstorms
- Multiple storm sewer inlet on various Twp roadways were repaired in place. Work associated includes cleaning out the inlet, repairing with brick, lentels and concrete. Replacing the top and restoration work.
- We are now receiving our money from FEMA, for the work which took place during Hurricane Ida
- Traffic signals and streetlights were repaired during the month of December
- I continued to work with McMahon and Twp Manager on the APS installation for Parklane/Ridge and Eagleville traffic signal, quotes are starting to come in for the work
- Parks members inspected all playground equipment during the month
- We have begun working on vehicles and items that will need to be sent to auction
- Our PW staff is constantly prepping all our fleet for any winter weather events
- Many crew members worked the tree lighting event and also did the cleanup work
- Fabricated steel inlet risers for 2023 Rd Reconstruction Projects
- The guys helped with the annual caring and sharing program
- We also donated a hand and goods to the annual Patty Simons food drive

- Two personnel were involved in the heating oil spill which occurred along Apple Valley Rd
- One of the most essential duties of a second-class township is to ensure to the best of our abilities that roadways are safe for the traveling public. Especially during winter weather events as crews are called upon to salt and plow the roadways as conditions deteriorate
- We had three salting events during the month of December. A wintry mix occurred 12/15, freezing rain event was 12/22 and a rapid freeze occurred 12/23
- After winter events all equipment is washed, greased and repaired as needed, this step is very important to maintain a high level of service when equipment is put to the test

Respectfully submitted,

Joseph R. Chillano



January 13, 2023

**BOARD OF SUPERVISORS
EXECUTIVE SUMMARY**

Preliminary/Final Plan Major Land Development: LD-22-07 – Audubon Land Development-Square 5 Amended Plan

90 Day Clock: Waived by Applicant

Requested Action: Consideration of preliminary-final plan.

Plan Summary: For your consideration is a plan from Audubon Land Development-Square 5, proposing to amend the development of Audubon Square V. The amended design expands Building 5 from a 27,760 sf to 144,000 self-storage facility; expands Building 1 from 15,900 sf to 21,000 sf of retail; adds Building 10 with existing 21,340 sf to the plan; adds new Building 8 for Restaurant 2,661 sf and Retail Use 3,739 sf; and adds Building 9 for Restaurant Use 7,350 sf.

Waivers:

§123-31 Rights of Ways. We request a waiver from providing an Ultimate Right of Way on Rittenhouse Road at this time. Any future land development in the area of Rittenhouse Road will provide the required right of way at that time.

§123-32 Curbs and storm sewers. We request a waiver from providing curbs and storm sewers along Rittenhouse Road and Egypt Road. Any future land development along Rittenhouse Road and Egypt Road will provide the appropriate curbs and storm sewers at that time.

§123-33 Sidewalks. We request a waiver from providing sidewalks along Rittenhouse Road and Egypt Road. Any future land development along Rittenhouse Road and Egypt Road will provide the appropriate sidewalks at that time.

§123-36.A.(2)(d) Driveways. We request a waiver to allow Access Drive C (which will be extended to Eisenhower Road) to be closer than 5' from the property line at its intersection with Norris Hall Road.

§123-37.C Parking. We request a waiver regarding the landscaping the parking lot islands. The parking lots to the north of Buildings 5, 6 and 7 are over the Transco Gas Pipeline easement. We are not permitted to plant trees within this easement. The required trees, based on area of paving, are provided just south of the easement along the edge of the easement.

§123-37.L(2)(a) Planting Strip. We request a waiver to not provide a planting strip between Buildings 8 and 9. This area is too narrow to add a landscape median without losing a row of parking spaces which are needed for the businesses. The requirement is to provide a planting strip for parking Audubon Square 5 October 19, 2022 Page 2 of 2 areas between 50 and 150 spaces and we have 52 spaces in this area. In lieu of providing the landscape median, we could lose three parking spaces, but it was felt that keeping three extra parking spaces for the commercial uses was more important to the users of the businesses.

§123-37.M(2)(b) Driveway Width. We request a waiver to allow the driveway width for Access Drive D to be 24' wide instead of 28' wide to match the existing width of this driveway. Also, the extension of Access Drive C from Norris Hall Lane to Eisenhower Road is designed as 24' wide since we are sliding in this road extension in a previously developed area and a wider road would eliminate the parking for the building.

§123-143 Land use Design Manual, Section 1.1.4 Trails. We request a waiver to construct the relocated trail along Access Drive C with an 8' width instead of a 10' width to match the previously constructed trail.

Current letters: *see attached of the letters

- Bursich Associates, December 7, 2022
- Woodrow and Associates, January 11, 2023
- McMahon Associates, December 23, 2022
- Police Chief, September 26, 2022
- LP Fire Marshal, January 13, 2023
- LPTPC Minutes, October 26, 2022

Review Comment Summary

1. Lower Providence Planning Commission recommended granting of all requested waivers, and approval for revised final plan.
2. Norris Hall Rd will be extended to Access Road C in Phase 2 and to Egypt Road by 2024.
3. Elements of environmental sustainability have been included in the design.
4. Pedestrian connections have been added
5. It is understood that the proposed revised plan includes sit-down restaurants, not drive-thru.
6. The alignment of Access Road C is to be changed
7. Transportation design elements raised in McMahon Associates' letter of

October 17, 2022, have been revised.

8. McMahon recommends that a post construction study be done for the intersection of Avenue D and Forge Avenue within three months of full occupancy of all buildings.

Impact Fees:

1. Traffic Impact: \$23,514.78
2. Park and Rec: \$257,359.90
 - Commercial 21,340 SF@1.10/SF = \$ 23,474.00
 - Office 72,190 SF@1.77/SF = \$127,776.30
 - Retail 24,739 SF@1.10/SF = \$ 27,212.90
 - Warehouse 99,960 SF@0.76/SF = \$ 75,969.60
 - Restaurant 2,661 SF@1.10/SF = \$ 2,927.10



December 7, 2022

Lower Providence Township
100 Parklane Drive
Eagleville PA 19403

RE: Audubon Square 5 – Amended Plan
Preliminary/Final Plan Submission
Bursich Project No.: AUD-01 / 013717.12

Dear Lower Providence Township:

Attached is a revised Final Plan resubmission for Audubon Square 5. Audubon Land Development (Applicant) is proposing to amend and complete the development of Phase 2 of Audubon Square 5.

With regard to the above referenced project, attached please find the following items for processing and review:

- Three (3) full-size copies of the Final Land Development Plans, Sheets 1 - 51 of 68, dated 6/13/18, and last revised 12/07/22;
- Seven (7) half-size copies of the Final Land Development Plans, Sheets 1 - 51 of 68, dated 6/13/18, and last revised 12/07/22;
- Ten (10) copies of the Response Letter to Traffic Review #11 prepared by TPD, and dated November 16, 2022;
- Three (3) copies of the Transportation Impact Assessment prepared by TPD, and dated November 2022;
- Three (3) copies of Trip Generation Comparison prepared by TPD, and dated October 4, 2022;
- Two (2) copies of the NPDES Submission, including the ESPC and PCSM plans Sheets 52-68 of 68, *provided under separate cover*.
- One (1) electronic submission containing PDF version of the Land Development Plans and Letters provided via email.

ENGINEERS, LAND SURVEYORS, LANDSCAPE ARCHITECTS

2129 E. High Street | Pottstown, PA 19464
N 40° 14' 40.2" W 075° 36' 09.6"

610.323.4040
www.bursich.com

These plans are provided in response to the following review letters –

- Woodrow & Associates review letter dated October 20, 2022
- McMahon Associates, Inc. review letter dated October 17, 2022
- Police Chief memo dated September 26, 2022
- LP Fire Marshal letter dated October 5, 2022

The record plans will be provided once review comments have been satisfactorily addressed.

WOODROW ASSOCIATES review of October 20, 2022

Threshold issues

1. Sections 123-31, 32, 33 obligates the applicant to honor an ultimate right-of-way width and install certain road improvements which include pavement widening, curbing, sidewalk, and storm drainage improvements. These improvements must be made to Egypt Road, Rittenhouse Road and Trooper Road, south of Norris Hall Road.

Comment acknowledged.

2. Environmental Sustainability—The Township has adopted a resolution which encourages forward thinking development and implementing environmental sustainability improvements. The applicant should be ready to speak to techniques that they could employ to further these goals. Electric vehicle charging stations, pervious paving, green roofs, solar panels, geothermal heating and air conditioning, LED lighting, stormwater capture and reuse are examples of techniques that have been discussed.

Comment acknowledged – pervious paving, LED lighting, and stormwater capture have been incorporated into the proposed design.

Zoning Ordinance Review –

1. The amendments to the final plan application do not appear to trigger any additional zoning code concerns.

No comment.

Subdivision/Land Development Ordinance Review

1. The applicant seeks waiver from the following sections of our subdivision ordinance:

- a. *Section 123-31 Rights of Ways. We request a waiver from providing an Ultimate Right of Way on Rittenhouse Road at this time. Any future land development in the area of Rittenhouse Road will provide the required right of way at that time.*
- b. *Section 123-32 curbs and storm sewers. We request a waiver from providing curbs and storm sewers along Rittenhouse Road and Egypt Road. Any future land development along Rittenhouse Road and Egypt Road will provide the appropriate curbs and storm sewers at that time.*

- c. *Section 123-33 Sidewalks. We request a waiver from providing sidewalks along Rittenhouse Road and Egypt Road. Any future land development along Rittenhouse Road and Egypt Road will provide the appropriate sidewalks at that time.*
- d. *Section 123-36.A.(2)(d) Driveways. We request a waiver to allow Access Drive C (which will be extended to Eisenhower Road) to be closer than 5' from the property line at its intersection with Norris Hall Road.*
- e. *Section 123-37.C Parking. We request a waiver regarding the landscaping the parking lot islands. The parking lots to the north of Buildings 5, 6 and 7 are over the Transco Gas Pipeline easement. We are not permitted to plant trees within this easement. The required trees, based on area of paving, are provided just south of the easement along the edge of the easement.*
- f. *Section 123-37.L(2)(a) Planting Strip. We request a waiver to not provide a planting strip between Buildings 8 and 9, and to the rear of Building 10. This area is too narrow to add a landscape median without losing a row of parking spaces which are needed for the businesses. The requirement is to provide a planting strip for parking areas between 50 and 150 spaces and we have 52 spaces in this area. In lieu of providing the landscape median, we could lose three parking spaces, but it was felt that keeping three extra parking spaces for the commercial uses was more important to the users of the businesses.*
- g. *Section 123-37.M(2)(b) Driveway Width. We request a waiver to allow the driveway width for Access Drive D to be 24' wide instead of 28' wide to match the existing width of this driveway.*

Also, the extension of Access Drive C from Norris Hall Lane to Eisenhower Road is designed as 24' wide since we are sliding in this road extension in a previously developed area and a wider road would eliminate the parking for the building.

- h. *Section 123-143 Land use Design Manual, Section 1.1.4 Trails. We request a waiver to construct the relocated trail along Access Drive C with an 8' width instead of a 10' width to match the previously constructed trail.*
2. Section 123-37.L(2)(a) — Facing rows of parking stalls shall be separated by a planting strip, and a minimum of eight feet in width for the entire length of the planting row. This condition occurs to the rear of Building 10.

A waiver is requested as stated within Item 1.f.

3. Section 123-37.L(3)(c) — Pedestrian crossover paving blocks must be provided; pedestrian connections between Buildings 8 and 9 and Access Drive D should be considered.

Additional pedestrian connections have been provided to the west of Building 1 and 9 along Norris Hall Lane, and to the east of Building 10 along Norris Hall Lane to Trooper Road.

4. Section 123-37.L(4)(a) — Plant Material Selection — We would like the opportunity to discuss the plant material selection list with the design engineers to assure the best selection of native materials that will indeed be available in the nurseries at the time of construction.

Comment acknowledged.

5. Section 123-37.P — Plans should more clearly designate and label the anticipated loading areas of the new retail facilities.

The loading areas are hatched and have been labeled to clearly designate these areas on the plans.

6. Section 123-37.Q — The designers should confirm that the handicap accessible routes from parking space to storefront meet current ADA Design Standards. It is noted that ramp designs have been provided that appear to meet current requirements. The balance of the accessible route should also be understood.

ADA ramps and accessible routes have been designed and provided throughout the site.

7. Section 123-43 — Stormwater management — The designers have utilized a significant series of underground storm water detention facilities. These underground facilities have been designed in series with stormwater management facilities built in earlier phases of the project. Three new detention systems are proposed capturing and managing three distinct watershed drainage areas. Attached to this letter is a page from the design calculations which summarizes the percent reduction in flows measuring existing conditions today versus the proposed conditions once the stormwater systems are implemented and functioning. The report is not entirely clear as to how the water quality components of our stormwater ordinance are being met. I would like to schedule a call with the designers to review the report in greater detail to gain a better understanding of how the report was organized. We continue to review the report and will be prepared to have a more meaningful conversation with the designers at the appropriate time.

Comment acknowledged – will meet with Township Engineer to discuss overall stormwater design. NPDES submission is being prepared and a copy will be provided to the Township to demonstrate that the site will meet rate, volume, and water quality requirements.

8. Section 123-50.B — This ordinance citation speaks to the obligation to provide perimeter buffering around all nonresidential projects. This buffering takes the form of street trees and shrub plantings along the road frontages. It appears that the applicant has met their obligation for this plant material in their landscaping plan; however, we would like to reserve the right to suggest additional plantings where appropriate once the project has been constructed and a field view assessed.

Comment acknowledged.

9. Section 123-55 — Lighting — A complete lighting plan has been submitted as part of the land development plan set. It appears that the lighting meets the minimum obligations of our ordinance and is consistent with other lighting that has already been installed in earlier phases of Audubon Square. It is noted that LED lighting has been proposed for parking lots as well as wall mounted fixtures.

Comment acknowledged.

MCMAHON ASSOCIATES review of October 17, 2022

(Refer to the TPD response letter dated November 16, 2002, for all comments not addressed below)

Land Development Plans

4. According to Section 123-32 of the Subdivision and Land Development Ordinance, curbing should be constructed along all existing streets. It does not appear from the information provided that the plans provide for curbing along a portion of the Trooper Road (S.R. 0363) site frontage to the west of the Norris Hall Lane extension. The plans should be revised to show curbing along this section of Trooper Road (S.R. 0363) so that curbing is provided along the entire Trooper Road (S.R. 0363) site frontage, to assist with drainage and to provide a barrier to the sidewalk proposed.

Curbing has been added to the west of Norris Hall Lane.

5. Sight distance measurements must be shown on the plans at the intersection of Trooper Road (S.R. 0363) and Forge Avenue and must satisfy requirements in Section 123-35.A of the Subdivision and Land Development Ordinance, as well as PennDOT safe stopping sight distance requirements contained in Chapter 441 of PennDOT Publication 282. Specifically, vehicular egress sight distances looking to the left must be provided for the existing Forge Avenue approach to Trooper Road (S.R. 0363) at 14.5 feet back of the closest travel lane edge at an eye height of 3.5 feet looking at an approaching vehicle of 3.5 feet, as well as for the ingressing left-turn vehicle sight distance (at a position 35 feet prior to each driveway centerline) looking to the front (3.5 feet eye height to 3.5 feet eye height) and rear (2 feet taillight height to 3.5 feet approaching driver eye height).

A Sight Distance Plan has been added as Sheet No. 51 of the LD plans.

6. In addition, sight distance measurements must be shown on the plans at the following intersections and must satisfy requirements in Section 123-36a of the Subdivision and Land Development Ordinance, and profiles provided as necessary to illustrate that at least minimum safe stopping sight distances will be achieved.
 - At the intersection of Norris Hall Lane extension and Access Drive 'D'.
 - At the intersection of Norris Hall Lane extension and the drive to the north of Building 1.
 - At the intersection of Norris Hall Lane extension and Access Drive 'C'.
 - At the intersection of Forge Avenue and Access Drive 'D'.
 - At the intersection of Forge Avenue and the drive to the north of Building 1.
 - At the intersection of Forge Avenue and Access Drive 'C'.
 - At the intersection of Eisenhower Avenue and Access Drive 'D'.

A Sight Distance Plan has been added as Sheet No. 51 of the LD plans.

7. According to Section 123-37.N of the Subdivision and Land Development Ordinance, no less than a five-foot curb radius shall be permitted in parking areas. The plans currently show less than a five-foot curb radius throughout the parking area adjacent to Building 1, thereby not satisfying the ordinance requirement. The plans should be revised to show a minimum curb radius of five feet in this parking area, or a waiver must be requested from this ordinance requirement.

The curb radii have been revised to provide a five-foot curb radius.

17. A grading and layout detail for the realigned Access Drive 'C' adjacent to Eisenhower Avenue has been provided. However, it appears as though there is an erroneous existing spot elevation (226.54) to the south of Access Drive 'C'. Please review and revise as necessary.

The erroneous spot elevation has been addressed.

18. It appears that the paving section for Norris Hall Lane does not satisfy the minimum requirements found in Appendix A of the SALDO. Please make appropriate changes or provide information that substantiates the current design.

The paving section for Norris Hall Lane has been updated to reflect the minimum requirements found in Appendix A of the SALDO.

19. Truck turns for a WB-40 truck have been provided adjacent to Building 8. These turns are tight for a truck this size and indicate that nothing larger than a WB-40 truck will be able to make the necessary turns. The applicant must confirm that trucks larger than a WB-40 will not be servicing this building and then have to navigate through the parking lot. If larger trucks will need to access this area, those truck movements/templates and circulation patterns must be provided, as well as hours of the day they will be restricted to navigate this area.

Applicant will confirm the largest size truck needing to access the site and provide appropriate truck turning movements and signage for restrictions as needed.

20. The left-turning movements from Trooper Road (S.R. 0363) onto Norris Hall Lane appear to be originating from the through lane rather than the dedicated left-turn lane. The designer should evaluate and revise the turning movements appropriately.

The left-turning movement has been revised to originate from the designated left-turn lane.

POLICE CHIEF review of September 26, 2022

I have reviewed the land development plan for Audubon Square and have no questions or recommendations at this time.

No comment.

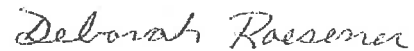
FIRE MARSHAL review of October 5, 2022

After reviewing the plans provided, I noted that the truck turning information was incorrect. Please have the applicant resubmit using the attached information so that I may continue my review.

The truck turning information has been revised per the information provided by the Fire Marshal.

The above items are being submitted for your review and approval. Should you have any questions or require additional information, please contact me at 484-941-0434 or debi.roesener@bursich.com.

Very truly yours,



Deborah Roesener
Senior Project Designer
Bursich Associates, Inc., Pottstown Office

Enclosures cc: Brad Macy, Audubon Land Development Corp., Applicant
Bernadette Kearney, HRMM&L, Applicant's attorney



January 11, 2023

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

Reference: Audubon Square 5 – Revised Final Plans

Dear Mike:

Please recall that in 2019 the Township gave approval to Phase 5 of Audubon Square which included a plan for the development of the parcel of ground fronting on Trooper Road just south of Forge Avenue. The plan included two buildings, parking, stormwater management and associated improvements. A copy of that earlier plan is attached to this letter. At that time, the intersection of Trooper Road and Norris Hall Road was revealed as a critical component to future traffic circulation success. The former restaurant operating as The Beef and Ale made any meaningful improvement to the intersection difficult. At this time, Audubon Land has acquired that restaurant property and has revised the plan, demolishing the former restaurant allowing for significant improvements to traffic circulation in connection through this resubmission. The vast majority of plan changes impact the traffic circulation patterns. We will defer to McMahon and Associates for a more thorough review of the highway network, driveway connections and the improvements to the circulation patterns.

We are in receipt of a 68-sheet set of plans entitled "Audubon Square 5" prepared by Bursich dated June 13, 2018 last revised on December 7, 2022 and offer the following comments for your consideration.

Threshold Issues – This submission is substantially different than the plan which received approval. Therefore, the application would be subject to a re-review against our subdivision land development ordinance.

1. Sections 123-31, 32, 33 obligate the applicant to honor an ultimate right-of-way width and install certain road improvements which include pavement widening, curbing, sidewalk, and storm drainage improvements. These improvements must be made to Egypt Road and Rittenhouse Road.

We note with the continued improvements through the frontage along Trooper Road to Eisenhower Avenue. However, the Ultimate ROW be extended through the entire frontage and offered for dedication in conjunction with this application. We also recommend that

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 Michael Mrozinski, Director of Community Development
 Lower Providence Township
 Reference: Audubon Square 5 – Revised Final Plans

the curbing west of the Norris Hall Lane extension be connected to the existing curb and the inlet box top changed to a Type 'C' Top. We defer to McMahon and Associates to further address this issue.

2. Environmental Sustainability – The Township has adopted a resolution which encourages forward thinking development and implementing environmental sustainability improvements. The applicant should be ready to speak to techniques that they could employ to further these goals. Electric vehicle charging stations, pervious paving, green roofs, solar panels, geothermal heating and air conditioning, LED lighting, stormwater capture and reuse are examples of techniques that have been discussed.
3. We note that this application calls for the installation of two large parking areas to the north of existing Building 6. These parking areas are proposed within the Transco/Williams Gas Right of Way. In addition to parking being within the right-of-way, these lots are proposed as pervious pavement with a stone storage area drained by two (2) 6” under drains tied to existing storm sewer. This will require approval from the gas company for the placement of the parking area and stone storage area within the right-of-way. All construction requirements as dictated by the gas company for work within the right-of-way must be added to the plans.

Further, any approval the Board of Supervisors would consider granting this application should be done in consideration of the following:

Approvals/Permits/Reviews:

1. PA DEP – Amended NPDES Permit
2. PA DEP – Consistency with the earlier approved sewage facilities planning
3. PA DOT – Four intersections and roadway improvements
4. Lower Providence Township Sewer Authority
5. Audubon Water Company

Zoning Ordinance Review:

1. Section 143-20.B: A lot that only fronts a private street can only be developed and improved if the private street is constructed and improved from the subject lot to the closest opened public street in compliance with the requirements applicable to private streets set forth in Chapter 123, Subdivision and Development of Land, of the Code of the Township of Lower Providence. The operation, maintenance, repair, and replacement of such a private street is the sole responsibility of the owners of the lots that front this street, as agreed to by such owners. As previously noted above, the applicant is proposing the extension of Norris Hall Road through to Access Road 'C'. The applicant's engineer shall add a note addressing ownership and maintenance obligations for the internal roads not being offered or accepted for dedication.

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Lower Providence Township

Reference: Audubon Square 5 – Revised Final Plans

2. Section 143-137: We note that the plans submitted do not include a viable Record Plan/Land Development Plan for recording of the plan. The plan submitted is void of previously dedicated ultimate right-of-ways, The Transco/Williams Gas Pipeline Easement that bisects the overall property, metes and bounds and dimensions.
3. Section 143-143.3: All signs proposed as part of this land development shall comply with this section and subsections listed within. A note shall be added to the plans.

The plans should be amended to include the following:

- Overall Tract Outbound with metes and bounds.
- Legal and Ultimate ROWs with metes and bounds for the ultimate and dimensions.
- The Transco/Williams Easement ROW with metes and bounds.
- Building Setbacks from the ultimate ROW.
- Any Easements existing or proposed.

In addition, it is also recommended that additional dimensioning be added to the plans to support cartway widths, ROW widths and building ties to the property line.

Subdivision/Land Development Ordinance Review:

1. The applicant seeks waivers from the following sections of our subdivision ordinance:
 - a. Section 123-19.C.(3) – The applicant has requested a waiver to allow for a minimum of two 15” diameter pipes in lieu of a single 18” pipe.
 - b. Section 123-19.C.(6) – The applicant has requested a waiver to allow for a less than 1.0% slope on terminal storm sewer runs.
 - c. Section 123-19.C.(12) – The applicant has requested a waiver to allow for less than 18” minimum cover over all storm sewer pipes.
 - d. Section 123-19.C.(19) – The applicant has requested a waiver to allow for less than a minimum of one foot of freeboard.
 - e. Section 123-31 – The applicant has requested a waiver from providing the ultimate right-of-way on Rittenhouse Road.
 - f. Section 123-32 – The applicant has requested a waiver to use 6” high curbs within the commercial development and to not provide curbs and storm sewers on Rittenhouse Road or Egypt Road.
 - g. Section 123-33 – The applicant has requested a waiver from providing sidewalks on Rittenhouse Road and Egypt Road.

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- h. Section 123-36.A.(2)(d) – Requires driveways to be no closer than five feet from any property line.
- i. Section 123-37.C – The applicant has requested a waiver from providing shade trees in the parking lot islands within the Transco/Williams Gas Pipeline Easement.
- j. Section 123-37.L.(2)(a) – The applicant has requested a waiver from facing rows of parking stalls shall be separated by a planning strip and a minimum of eight feet in width for the entire length of the planting row.
- k. 123-37.M.(2)(b) – Requires medium-volume driveways that carry from 750 to 1,500 vehicles per day be a minimum width of 28 feet or 14 feet per lane. This application calls for 24 feet for both Access Road C and D.
- l. Section 123-143 Design Manual, Section 1.3.1 – requires trails shall be a minimum of ten (10) feet wide to accommodate large groups of pedestrians and also bicycles. This application calls for eight feet to match previously constructed trail.
2. Section 123-34.H – Add curb radii for the Norris Hall Lane-Trooper Road intersection. We note that we did not receive a Penn-DOT Permit Plan in conjunction with this submission. We note that all plans should be revised to be consistent with the Penn-DOT Permit Plans.
3. Section 123-35.D.(1) – Requires a minimum grade of 1.00% for all streets. Revise road design for Access Drives C and D to comply.
4. Section 123-35.D.(9) – Requires a maximum grade within any intersection to not exceed 3%. We note that Access Road ‘D’ at the intersection with Eisenhower Ave is 3.55%. The applicant’s engineer shall revise the profile to reflect the maximum or request a waiver.
5. Section 123-37.L.(4)(a) – Plant Material Selection – We would like the opportunity to discuss the plant material selection list with the design engineers to assure the best selection of native materials that will indeed be available in the nurseries at the time of construction.
6. Section 123-43 – Stormwater Management – The designers have utilized a significant series of underground storm water detention facilities. These underground facilities have been designed in series with stormwater management facilities built in earlier phases of the project. Three new detention systems are proposed, capturing and managing three distinct watershed drainage areas. Attached to this letter is a page from the design calculations which summarizes the percent reduction in flows measuring existing conditions today versus the proposed conditions once the stormwater systems are implemented and functioning. The report is not entirely clear as to how the water quality components of our stormwater ordinance are being met. I would like to schedule a call with the designers to review the report in greater detail to gain a better understanding of how the report was organized. We continue to review the report and will be prepared to have a more meaningful conversation with the designers at the appropriate time.

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Lower Providence Township
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7. Section 123-50.B – Requires the obligation to provide perimeter buffering around all nonresidential projects. This buffering takes the form of street trees and shrub plantings along the road frontages. It appears that the applicant has met their obligation for this plant material in their landscaping plan; however, we would like to reserve the right to suggest additional plantings where appropriate once the project has been constructed and a field view assessed.
8. Section 123-55 – Lighting – A complete lighting plan has been submitted as part of the land development plan set. It appears that the lighting meets the minimum obligations of our ordinance and is consistent with other lighting that has already been installed in earlier phases of Audubon Square. It is noted that LED lighting has been proposed for parking lots as well as wall mounted fixtures.

Stormwater Ordinance Review:

1. Section 129-13.S: Roof drains and sump pumps shall discharge to an infiltration structure, natural watercourse, storm sewer system, drainage swale, or stormwater easement. Roof drains and sump pumps shall not be connected to a storm sewer unless the storm sewer is designed as part of a stormwater BMP facility. All roof leader lines should be added to the plans.
2. Section 129-14 & Section 129-15: All Post Construction Stormwater Management facilities shall be designed to meet the requirements of these sections and subsections listed within.
3. Section 129-16: Volume control and infiltration BMPs should be designed in accordance with this section and subsections listed within. Volume control calculations should be provided.
4. Section 129-17: Water quality requirements. Supporting calculations should be provided in accordance with this section and subsections listed within.
5. Section 129-19: All storm sewer shall be designed in accordance with this section and subsections listed within.
6. Section 129-19.C.(2): All storm sewer piping shall be Class III reinforced concrete pipe, except when pipe class and strength is required to be increased in accordance with PennDOT specification. The applicant's engineer is proposing HDPE which will require a waiver.
7. Section 129-19.C.(19): A minimum of one foot of freeboard, between the inlet grate and the design flow elevation, shall be provided in all storm sewer systems (inlets and manholes) for the one-hundred-year frequency design storm event. Storm sewer calculations should be provided.

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8. Section 129-19.G.(4) & (5): Several locations throughout the plan appear to have grading in excess of the 4:1 maximum. A waiver from this section is required and the applicant's engineer shall supply the required letter for both cut and fills in excess of 4:1 as required by Section 129-19.G.(4)(a) and 129-19.G.(5)(b).
9. Section 129-19.H.(2): 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 activity is in compliance with Chapter 129. A note should be added to the plans.
10. Section 129-19.I.(g): An overflow or spillway shall be provided that safely permits the passing of runoff greater than that occurring during the one-hundred-year design storm event. The applicant's engineer shall address how overflow conditions are being conveyed.
11. Section 129-19.I.(h): Underground infiltration basins and BMPs shall have positive overflow controls to prevent storage within one-foot of the finished surface over the basin. The applicant's engineer shall supply detailed basin cross sections indicating the 100-storm water surface elevation within each system.
12. Section 129-21.E: A copy of the erosion and sediment control plan and any required permit, as required by PADEP or Montgomery County Conservation District regulations, shall be available at the project site at all times. A note should be added to the plans.
13. Section 123-23: A Stormwater Management Site Plan or Post Construction Stormwater Management Plans shall be submitted and prepared in accordance with this section and subsection listed within.
14. Section 129-23.E.(1): It shall be the applicant's responsibility to verify whether the site is underlain by limestone. The following note shall be attached to all stormwater management site plans and signed and sealed by the applicant's professional engineer: "I, _____, certify that the proposed stormwater management facility is/is not underlain by limestone."
15. Section 129-23.G.(23): A statement, signed by the landowner, acknowledging the stormwater management system to be a permanent fixture that can be altered or removed only after approval of a revised plan by the Township, which shall be recorded with the record plan and which shall be applicable to all future landowners. The appropriate signature block should be added to the plans.
16. Section 129-23.G.(25): The following signature block for the design engineer: "(Design engineer), on this date (date of signature), has reviewed and hereby certifies that the Stormwater Management Site Plan meets all design standards and criteria of the Lower Providence Township Stormwater Management Ordinance No. 129.
17. Section 129-29: The applicant for any regulated activity requiring a stormwater management site plan and stormwater management permit shall be responsible for

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completing an as-built survey, sealed by a professional engineer licensed in the Commonwealth of Pennsylvania or a registered surveyor licensed in the Commonwealth of Pennsylvania, of all stormwater management facilities/improvements included in the approved plan. A note should be added to the plans.

18. Section 129-30: A set of plans approved by the Township shall be on file at the site throughout the duration of the development activity. Periodic inspections may be made by the Township or designee during development activities. A note should be added to the plans.

General Comments:

Sheet 1 of 68:

1. The appropriate Post-Construction Stormwater Management Plans that are to be recorded must be shaded on the Sheet Index.
2. The Sheet Index should be updated to refer to the Penn-DOT Permit Plans.
3. Update the plan view to show Ultimate Right-of-Ways for all adjoining Roads

Sheet 3 of 68:

1. The property Ownership Plan must be updated to reflect the following:
 - The Transco/Williams Gas Pipeline Right of Way with metes and bounds.
 - Both Legal and Ultimate ROWs with metes and bounds of the Ultimate.
 - A Plan Scale should be added to the plan.
 - Update the plan to reflect the new layout in the vicinity of Units 21-23.
 - Add the missing metes and bounds of the parcels. We note several lines are missing metes and bounds to necessary to close the parcels.
 - Add some dimensions to the plans for Legal and Ultimate ROWs.
 - Any utility easements.

We note that the information pertaining to the Transco/Williams Right of Way should be shown every appropriate sheet.

Sheets 5 thru 8 of 68:

1. Add dimensions to the for following:
 - Existing cartways.
 - Legal Right-of-Ways.
 - Ultimate Right-of-Ways.
 - Add building numbers to plans for clarity.

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- Add Building Setback Lines measured from the Ultimate Right-of-Ways.
- Add and call out any easements that traverse the tract area.

Sheet 9 of 68:

1. Update the year in the recording blocks.
2. Update the waiver list as necessary.

Sheet 10 of 68:

1. Add the following information:
 - Legal Right-of-Ways.
 - Ultimate Right-of-Ways.

Sheets 11 thru 14 of 68:

1. Add dimensions to the for following:
 - Existing cartways.
 - Legal Right of Ways.
 - Ultimate Right of Ways and add metes and bounds.
 - Add Building Setback Lines measured from the Ultimate Right of Ways.
 - Add and call out any easements that traverse the tract area.
 - The Transco/Williams Gas Pipeline Right of Way with metes and bounds.
2. On Sheet 5 there appears to be several light poles and utility poles that appear on the Layout Plan that are scheduled for removal and should be turned off.
3. On Sheet 5 there are two (2) concrete monuments to be set that do not appear to be accurate. The monuments should be added to each corner of the new tract outbound.
4. All proposed improvements associated with the Trooper Road Penn-DOT Submission Set must be shown on these plans.
5. Add the ADA Ramp numbers to that correspond to the ramp designs found on sheets 43 of 46.

Sheets 15 thru 18 of 68:

1. Show roof leader collection system and tie in structures on the plans.
2. There appear to be several areas within the proposed drives and parking areas that do not have the minimum 1.00% grade. The applicant's engineer should address the grading as required.

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Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: Audubon Square 5 – Revised Final Plans

3. On Sheet 17, the drive entrance to the parking area over the Transco/Williams Gas Right of Way is shown at an average slope of roughly 13% with transitions of 6% and 8%. We note that based on the Subdivision and Land Development Ordinance 7% is permitted. We would ask the applican'ts engineer to revisit this area to reduce the slopes to a more manageable percentage.

Sheets 19 thru 22 of 68:

1. Add the roof leader collection systems to the Utility Plans.
2. Remove any existing utilities from the plans that are referenced as to be removed for clarity purposes.

Sheet 31 of 68:

1. The pipe run for Inlet B53 to Inlet B52 shows a proposed slope of 0.47% and should be revised to a minimum slope of 0.50%.
2. The pipe run for Inlet B42 to Inlet B40 shows a proposed slope of 0.46% and should be revised to a minimum slope of 0.50%.
3. All storm sewers shown on this plan are proposed to be HDPE. As mentioned above, a waiver will be required.

Sheet 34 of 68:

1. The proposed centerline slope between station 0+16.11 and station 1+00.00 is shown at 0.80% whereas, 1.00% is required. Revise the profile accordingly.

Sheet 35 of 68:

1. The proposed centerline slope between station 0+75.00 and station 2+85.00 varies between 0.80 to 0.99% whereas, 1.00% is required. Revise the profile accordingly.
2. The vertical curve information in the vicinity of station 5+75 should be cleaned up to be more legible.

General Detail Comments:

1. It is difficult to identify inlet structures and connections to the proposed underground basin areas. It is recommended that additional layout details be provided for each basin location identifying dimensions of the system, length of pipe, size of the trench, connection points and headers.

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Michael Mrozinski, Director of Community Development

Lower Providence Township

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2. The Type 'C' Parking Pavement Section only shows 3" of 2A stone. The minimum of 2A Stone should be increased to 6" to provide a better base for parking area construction.
3. The Type 'A' Pavement Section only shows 3" of 2A stone. The minimum of 2A Stone should be increased to 6" to provide a better base for the proposed drive construction given these areas will be subject to more traffic and part of the circulation of the center.
4. Both of the Trench Restoration Details on Sheet 39 should be revised to reflect a minimum 12" of 2A Stone above the pipe and select backfill as approved to the top of the trench.

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: E.J. Mentry, Township Manager – Lower Providence Township
Lauren Gallagher, Esq. – Rudolph Clarke, LLC
Casey Moore, P.E., McMahon Associates
Dane Moyer, P.L.S. – Bursich Associates
Brad Macy, P.L.S. – Audubon Land Development



December 23, 2022

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

RE: Traffic Review #12 – Transportation Impact Assessment/Amended Land Development Plans (Phase 2)
Proposed Audubon Square V
Lower Providence Township, Montgomery County, PA
McMahon Project No. 813687.12

Dear Mike:

As requested, McMahon, a Bowman company, (McMahon) has completed our twelfth (12th) traffic engineering review for the Audubon Square V development located at 900 Forge Avenue, located within the Park Pointe at Lower Providence, in Lower Providence Township, Montgomery County, PA. Audubon Land Development proposes to amend their previously presented plans for Phase 2 of the development, specifically now that the applicant has purchased the property of the Tavern at Valley Forge to incorporate it into their Phase 2 development, as well as are beginning to complete a portion of the Norris Hall Lane extension as required by Lower Providence Township **Resolution No. 2018-3**, executed on November 2, 2018, in Order 3c requiring its completion by September 15, 2024. The applicant continues to build this project in phases, as originally presented at the October 28, 2015, Planning Commission Meeting.

Note that for the purpose of reference only, the new road extension for the project is being referred to as the Norris Hall Lane extension because it is not named otherwise. The applicant and Township may decide to change the official name of the road in future submissions or when it is built.

Background/Overview

Phase 2, which this submission specifically addresses, deals with a previously proposed single building (Building 1) with 15,900 square feet of retail. The proposed amendment to this parcel is to provide a larger Building 1 (21,000 square feet of retail) which is set back further from Trooper Road (S.R. 0363) and adds an additional mixed-use Building 8 (2,661 square feet of restaurant space with drive-thru plus 3,739 square feet of retail space for a total of 6,400 square feet) and an additional 7,350 square-foot restaurant (Building 9). Building 5 will be a new, 3-story self-storage building proposed under this phase of development, replacing the existing building at that location. The Phase 2 access onto Forge Avenue opposite Access Drive 'D' is unchanged with the updated site layout. However, the alignment of Access Drive 'C' where it connects to Eisenhower Avenue has been updated from previous submissions. The applicant and their traffic engineers met with our office a few years ago in the field to discuss the acceptability of the concept. Access Drive 'C' now extends behind Building 5 (now proposed to become a 3-story self-storage building) and connects with Eisenhower Avenue west of the building. The proposed phasing for the entire project, as amended with this submission, is as follows:

425 Commerce Drive, Suite 200, Fort Washington, PA 19034

P: 215.283.9444

mcmahonassociates.com | bowman.com

Phase One (Construction Completed)

- Building 2 – 4,930 square feet of restaurant space and 2,000 square feet of retail space
- Building 3 – 5,528 square-foot high turnover sit-down restaurant
- Building 4 – 135-room Tru by Hilton Hotel

Phase Two (Current Submission)

- Building 1 – 21,000 square-foot retail building
- Building 5 – 144,000 square feet of self-storage space replacing existing building on site
- Building 6 – 50,490 square feet of office space and 87,360 square feet of warehouse space **(existing)**
- Building 7 – 21,700 square feet of office space and 12,600 square feet of warehouse space **(existing)**
- Building 8 – 2,661 square-foot drive-thru restaurant and 3,739 square-foot retail building
- Building 9 – 7,350 square-foot high turnover sit-down restaurant (replacing former Tavern at Valley Forge restaurant)
- Building 10 – 21,340 square-foot commercial building **(existing)**

It should be noted that the plans currently show the Norris Hall Lane extension being constructed from Trooper Road (S.R. 0363) to Access Drive 'C' as part of Phase 2. It should also be noted that eventually Norris Hall Lane extension will need to be fully extended to connect to Egypt Road (S.R. 4002) per the Township's Act 209, long-range plans, and the resolutions adopted by the Township for prior phases of this development. **Note: connection of Norris Hall Lane to both the Business Park between Trooper Road (S.R. 0363) and Egypt Road (S.R. 4002) 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.**

The following documents were reviewed in preparation of our comments:

- Transportation Impact Assessment for Phase 2 of Audubon Square 5, prepared by Traffic Planning and Design, Inc., dated November 18, 2022.
- Trip Generation Comparison Letter for Phase 2 of Audubon Square 5, prepared by Traffic Planning and Design, Inc., dated October 4, 2022.
- Amended Final Land Development Plans for Phase 2 of Audubon Square 5, prepared by Bursich Associates, last revised December 7, 2022.
- Response to Comments Letter for Phase 2 of Audubon Square 5, prepared by Traffic Planning and Design, Inc., dated November 16, 2022.
- Response to Comments Letter for Phase 2 of Audubon Square 5, prepared by Bursich Associates, dated December 7, 2022.

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

General

1. A response letter **must be provided** with the resubmission detailing how each comment below has been addressed, and where each can be found in the resubmission materials (i.e., page number(s)) to assist in the re-review process. Additional comments may follow upon review of any resubmitted materials.
2. 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*. Based on information provided in Table 5 of the study, Phase 2 of Audubon Square 5 is expected to generate approximately 147 total "new" trips during the weekday afternoon peak hour. Providing a credit of 90 "new" trips for the existing 28,034 square feet of office space at 2600 Eisenhower Avenue and the former 6,184 square-foot Tavern restaurant, the number of trips subject to the transportation impact fee is 57, resulting in a transportation impact fee of \$23,514.78.
3. A PennDOT Highway Occupancy Permit (HOP) will be required for the provision of improvements completed within the legal right of way of Trooper Road (S.R. 0363). The Township and our office must be copied on all HOP submissions, as well as correspondence between the applicant and PennDOT, and invited to any and all meetings among these parties.

Transportation Impact Assessment

4. Since access to this site is provided via Trooper Road (S.R. 0363), which is a state road, the transportation impact assessment (TIA) should be concurrently reviewed by PennDOT to obtain concurrence and approvals on the access and associated improvements proposed in the study. Any comments from PennDOT are requested to also be coordinated with/copied to our office and Lower Providence Township and evaluated and addressed in subsequent submissions.
5. The transportation impact assessment (TIA) submitted by the applicant's traffic engineer was prepared using the industry's generally-accepted transportation impact study practices.
6. Based on information provided in the study, the proposed uses associated with the amended Phase 2 are expected to generate approximately 48 more "new" trips during the weekday morning peak hour and approximately 22 more "new" trips during the weekday afternoon peak hour than what was previously assumed in the approved transportation impact study for Phase 2 of Audubon Square 5. Since these trips represent less than one new vehicle per minute during the peak hour, there is no need to expand the intersections in the study provided; however, when additional land is developed in this area, these trips must be incorporated into the larger transportation study of this surrounding area.
7. **Informational:** According to the TIA, the following improvements are recommended as part of Phase 2 of Audubon Square 5.
 - Construct the Norris Hall Lane Extension from Access Road 'C' to Trooper Road (S.R. 0363).
 - Provide a left-turn lane and shared through/right-turn lane on the eastbound Norris Hall Lane extension's approach to Trooper Road (S.R. 0363).

- Provide a 150-foot right-turn lane on southbound Trooper Road (S.R. 0363) at its intersection with Norris Hall Lane/Norris Hall Lane extension.
 - Lengthen the northbound Trooper Road (S.R. 0363) left-turn lane at its intersection with Norris Hall Lane/Norris Hall Lane extension to provide approximately 140 feet of storage.
 - Coordinate with the Homeowners Association for the residential development along Norris Hall Lane in West Norriton Township to pursue modifications to the existing median along the Norris Hall Lane approach to Trooper Road (S.R. 0363) to provide a left-turn lane that will align opposite the proposed left-turn lane on the Norris Hall Lane extension.
 - Provide overhead lane control for northbound Trooper Road (S.R. 0363).
 - Work with the Township and PennDOT to provide adequate ADA/pedestrian facilities where feasible.
8. The building numbers identified in the TIA do not match the building numbers shown on the land development plans. For example, the TIA states that building 3 will consist of 7,350 square feet of restaurant space while the land development plans show that building 9 will consist of 7,350 square feet of building space. The applicant's engineer and traffic engineer should address this discrepancy and modify the TIA and land development plans to match references.
9. The traffic volumes shown in the 2025 projected conditions with concurrent phasing analysis during the weekday morning peak hour should be revised to match the traffic volumes shown on Figure 9.
10. The proposed Norris Hall Lane extension is expected and should be designed to help divert traffic from the existing Shannondell Boulevard connector between Trooper Road (S.R. 0363) and Egypt Road (S.R. 4002), and thus will carry a significant amount of "pass-through" traffic from vehicles to/from Trooper Road (S.R. 0363) to Rittenhouse Road to Egypt Road (S.R. 4002) and vice versa. The TIA should provide more discussion on the detailed methodology used to determine the number of vehicles expected to use the proposed Norris Hall Lane Extension under the "Long-Term Conditions Screening" analysis provided in the study for further review and our concurrence, as well as the potential future land development traffic projections in this area.
11. Based on the analysis results shown in the study, it is our recommendation that the applicant continue to coordinate with the HOA on the West Norriton Township side of Trooper Road (S.R. 0363) and obtain their approval for the provision of a left-turn lane, aligned opposite the proposed left-turn lane on the Norris Hall Lane extension, a through lane, and a right-turn lane on the westbound Norris Hall Lane approach to Trooper Road (S.R. 0363). This will require modifications to the existing median on this approach and the relocation of the Trooper Road (S.R. 0363) eastbound mast arm that sits on the end of that median, and modifications in the signal equipment layout. All correspondence between the applicant and the HOA pertaining to this must be provided in future submissions. In addition, since the Township does not want to have a split-phase signal operation between the two legs of Norris Hall Lane approaches, we concur with the concurrent signal phase operation and the improvements above and recommend to the Township that it be the design that is to be provided for the Norris Hall Lane approaches, as shown in one of the analysis conditions provided in the TIA.
12. The delay listed next to the overall LOS in Table 9 should be revised to match the capacity/levels-of-service worksheets.

Waiver Requests

13. On Sheet 9 of 68, the title for the waiver section is "Previously Approved Waivers" while the text in each waiver request states the waivers are being requested. The title for the waiver section should be revised accordingly.
14. The applicant is requesting a waiver from **Section 123-31** of the **Subdivision and Land Development Ordinance** requiring the plans to show the ultimate right-of-way along the Rittenhouse Road site frontage. Since there are no improvements shown along the Rittenhouse Road site frontage with Phase 2 of this development, we are supportive to the Board of Supervisors should they decide to grant this waiver for Phase 2. However, the ultimate right-of-way lines along Rittenhouse Road must be shown on the plans when land development is proposed on future phases of the development that abut Rittenhouse Road or when Norris Hall Lane is extended to Egypt Road (S.R. 4002). **Note: The name Norris Hall Lane extension may be renamed and is being used as a placeholder until such time it may be changed.**
15. The applicant is requesting a waiver from **Section 123-32** of the **Subdivision and Land Development Ordinance** requiring the plans to show curbing along the Rittenhouse Road and Egypt Road (S.R. 4002) site frontages. Since there are no improvements shown along the Rittenhouse Road and Egypt Road (S.R. 4002) site frontages with Phase 2 of this development, we are supportive to the Board of Supervisors should they decide to grant this waiver for Phase 2. However, curbing should be shown on the plans along the Rittenhouse Road and Egypt Road (S.R. 4002) site frontages when land development is proposed on future phases of the development that abut Rittenhouse Road/Egypt Road (S.R. 4002) or when Norris Hall Lane is extended to Egypt Road (S.R. 4002).
16. The applicant is requesting a waiver from **Section 123-33** of the **Subdivision and Land Development Ordinance** requiring the plans to show sidewalk along the Rittenhouse Road and Egypt Road (S.R. 4002) site frontages. Since there are no improvements shown along the Rittenhouse Road and Egypt Road (S.R. 4002) site frontages with Phase 2 of this development, we are supportive to the Board of Supervisors should they decide to grant this waiver for Phase 2. However, sidewalk should be designed on the plans along the Rittenhouse Road and Egypt Road (S.R. 4002) site frontages when land development is proposed on future phases of the development that abut Rittenhouse Road/Egypt Road (S.R. 4002) or when Norris Hall Lane is extended to Egypt Road (S.R. 4002).
17. The applicant is requesting a waiver from **Section 123-36.A(2)(d)** of the **Subdivision and Land Development Ordinance** requiring driveways to be located a minimum of five feet from any property line. The plans currently show Access Drive 'C' less than five feet from the property line at its intersection with the Norris Hall Lane extension, thereby not satisfying this ordinance requirement. Since Access Drive 'C's location of less than five feet from a property line at its intersection with the Norris Hall Lane extension is expected to have a minimal impact on traffic operations in this area of the site, we are supportive to the Board of Supervisors should they decide to grant this waiver.
18. The applicant is requesting a waiver from **Section 123-37.M(2)(b)** of the **Subdivision and Land Development Ordinance** requiring a 28-foot width along medium volume driveways. The plans

currently show a 24-foot width along Access Drive 'D' and along Access Drive 'C' from the Norris Hall Lane extension to Eisenhower Road, thereby not satisfying the ordinance requirement. Since provision of a 24-foot width along Access Drive 'D' matches the existing width along Access Drive 'D' to the east of Forge Avenue and the 24-foot width is proposed along Drive 'C' from the Norris Hall Lane extension to Eisenhower Road to allow for parking adjacent to building 5, we are supportive to the Board of Supervisors should they decide to grant this waiver.

Land Development Plans

19. According to **Section 123-32** of the **Subdivision and Land Development Ordinance**, curbing should be constructed along all existing streets. The plans should be revised to show curbing along the northern side of Trooper Road (S.R. 0363) to the west of the Norris Hall Lane extension so that curbing is provided along the entire Trooper Road (S.R. 0363) site frontage, to assist with drainage and to provide a barrier to the sidewalk proposed.

*The applicant's engineer has indicated in its response that curbing has been provided to the west of Norris Hall Lane; however, **it does not appear from the information provided that the plans provide for curbing along a portion of the northern side of the Trooper Road (S.R. 0363) to the west of the Norris Hall Lane extension. Please revise accordingly.***

20. The applicant and their engineers must look carefully at the relocation or full closure of any vehicle service doors that would open to the new section of Norris Hall Lane extension that are located on the south side of the existing warehouse building west of proposed Building 1. The road is not designed or meant to allow for regular truck or vehicle access to/from the warehouse upon construction of the Norris Hall Lane extension. If a vehicle service door to enter or exit the building is necessary to only be used for emergency or special purposes, it should be located opposite Jefferson Avenue connector along Norris Hall Lane extension. If the door is to be used, authorized safety personnel from the warehouse must be available to flag at the location to warn motorists and guide the vehicle that must use that door. As for regular truck and warehouse access activity, it should occur on the opposite side of the building as discussed with the applicant.

The applicant's traffic engineer has indicated in its response that the applicant will coordinate with the tenant on the need for a vehicle service door to the building along the Norris Hall Lane extension. If emergency or special purpose access is necessary, the applicant will review the potential for relocating the vehicle service door so that it is located directly opposite Jefferson Avenue.

21. The section of Norris Hall Lane extension between Building 1 and Road 'C' that traverses adjacent to the large, existing warehouse building must be well lit with sufficient lighting from dusk to dawn for the safety of pedestrians that may utilize the sidewalk, but also for the vehicles to traverse this narrower section of roadway.

The applicant's traffic engineer has indicated in its response that sufficient lighting will be incorporated into the existing warehouse building as noted.

We will defer to the Township Engineer in their review of the provided Lighting Plans to ensure that the lighting provided has adequate coverage for pedestrians and vehicles traversing this portion of the roadway during various times of the day.

22. Confirm that Norris Hall Lane extension is proposed to be built and maintained as a private road, and not be dedicated to the Township as a publicly maintained road.

The applicant's traffic engineer has indicated in its response that a note will be added to the plans that states that the Norris Hall Lane extension will be a private road.

23. The internal intersection of Access Drive 'D' and Forge Avenue should be evaluated for control by a multi-way stop for the safety of pedestrians and vehicular movements. The appropriate traffic control must then be installed for the four-legged internal intersection. The applicant has asked that this study and any warranted multi-stop signage be completed as a post-construction, post-occupancy study requirement. **The Township should condition this as a requirement to be completed within 3 months of the full occupancy of all Phase 1 and Phase 2 buildings, but in good weather conditions, and monitored by the applicant in future phases for further improvement safety needs.**

24. We continue to recommend that the plans add pedestrian accommodations along the connector of Road 'D' to Eisenhower Avenue and along the frontage of Building 10 to facilitate pedestrian travel from the Building 10 parking areas to/from the other side of the Norris Hall Lane extension. ADA ramps and highly visible crosswalks with continental striping should be provided at the crossing of Norris Hall Lane extension as well as any pedestrian crosswalk. Appropriate advanced warning signs should be provided, as well. While the applicant and their engineers have provided a connection of sidewalk to/from this building along Trooper Road (S.R. 0363) and the crossing at the signalized intersection, it is our opinion that based on the parking lot design, building front door location, and properties to the south and west of Eisenhower Avenue, that pedestrians will utilize the shortest walking route to/from the commercial area and that will be along Access Drive 'D' and walk along the streets and not gravitate to use the proposed sidewalk route, so the route to be utilized should be designed for pedestrian safety,

25. Currently the intersection of Road 'C' and Norris Hall Lane extension is proposed to be a four-way stop. The southbound approach of Road 'C' to the intersection is currently proposed with a dedicated left-turn lane and a shared through/right lane, while all other approaches are single-lane approaches and more appropriate for a 4-way stop control. Additionally, the southbound through lane does not align with the lane on the opposite side. This approach should be reconfigured. The two-way, center left-turn lane (TWCLTL) on the southbound approach can be restriped as a vehicle approaches the intersection to provide a single, shared left/through/right lane with a shoulder with some gore in it if necessary. The width and curb line on that approach can be maintained.

*The applicant's traffic engineer has indicated in its response that traffic control at the subject intersection will be reevaluated once the full Norris Hall Lane extension design has been determined and that traffic analysis for this intersection will be provided as part of future phases of the Audubon Square 5 development. **We continue to request as we do in the paragraph above that, at a minimum, the approach is restriped for alignment on these Phase 2 plans until such a time that the road has been extended west of Access Drive 'C'. Once the roads and proposed development are expanded, the intersection design can be modified accordingly.***

26. Truck turns for a WB-40 truck have been provided adjacent to Building 8. These turns are tight for a truck this size and indicate that nothing larger than a WB-40 truck will be able make the necessary turns. The applicant must confirm that trucks larger than a WB-40 will not be servicing this building and then have to navigate through the parking lot. If larger trucks will need to access this area, those truck movements/templates and circulation patterns must be provided, as well as hours of the day they will be restricted to navigate this area.

*The applicant's engineer has indicated in its response that the applicant will confirm the largest size truck that will need to access the site and provide appropriate truck turning movements and signage for restrictions as needed. **This should be provided in a resubmission of the plans.***

27. The left-turning movements from Trooper Road (S.R. 0363) onto Norris Hall Lane appear to be originating from the through lane rather than the dedicated left-turn lane. The designer should evaluate and must revise the turning movements appropriately.

*The applicant's engineer has indicated in its response that the left-turn movement has been revised to originate from the designated left-turn lane; however, **Sheet 50 still shows this movement originating from the through lane. Please correct in the resubmission of plans.***

28. The Township Fire Marshal reviewed the plans and provided a review dated October 5, 2022 for the emergency vehicle turning templates for accessibility and circulation needs of Township emergency apparatus. The applicant's engineer indicates that the truck turning information has been revised per those comments. The Township Fire Marshal will provide review, but the applicant's engineer should ensure that any correspondence, including any review comments and/or approvals, is included in subsequent submissions that are received by our office.

29. "Pedestrian Crossing" signs should be added to the plans at the following locations:

- On the northern side of the crosswalk across Forge Avenue to the south of Access Drive 'D'.
- On both sides of the crosswalk across Access Drive 'D' to the west of Forge Avenue.
- On both sides of both crosswalks across the drive to the north of Building 1.
- On both sides of the crosswalk located on the southwestern corner of Building 1.

30. The following "Pedestrian Crossing" signs should be removed from the plans:

- At the stop sign on the Access Drive 'D' approach to Forge Avenue.
- At the stop sign on the drive to the north of Building 1's approach to Forge Avenue.
- At the stop sign on the northbound Norris Hall Lane extension's approach to Access Drive 'C'.
- At the stop sign on the westbound Access Drive 'C' approach to Norris Hall Lane extension.

31. A "Stop" sign and stop bar should be shown on the plans at the following locations:

- On both driveway approaches leading to/from the parking area to the north of Building 5 at their respective intersections with Access Drive 'C'.
- On the southbound approach of the drive aisle on the eastern side of Building 5 at its intersection with the drive aisle to the south of Building 5.
- On the eastbound approach of the drive aisle leading to/from the parking area on the southeastern corner of Building 5 at its intersection with the drive aisle to the east of Building 5.
- On the eastbound approach of the drive aisle to the north of Building 9 at its intersection with the middle driveway leading to/from Access Drive 'D'.

- On the westbound approach of the drive to the north of Building 9 at its intersection with the western driveway (ingress-only) from Access Drive 'D'.
- On the northbound approach of the western driveway leading to/from the parking area north of Building 1 at its intersection with the drive aisle between Building 1 and Building 6.

32. In order to be more visible and enhance designated crossing areas for pedestrian safety, it is recommended that continental crosswalk striping be provided at all proposed crosswalk locations throughout the site.

33. 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. The ADA design has been completed by the applicant, but McMahon has not reviewed any ramp details internal to the site.

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. If you have any questions, or require clarification, please contact me or Michelle Eve, P.E. at 215-283-9444.

Sincerely,



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

CAM/BMJ/MEE

cc: E.J. Mentry, Township Manager
Lauren A. Gallagher, Esquire, Rudolph Clarke, LLC, Township Solicitor
Timothy Woodrow, P.E., Woodrow Engineers, Township Engineer
John Miklos, Montgomery County Planning Commission
Fran Hanney, PennDOT
Scott Burton, PennDOT
Brad Macy, Audubon Land Development
Dane Moyer, Bursich Associates, Inc. (Applicant's Consultants)
Nick Feola, P.E., Bursich Associates, Inc. (Applicant's Consultants)

I:\eng\813687\Municipality\2022-12-23 Review Letter #12_Audubon Square 5_TIA and LD Plans (finalized).docx

LOWER PROVIDENCE TOWNSHIP POLICE DEPARTMENT

Inter Office Communications Memo

DATE: September 26, 2022
TO: Mike Mrozinski
FROM: Chief Jackson
SUBJECT: LD-22-07 ALD-SQUARE 5 AMENDED FINAL PLAN

I have reviewed the land development plan for Audubon Square and have no questions or recommendations at this time.



LOWER PROVIDENCE TOWNSHIP

100 Parklane Drive • Eagleville, PA 19403 • www.lowerprovidence.org

Administration: 610 539-8020 • Fax: 610 539-6347

Police: 610-539-5900 • Fax: 610-630-2219



DATE: January 13, 2023

TO: Michael Mrozinski
Director of Community Development

FROM: Michael Rohlfing
Fire Marshal

SUBJECT: Plan Review for Audubon Square 5

After reviewing page 47 only, as directed, there are no requirements at this time.

Please contact me should you have any questions.

**LOWER PROVIDENCE TOWNSHIP
PLANNING COMMISSION MEETING
OCTOBER 26, 2022, MEETING MINUTES**

1) Call to Order

A) Chairman Kuberski called the meeting to order at 7:00 p.m.

2) Roll Call:

A) The following board members were in attendance: Mr. William Brooke, Ms. Ginny Kricun, Mr. Mark Kuberski, Ms. Susan LaPenta, Mr. Frank McDonough, Mr. Patrick Neary, and Ms. Kristina O'Donnell.

B) Also in attendance: Mr. Mike Mrozinski, Director of Community Development; Mr. Tim Woodrow, Township Engineer; Ms. Lauren Gallagher, Township Solicitor; Casey Moore, Township Transportation Consultant, John Miklos, Montgomery County Planning Commission; and Ms. Cara Coless, Board of Supervisors Liaison.

3) Approval of Planning Commission Meeting Minutes of May 25, 2022

MOTION: W. Brooke made a motion to move the minutes of May 25, 2022, into the record. Ms. Kricun seconded the motion. The motion *passed* 6-0-1. Ms. LaPenta abstained.

4) New Business

A) Consideration of LD-22-02 Revised Land Development plans for BrightView Companies, 400 N Park Avenue.

A description of the plan revisions for two phases of land development at 400 N Park Avenue, parcel #43-00-10543-00-7, was provided by Len F Bradley III (Supervisor of Engineering) of RGS Associates on behalf of the applicant, BrightView. Representatives from BrightView, Todd Chambers (Executive Vice President) provided information relating to the broader project plans, as well.

The purpose of this presentation was primarily to provide an update on their plans which were rerevised to address concerns of the Zoning Hearing Board and neighboring property owners. There was no request for waivers currently. The applicant has an appeal pending with the Zoning Hearing Board at this time and is seeking guidance on any amendments needed for their appeal.

Questions and comments from the public were entertained following the presentation, including from Brian Jennings, 431 Alexandra Drive and Kevin Donahue, 2003 Tennyson Ct.

The applicant anticipates revising plans and going before the Planning Commission and Zoning Hearing Board in November.

B) Consideration of LD-22-07 Revised Final Land Development plans for Audubon Square V. S Trooper Road and Eisenhower Boulevard.

Attorney Bernadette Kearney presented changes to the previously approved plans for Audubon Square 5. The plans primarily involve four buildings and are impacted by the applicant's purchase of the former Valley Forge Tavern property on S. Trooper Road,

opposite of Norris Hall Lane. The applicant was also represented by Brian Proska of TPD, Debi Roesener of Bursich Engineers, and Brad Macy of Audubon Land Development. Considerable discussion was about transportation capacity and connections, including possible future development at Shannondell and at Egypt and Rittenhouse. Concern was also raised about the ability of public utilities such as Audubon Water to serve the increased development.

The applicant stated that they will comply with the recommendations within the review letters from the Township Engineer, Township Transportation Consultant, Township Police Department, and Township Fire Marshal.

The Commission considered the waiver requests. The first three requests concerned improvements at Rittenhouse and Egypt:

§123-31 Rights of Ways. A waiver from providing an Ultimate Right of Way on Rittenhouse Road at this time.

§123-32 Curbs and storm sewers. A waiver from providing curbs and storm sewers along Rittenhouse Road and Egypt Road.

§123-33 Sidewalks. A waiver from providing sidewalks along Rittenhouse Road and Egypt Road.

The Commission recommends granting those waivers as the involved improvements will be addressed when that intersection is developed. The vote was 7-0.

§123-36. A.(2)(d) Driveways. A waiver to allow Access Drive C (which will be extended to Eisenhower Road) to be closer than 5' from the property line at its intersection with Norris Hall Road. The Commission voted 6-1 to recommend granting this waiver. Mr. Brooke voted against.

§123-37.C Parking. A waiver regarding the landscaping the parking lot islands. The Commission voted 7-0 to recommend granting this waiver, conditioned on any plants not installed in the islands be planted elsewhere on the site.

§123-37. L.(2)(a) Planting Strip. A waiver to not provide a planting strip between Buildings 8 and 9. This area is too narrow to add a landscape median without losing a row of parking spaces which are needed for the businesses. The Commission voted 7-0 to recommend granting this waiver

§123-37.M(2)(b) Driveway Width. A waiver to allow the driveway width for Access Drive D to be 24' wide instead of 28' wide to match the existing width of this driveway. The Commission voted 7-0 to recommend granting this waiver

§123-143 Land use Design Manual, Section 1.1.4 Trails. A waiver to construct the relocated trail along Access Drive C with an 8' width instead of a 10' width to match the

previously constructed trail. The Commission voted 7-0 to recommend granting this waiver.

The Commission voted 7-0 to recommend granting approval to this amended final plan.

C) Comprehensive Plan Update

The latest draft of the first five chapters of the Comprehensive Plan Update had been distributed to the Commission in their packets. Mike Mrozinski explained that this was to give the Commission an opportunity to read and comment on the latest draft ahead of the formal transmission to the Commission in coming months. It was suggested that any questions or concerns be brought up ahead of next meetings. Other draft chapters will be forwarded when available.

5) **Motion to Adjourn:**

A) **MOTION:** A motion was made for adjournment. The motion *passed* 7-0. The meeting adjourned at 8:59 p.m.

Next Scheduled Meeting: November 23, 2022 – 7:00 p.m.



January 11, 2023

**BOARD OF SUPERVISORS
EXECUTIVE SUMMARY**

Preliminary/Final Plan Major Land Development: LD-22-02 – BrightView Landscaping

90 Day Clock: Waived by Applicant

Requested Action: Consideration of preliminary-final plan.

Plan Summary: For your consideration is a plan from BrightView Landscaping proposing the construction of ground mounted solar panels for charging the new electric fleet at 400 N. Park Avenue. The plan also proposes modernization of existing structures and the stormwater management facilities.

Requested Waivers:

None identified at this time. The applicant is seeking deferral of some public improvements.

Current review letters: *see attached of the review letters

- RGS Associates, December 19, 2022
- Woodrow and Associates, August 10, 2022
- McMahan Associates, January 10, 2023
- MCPC, September 26, 2022
- TCA, January 12, 2023
- LPT Police Chief, August 15, 2022
- LPT Fire Marshal, August 3, 2022
- LPTCD Guide for Ground Mounted Solar Energy Systems
- LPTPC Minutes, October 26, 2022
- LPTZHB Decision, Miller Turetsky letter, November 28, 2022

Summary of Review Comments:

1. The proposal is for this location to be a national model for Brightview
2. The Township Planning Commission recommends
3. The applicant has received the required relief through the Zoning Hearing Board
4. Stormwater management has been a concern here and on neighboring properties
This has been addressed
5. Development of this project presents opportunities to further the Township's sustainability efforts.

6. The plan proposes construction in two phases. Much of the outstanding issues involve the degree and timing of public improvements.
7. Little or no change to traffic volume is anticipated by the applicant. The existing access to Park Avenue will be consolidated into one driveway.

Impact Fees:

1. Traffic Impact: None currently
2. Park and Rec: \$6,108. 90

~5619 Sf of additional building coverage x \$1.10 = \$6108.90



LANCASTER
53 W. James Street
Suite 101
Lancaster, PA 17603
717.715.1396

YORK
221 W. Philadelphia Street
Suite 108E
York, PA 17401
717.854.3910

HARRISBURG
P.O. Box 841
Camp Hill, PA 17001
717.599.7615

DEC 19 2022 AM 10:35

December 16, 2022

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

**RE: Brightview Land Development Plan
400 N. Park Avenue – Phase 1
Lower Providence, Montgomery County
RGS Project No. 2022H78-001**

Dear Mr. Mrozinski:

This letter is respectfully submitted in response to the above-referenced Plan Review, as prepared by Timothy P. Woodrow, PE, Woodrow & Associates, Inc., for BrightView Landscape, dated August 10, 2022. We offer the following revisions, additions, or responses to the comments and recommendations:

Approvals/Permits/Reviews – Any approval our board of supervisors would grant this application must be conditioned upon the applicant securing the following approvals/permits/reviews:

Comment #1

Fire marshal for access and site circulation.

Response #1

No comments have been received from the Fire Marshal.

Comment #2

Development agreement that will memorialize timing of public improvements on Park Avenue and some form of guarantee.

Response #2

Comment noted. Attorneys for the applicant will coordinate with the Township Solicitor to incorporate the deferrals of public improvements into the developer's agreement.

DEC 19 2022 AM 10:33

Comment #3

Stormwater operations and maintenance agreement for the function of the underground detention basin proposed for the project

Response #3

Comment noted. An operations and maintenance agreement shall be drafted and supplied to the township upon conditional approval of the final plans.

Subdivision Land development Ordinance Review:

1. Waiver Requested:

Comment #1

Section 123-18.A(1) regarding an obligation to provide existing features information for a distance of 200 feet outside the boundary of the tract. I take no exception to this waiver request if the applicant would provide additional detailed topography in the vicinity of the existing storm sewer outfall onto the adjacent properties including definition of the swale and rear yards in this critical area of impact.

Response #1

Comment noted. Based on discussions with the Township Engineer, a survey of additional areas to the southeast of the property can be provided at a later date, if property access can be granted by the owners and facilitated by the Township. Please refer to Comment No. 9a for further discussion.

2. Deferral Requested –

Comment #2

The applicant has requested deferrals of certain improvements to Park Avenue to a specified date to be memorialized in any approval resolution. The deferrals include the following:

- Section 123-32 requiring widening, curbing and storm sewer improvements along the Park Avenue frontage
- Section 123-33 requiring sidewalks to be constructed along the Street frontage

Response #2

Comment noted. Attorneys for the applicant will coordinate with the Township Solicitor to incorporate the deferrals of public improvements into the developer's agreement.

Comment #3

Section 123-47 – It is understood that the current proposal will not be served by any additional public water and public sewer facilities.

Response #3

Confirmed; no additional water or sewer connections are required.

Comment #4

Section 123-50 with regard to project landscaping, the proposal calls for a significant amount of new vegetation to be planted along the perimeter the property providing buffer and screening to the benefit of adjacent neighbors. I will defer specific comments regarding plant material to our Township landscape architect.

Response #4

Comment noted.

Comment #5

Section 123-54 – Survey monumentation is required at property corners.

Response #5

Comment noted. The Applicant request that this be deferred as the second project proposes a lot consolidation and property line adjustment.

Comment #6

Section 123-54 – The plan should speak to any proposed lighting that is anticipated with the project to assure that shielding of the fixtures are appropriately installed and are to protect adjacent properties from glare.

Response #6

Comment noted. As discussed with the Township Engineer, a lighting design and photometric analysis is being prepared and will be provided to the Township.

Comment #7

Section 123-52 – The plan is silent about proposed landscaping and street trees along the Park Avenue frontage. Specific notation must be provided regarding the timing of this plant material. Perhaps the deferral of this obligation is appropriately discussed at this time.

Response #7

Comment noted. Attorneys for the applicant will coordinate with the Township Solicitor to incorporate the deferrals of public improvements into the developer's agreement.

Comment #8

Section 129-13 – Stormwater Management – I would like to thank the applicant once again for working with the community in a critical watershed to provide stormwater management opportunities even with the reduction of impervious cover caused by the project. The proposal calls for the capture of runoff with trench drain, inlet, and conveyance piping. This water will be taken to an underground stormwater storage facility where it will be managed, detain, and eventually discharged to adjacent channel.

Response #8

Comment noted. RGS would like to extend its gratitude to the Township for working with the client and the design team in order to address concerns in the aforementioned critical watershed.

Comment #9

I would also point out that the Township's director of planning and zoning and I have visited this property several times in recent years regarding concerns that adjacent neighbors have had with runoff from the facility crossing the eastern property line and impacting rear yards. The applicant has installed a swale and berm combination meant to direct runoff away from residential rear yards and direct it toward the existing stormwater conveyance system.

Response #9

Comment noted.

Comment #9a

I would ask that the plan specifically obligate the owner to maintain and preserve the eastern boundary berm and swale combination assuring the water drains from north to south and into the collection system.

Response #9a

Comment noted. As part of the Operations and Maintenance Agreement requested in Comment No. 3 of this letter shall address the maintenance and preservation of all stormwater appurtenances on site, including, but not limited to the eastern boundary berm and swale.

Comment #9b

I would ask that the applicant to gather additional topography in the area of the outfall headwall adjacent to the naturally occurring swale to the southeast side of the property. This area has been the source of earlier concerns of adjacent properties. I believe the opportunity exists to extend and redirect runoff so that it is more readily captured by the downstream conveyance system. We look forward to working with the designers to improve this capture and conveyance as the project comes to fruition. Owing to the fact that potential PA DEP general permits may be required for my vision of the design solution, I would be willing to discuss with the supervisors a deferral of a fully implemented improvement until such a time as the permit could be secured without holding up construction of the electric vehicle charging station canopy. The work would also include a conversation with our residents residing at 405 and 409 Alexandria Drive.

Response #9b

Comment noted. Based on discussions with the Township Engineer, a survey of additional areas to the southeast of the property can be provided at a later date, if property access can be granted by the owners and facilitated by the Township.

Comment #9c

The stormwater operations and maintenance agreement should capture the obligation to maintain the swale, the underground detention system as well as the area of outfall and its adjacent streambank.

Response #9c

This comment has been noted. The operations and maintenance agreement shall be comprehensive of all proposed stormwater management appurtenances.

The following is respectfully submitted in response to the BrightView Plan Review, as prepared by Casey A. Moore P.E., Executive Vice President, McMahon Associates Inc., dated August, 16, 2022. We offer the following revisions, additions, or responses to the comments and recommendations:

General

Comment #1

It should be noted that the applicant's engineer has not provided a response to the McMahon comments contained in our May 12, 2022, review letter. A response letter must be provided with the resubmission detailing how each comment in prior reviews and the comments below have been addressed, and where each can be found in the resubmission materials (i.e., page number(s)) to assist in the re-review process. Some comments contained herein are reissued from the previous review because they have not been satisfactorily addressed to our office.

Response #1

Comment noted; however please note that the submission of a Sketch Plan does not require responses to comments as no formal action or approval is requested by the township, only a solicitation of feedback.

Please note that a Traffic Feasibility Assessment prepared by Traffic Planning and Design has been provided with this submission for context.

Deferrals

Comment #2

The applicant is requesting a deferral from Section 123-32 of the Subdivision and Land Development Ordinance, requiring curbing along all existing streets. The plans do not show any curbing along the North Park Avenue (S.R. 0363) site frontage, thereby not satisfying the ordinance requirement. There is currently curbing provided along the western side of North Park Avenue (S.R. 0363) across from the site and along the eastern side of North Park Avenue (S.R. 0363) on the adjacent property to the south of the site. Our office would support the deferral request if the Board of Supervisors are agreeable to a deferral request to install curbing along the frontage at this time and under this phase, should either the Township Engineer also be agreeable that it is not necessary for stormwater, and if sidewalks are also not being considered along the property frontage until such a time that curbing along North Park Avenue (S.R. 0363) may be required by the Township along the frontage of this property, whether under present or future land ownership, and at no cost to Lower Providence Township. The submission of future additional land development for this property (Phase 2 by the applicant or otherwise) may also be a catalyst for the installation of any curbing deferred.

Response #2

Comment noted. Attorneys for the applicant will coordinate with the Township Solicitor to incorporate the deferrals of public improvements into the developer's agreement.

Comment #3

The applicant is requesting a deferral from Section 123-33 of the Subdivision and Land Development Ordinance, requiring sidewalk along all existing streets. The plans do not show any sidewalk along the North Park Avenue (S.R. 0363) site frontage, thereby not satisfying the ordinance requirement. We note for the Planning Commission and Board of Supervisors, that there is sidewalk along the western side of North Park Avenue (S.R. 0363) across from the site, and along the eastern side of North Park Avenue (S.R. 0363) across the site frontage of the adjacent property to the south of the site and along the eastern side of North Park Avenue (S.R. 0363) to the north of Village Green Lane. It may be ideal for the applicant to provide sidewalk along its site frontage along North Park Avenue (S.R. 0363) connecting to the sidewalk to the south of the site. When sidewalk is installed, curbing along the site frontage should also be completed in conjunction with the sidewalk installation. However, if the Board of Supervisors do not require the installation of sidewalk along the site frontage of North Park Avenue (S.R. 0363) during this first phase of site redevelopment, we would be supportive to deferring the applicant's obligation to install sidewalk along the North Park Avenue (S.R. 0363) site frontage until such a future time that sidewalk along North Park Avenue (S.R. 0363) may be required by the Township along the frontages of these subdivided properties, whether under present or future land ownership, and at no cost to Lower Providence Township. The submission of future additional land development for this property (i.e. Phase 2 by the applicant or otherwise) may also be a catalyst for the installation of any sidewalk deferred.

Response #3

Comment noted. Attorneys for the applicant will coordinate with the Township Solicitor to incorporate the deferrals of public improvements into the developer's agreement.

Preliminary/Final Land Development Plans

Comment #4

The applicant's engineer stated in the sketch plan submission narrative previously reviewed by our office that the proposed site modifications associated with this application are a smaller project and are the first step/phase of a larger land development effort. The applicant should provide more information on the phases for the project to assist in our review. It should be noted that the comments in this letter pertain to the proposed solar charging canopy, and installation of security fencing.

Response #4

Comment noted. Please note that sketch\concept plans for the "Branch of the Future" have been provided to the Township for multiple Planning Commission meetings and Zoning Hearings. Additional information has been provided as part of the sketch plan submission for the "Branch of the Future" phase of the project. As noted in the comment, all information included as part of the Land Development submission for this phase of the project strictly refers to improvements being made as part of this phase.

Comment #5

According to the Township Street Map, North Park Avenue (S.R. 0363) is classified as a semi-controlled access urban road and should have a minimum 52-foot, cartway width as required in Section 123-31.B of the Subdivision and Land Development Ordinance. The plans currently show an approximate 35 to 47-foot cartway width along the site frontage of North Park Avenue (S.R. 0363), thereby not satisfying the ordinance requirement. A waiver will need to be requested from this requirement, or else the plans should be revised to show a minimum 52-foot cartway width (26 feet from the centerline) along the site frontage of North Park Avenue (S.R. 0363).

Response #5

Comment noted. Attorneys for the applicant will coordinate with the Township Solicitor to incorporate the deferrals of public improvements into the developer's agreement.

Comment #6

A note must be added to the plans stating the area between the existing right-of-way line and the ultimate right-of-way line should be dedicated to the authority having jurisdiction over any public streets for future taking, when or as necessary, as required by Section 123-31.K of the Subdivision and Land Development Ordinance.

Response #6

The aforementioned noted has been added to sheet 6 of the plan set.

Comment #7

Sight distance measurements must be shown on the plans at the existing southern driveway that is proposed to remain along North Park Avenue (S.R. 0363) and must satisfy requirements in Section 123-36.A of the Subdivision and Land Development Ordinance, as well as PennDOT safe stopping sight distance requirements contained in Chapter 441 of PennDOT Publication 282. Specifically, vehicular egress sight distances looking in both directions must be provided for the existing southern driveway to North Park Avenue (S.R. 0363) at ten (10) feet back of the closest travel lane edge at an eye height of 3.5 feet looking at an approaching vehicle of 3.5 feet, as well as for the ingressing left-turn vehicle sight distance (at a position 35 feet prior to each driveway centerline) looking to the front (3.5 feet eye height to 3.5 feet eye height) and rear (2 feet taillight height to 3.5 feet approaching driver eye height). At least the minimum safe stopping sight distances must be achievable at the southern driveway and must be sufficient for the speed and conditions of this section of the roadway in order to allow for all ingress and egress movements at the driveway location as shown on the plans.

Response #7

Please note that the existing entrance and improvements within the Public ROW remain unchanged within this phase of the project. Additionally, no additional traffic is generated by this construction, as such no SSSD analysis has been performed.

Comment #8

A clear sight triangle should be shown on the plans at the existing southern driveway along North Park Avenue (S.R. 0363) as required in Section 123-36.H of the Subdivision and Land Development Ordinance.

Response #8

Please note that the existing entrance and improvements within the Public ROW remain unchanged within this phase of the project. Additionally, no additional traffic is generated by this construction, as such no SSSD analysis has been performed.

Comment #9

It appears as though the northern driveway radius at the exiting southern driveway along North Park Avenue (S.R. 0363) ties into the ultimate right-of-way line. The plans should be revised to show the driveway radius tie into North Park Avenue (S.R. 0363), or additional information and dimensions should be provided on the plans to highlight the revisions to the property frontage. Any work within the legal right of way of S.R. 0363 will necessitate a highway occupancy permit (HOP) from PennDOT.

Response #9

Please note that no improvements are proposed within the PennDOT ROW. Please refer to plan sheet 6 which depicts that the northern driveway radius as mentioned above, ties into the existing edge-of-pavement which is also located along the PennDOT Right-of-Way.

Comment #10

The applicant must provide the Township and our office information on the expected gate operations (i.e., such as will the gate remain open during normal operating hours, how will vehicles open the gate, etc.) at the existing southern driveway along North Park Avenue (S.R. 0363) to confirm that vehicles accessing the site will never queue onto North Park Avenue (S.R. 0363), thereby creating an unsafe condition along North Park Avenue (S.R. 0363) in the vicinity of the existing southern driveway. This will also be a consideration of PennDOT in the review of the HOP application.

Response #10

Please note that no PennDOT permit is required as no improvements are proposed within the ROW, nor is traffic generation\trips changed from the existing condition.

The applicant's intends to have the gate open during normal business hours and closed the remainder.

Comment #11

A "Stop" sign and stop bar should be shown on the plans on the existing southern driveway approach to North Park Avenue (S.R. 0363).

Response #11

Please note that no improvements, including pavement markings, are proposed within this phase of the project. The operation of the existing driveway will remain unchanged in the proposed development.

Comment #12

The plans should clarify if the area to the west of the proposed solar charging canopy along the North Park Avenue (S.R. 0363) frontage will remain asphalt or be seeded and landscaped.

Response #12

Comment noted. Notes have been added referencing the proposed landscape and grass restoration areas. Please refer to Sheet No. 7 of the plan set.

Comment #13

Turning templates should be provided demonstrating the ability of emergency vehicles and the largest expected vehicle expected on-site to maneuver into and out of the existing southern driveway along North Park Avenue (S.R. 0363).

Response #13

The operation of the existing driveway will remain unchanged in the proposed development. As such, turning templates for any vehicle movements have not been provided.

Comment #14

The Township Fire Marshal should review the emergency vehicle turning templates for accessibility and circulation needs of emergency apparatus. Ensure that any correspondence, including any review comments and/or approvals from the Fire Marshal, is included in subsequent submissions.

Response #14

No comments have been received from the Fire Marshal.

Comment #15

According to the Township's Roadway Sufficiency Analysis, the proposed development is located in Transportation Service Area One, which has a corresponding impact fee of \$1,822 per "new" weekday afternoon peak hour trip and the applicant will be required to pay a Transportation Impact Fee in accordance with the Township's Transportation Impact Fee Ordinance. Based on review of the submitted materials, it does not appear that the proposed site modifications for Phase 1 are expected to generate additional traffic to/from the site that will be subject to the transportation impact fee. If additional modifications to the site are made at a future time, our office will review the site modifications at that time to determine if they will be subject to the transportation impact fee.

Response #15

Comment noted.

Comment #16

Since North Park Avenue (S.R. 0363) is part of the state highway system, the applicant will be required to secure a Highway Occupancy Permit (HOP) from PennDOT if any modifications are made to the site frontage within the state's legal right-of-way. The applicant should provide the Township and McMahan with copies of the HOP plans, comments, and response letters between the applicant and PennDOT, and invited to all meetings between the two parties.

Response #16

Please note that no PennDOT permit is required as no improvements are proposed within the ROW, nor is traffic generation\trips changed from the existing condition.

Comment #17

Based on our review, the applicant should address the aforementioned comments, and provide revised plans and materials to the Township and our office for further review and approval recommendations. The applicant's engineer must provide a response letter that describes how each specific review comment has been addressed, where each can be found in the plan set or materials, as opposed to general responses. This will aid in the detailed review and subsequent review timeframes.

Response #17

This comment has been noted.

The following is respectfully submitted in response to the BrightView Plan Review, as prepared by Thomas J. Comitta AICP, CNU-A, RLA, Thomas Comitta Associates Inc., dated August 15, 2022. We offer the following revisions, additions, or responses to the comments and recommendations:

1. Overview and Existing Conditions

Comment #1.1

The Applicant is proposing to demolish an existing office building and to construct a solar charging canopy that is 7,440 square feet in size. The solar charging station is proposed at the existing landscaping business in the R-2 District (trading as BrightView Landscape Services).

Response #1.1

Please refer to the updated Land Development Plans included within this submission package. This resubmission includes design alterations that are proposed to address concerns that the township had in regard to the general aesthetic of the site and roadside view from passing traffic. As part of these alterations, the solar canopy has been revised to a solar field located at the northeastern corner of the site.

Comment #1.2

TCA defers to the Township and the Township Engineer relative to the requested Waivers and Modifications, as well as the applicability of §123-37 Parking and Loading Areas of the Subdivision and Land Development Ordinance (SALDO), per the BrightView Companies Narrative.

Response #1.2

Comment noted.

Comment #1.3

The narrative requests a Sidewalk deferral from §123-3 (SALDO), and indicates that as part of the

Sketch Plan submission for the next portion of the development, the applicant will be providing a traffic improvement concept for consideration and review.

While TCA defers to the Township and the Township Engineer relative to the requested deferral, please clarify if Sidewalks are going to be considered as part of the traffic improvements for the next portion of development.

Response #1.3

Comment noted.

2. Buffering and Screening

Comment #2.1

Per Sections 123-50.B.(3) (SALDO), 123-50.C.(1)(SALDO) and 143-28.B.(1)(b)(ZO), a screening buffer shall be a double row of evergreen trees. River Birch trees are proposed as a compliment to the proposed evergreen trees along the southern and northeastern property line. However, River Birch trees are solely proposed along the central portion of the eastern property line that abuts existing residential properties.

Therefore, we recommend that a double row of evergreen trees be provided along the eastern property line in order to provide the required screening buffer.

Response #2.1

Please refer to sheet 7 of the plan set. Where feasible, a double row of evergreen trees has been provided in order to achieve the required screening buffer.

Comment #2.2

Section 123-50.C.(2)(b)(SALDO) indicates that if earthen mounds are not used, additional tree planting shall be provided. The number shall be equal to 50% of the number of trees required in §123-50.C.(1) (SALDO). Therefore, please provide a Planting Requirements table on the Landscape Plan in order to demonstrate compliance.

Response #2.2

Please refer to sheet 7 of the plan set which notes that earthen mounds are to be installed with all tree plantings.

Comment #2.3

Section 123-50.B. (SALDO) indicates that "...nonresidential development shall be screened and shall be applicable along areas fronting roads, areas adjacent to other properties,...".

While a fence is proposed on the street side of the proposed solar canopy, we recommend that plantings be added to provide additional screening.

Response #2.3

The recommendation is noted.

3. Landscaping

Comment #3.1

Section 143-28.B.(2)(ZO) indicates that any area not used for buildings, structures, paved areas or screening shall be planted with an all-season ground cover. Therefore, please indicate all areas proposed to be lawn/seeded on the Landscape Plan.

Response #3.1

Please refer to sheet 7 of the plan set. All areas proposed to be seeded and planted have been noted on the plan.

Comment #3.2

The American Arborvitae is an Evergreen Tree included in Appendix B of the Subdivision and Land Development Ordinance. However, instead of the American Arborvitae we recommend the Green Giant Arborvitae (also included in Appendix B), which we have found to be more deer resistant.

Response #3.2

All American Arborvitae have been replaced with the Green Giant Arborvitae as requested. Please refer to sheet 7 of the plan.

Comment #3.3

Please clarify if Shade Trees will be proposed long the Street per §123-52. (SALDO) when the next portion of the development is proposed.

Response #3.3

Comment noted. Attorneys for the applicant will coordinate with the Township Solicitor to incorporate the deferrals of public improvements into the developer's agreement.

4. Tree Protection and Tree Removal

Comment #4.1

Please provide a table on the Landscape Plan in order to indicate the number of trees to be removed, and the proposed required replacement trees per §123-114.B.(6)(a) (SALDO).

There are five (5) trees with a DBH of eight inches or greater that are proposed to be removed on the Existing Conditions and Demolition Plan (Sheet 3). Therefore, please provide the required replacement shade trees of at least 2.5 inches in caliper.

Response #4.1

Comment noted. A deferral of the installation of these replacement trees will be incorporated into the developer's agreement.

Comment #4.2

In addition, based on our site visit on July 28th, we note that there are six (6) other trees that will be impacted by the proposed construction. There are three (3) large Spruce Trees, one (1)

large Oak Tree, one (1) large White Pine Tree with vines growing up from the base, and one (1) Locust Tree, which are located to the northwest corner of the existing office building (just north of the paved area, and just north of the existing fence). Therefore, replacement trees will be required for the additional six (6) trees that are not currently shown on the Plans.

Response #4.2

Comment noted. A deferral of the installation of these replacement trees will be incorporated into the developer's agreement for any trees impacted by the construction.

5. Details

Comment #5.1

Please provide a detail of the proposed fence (that is proposed to be connected to the existing fence).

Response #5.1

Notes have been provided on the plan that the proposed fence matches what is currently installed. As such, no detail has been provided.

Thank you for your assistance with this review process. Please contact our office with any questions or comments you may have.

Sincerely,

RGS ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Len F Bradley". The signature is stylized and includes a small mark above the "y" that looks like a checkmark or a similar symbol.

**Len F Bradley, PE
Supervisor of Engineering \ Associate**

Enclosures:

- 1 Copy – Traffic Feasibility - Traffic Planning and Design (TPD)**
- 1 Copy – Geotechnical Evaluation – Geo Technology Associates (GTA)**
- 1 Copy – Revised Final Plans**
- 1 Copy– Revised Stormwater Management Report**
- 1 Copy – Site Lighting Plans (To be sent electronically)**



August 10, 2022

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

Reference: Brightview Landscaping
400 N. Park Avenue – Phase 1

Dear Mike:

My office is in receipt of a 13-sheet set of plans prepared by RGS Associates of Lancaster, Pennsylvania. The plans are dated July 25, 2022. The plans have been submitted pursuant to a discussion held between our Board of Supervisors and the applicant at a recent public meeting. At that time, the applicant described his intent to construct a canopy to provide for electric vehicle charging on their campus. The board discussed the concept of deferring certain improvements of Park Avenue for a specific period of time while the project was better vetted and implemented. The plan calls for the demolition of the existing structure which currently fronts along Park Avenue, replacing it with the electric vehicle charging canopy. The plan also proposes a slight decrease in impervious cover. The applicant has worked with us and has proposed the implementation of a stormwater management system to capture runoff from existing impervious surfaces, providing some incremental benefit to the downstream watershed. My review the plan would include the following comments:

Approvals/Permits/Reviews – Any approval our board of supervisors would grant this application must be conditioned upon the applicant securing the following approvals/permits/reviews:

1. Fire marshal for access and site circulation.
2. Development agreement that will memorialize timing of public improvements on Park Avenue and some form of guarantee.
3. Stormwater operations and maintenance agreement for the function of the underground detention basin proposed for the project

Subdivision Land development Ordinance Review:

1. Waiver Requested –

- Section 123-18.A(1) regarding an obligation to provide existing features information for a distance of 200 feet outside the boundary of the tract. I take no exception to this waiver request if the applicant would provide additional detailed topography in the vicinity of the existing storm sewer outfall onto the adjacent properties including definition of the swale and rear yards in this critical area of impact.

August 10, 2022
Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: Brightview Landscaping
400 N. Park Avenue – Phase I

2. Deferral Requested –

The applicant has requested deferrals of certain improvements to Park Avenue to a specified date to be memorialized in any approval resolution. The deferrals include the following:

- Section 123-32 requiring widening, curbing and storm sewer improvements along the Park Avenue frontage
- Section 123-33 requiring sidewalks to be constructed along the Street frontage

3. Section 123-47 – It is understood that the current proposal will not be served by any additional public water and public sewer facilities.

4. Section 123-50 with regard to project landscaping, the proposal calls for a significant amount of new vegetation to be planted along the perimeter the property providing buffer and screening to the benefit of adjacent neighbors. I will defer specific comments regarding plant material to our Township landscape architect.

5. Section 123-54 – Survey monumentation is required at property corners.

6. Section 123-54 – The plan should speak to any proposed lighting that is anticipated with the project to assure that shielding of the fixtures are appropriately installed and are to protect adjacent properties from glare.

7. Section 123-52 – The plan is silent about proposed landscaping and street trees along the Park Avenue frontage. Specific notation must be provided regarding the timing of this plant material. Perhaps the deferral of this obligation is appropriately discussed at this time.

8. Section 129-13 – Stormwater Management – I would like to thank the applicant once again for working with the community in a critical watershed to provide stormwater management opportunities even with the reduction of impervious cover caused by the project. The proposal calls for the capture of runoff with trench drain, inlet, and conveyance piping. This water will be taken to an underground stormwater storage facility where it will be managed, detain, and eventually discharged to adjacent channel.

9. I would also point out that the Township's director of planning and zoning and I have visited this property several times in recent years regarding concerns that adjacent neighbors have had with runoff from the facility crossing the eastern property line and impacting rear yards. The applicant has installed a swale and berm combination meant to direct runoff away from residential rear yards and direct it toward the existing stormwater conveyance system.

a. I would ask that the plan specifically obligate the owner to maintain and preserve the eastern boundary berm and swale combination assuring the water drains from north to south and into the collection system.

b. I would ask that the applicant to gather additional topography in the area of the outfall headwall adjacent to the naturally occurring swale to the southeast side of the property. This area has been the source of earlier concerns of adjacent properties. I believe the opportunity exists to extend and redirect runoff so that it is more readily captured by the downstream conveyance system. We look

August 10, 2022
Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: Brightview Landscaping
400 N. Park Avenue – Phase 1

forward to working with the designers to improve this capture and conveyance as the project comes to fruition. Owing to the fact that potential PA DEP general permits may be required for my vision of the design solution, I would be willing to discuss with the supervisors a deferral of a fully implemented improvement until such a time as the permit could be secured without holding up construction of the electric vehicle charging station canopy. The work would also include a conversation with our residents residing at 405 and 409 Alexandria Drive.

- c. The stormwater operations and maintenance agreement should capture the obligation to maintain the swale, the underground detention system as well as the area of outfall and its adjacent streambank.

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

Sincerely,



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

TPW/del

cc: EJ Mentry, Township Manager – Lower Providence Township
Michael Clarke, Esq., Township Solicitor – Rudolph Clarke, LLC
Lauren Gallagher, Esq. – Rudolph Clarke, LLC
Brightview
Len Bradley, P.E. RGS Assoc



January 10, 2023

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

RE: **Traffic Review #3 – Preliminary/Final Land Development Plans**
Brightview Companies, LLC (400 North Park Avenue)
Lower Providence Township, Montgomery County, PA
McMahon Project No. 822459.11

Dear Mike:

Per the request of the Township, McMahon has prepared this comment letter, which summarizes our third (3rd) traffic engineering review for the proposed site modifications to be located 400 North Park Avenue (S.R. 0363) in Lower Providence Township, Montgomery County, PA. It is our understanding that the proposed site modifications for this phase (**Phase 1**) consist solely of demolishing an existing structure and adding a solar charging canopy for fleet vehicles, defining the access location, and providing security fencing along the North Park Avenue (S.R. 0363) site frontage. It should be noted that the site is currently served by two, full-movement driveways along North Park Avenue (S.R. 0363) in addition to the large uncurbed parking area adjacent to the existing building that is being demolished and replaced with a solar charging canopy. Based on review of the plans, it appears as though the northern site access along North Park Avenue (S.R. 0363) and the large uncurbed parking area adjacent to the existing building that is being demolished and replaced with a solar charging canopy are being closed off with the provision of the security fencing, and access to the site will be provided solely via the existing southern, full-movement driveway along North Park Avenue (S.R. 0363).

The following documents were received then reviewed and referenced in preparation of our traffic review:

1. Traffic Due Diligence Memo – Brightview Landscape, prepared by Traffic Planning and Design, Inc., dated August 23, 2022.
2. Preliminary/Final Land Development Plans – Brightview Companies, LLC, prepared by RGS Associates, Inc., last revised December 15, 2022.
3. Response to Comments Letter – Brightview Land Development Plans (401 N. Park Avenue), prepared by RGS Associates, Inc., dated December 16, 2022.

Based on our review of the documents listed above, McMahon offers the following comments for consideration by the Township and action by the applicant. The applicant's engineer stated in the sketch plan submission narrative previously reviewed by our office that the proposed site modifications associated with this application are a smaller project and **are the first step/phase of a larger land development effort**. It should be noted that the **comments in this letter pertain to the proposed solar charging canopy and installation of security fencing shown in the documents reference above**.

General

1. A response letter **must be provided** with any resubmission of plans and materials detailing how each comment in prior reviews and the comments below have been addressed, and where each can be found in the resubmission materials (i.e., page number(s)) to assist in the re-review process.
2. According to the Township's Roadway Sufficiency Analysis, the proposed development is located in Transportation Service Area One, which has a corresponding impact fee of \$1,822 per "new" weekday afternoon peak hour trip and the applicant will be required to pay a Transportation Impact Fee in accordance with the Township's Transportation Impact Fee Ordinance. Based on review of the submitted materials and the presentation by the applicant, it does not appear that the proposed site modifications for Phase 1 are expected to generate additional traffic to/from the site that will be subject to the transportation impact fee. When additional modifications to the site are made at a future time, our office will review the site modifications at that time to determine if and how they may be subject to the Township's transportation impact fee.
3. Since North Park Avenue (S.R. 0363) is part of the state highway system, the applicant will be required to secure a Highway Occupancy Permit (HOP) from PennDOT for any modifications that are made to the site frontage and to the driveway(s) to/from the site that are within the state's legal right-of-way. This includes closure of existing driveways, as well as defining those proposed. The applicant should provide the Township and McMahon with copies of the HOP plans, comments, and response letters between the applicant and PennDOT for review and be invited to all meetings between the parties.

Traffic Due Diligence

4. The applicant's traffic engineer (TPD) has provided a traffic due diligence letter for the proposed site modifications. Based on the due diligence analysis, the applicant's traffic engineer indicates that a full transportation impact study that studies both site accesses and other off-site intersections is not required for the proposed site modifications; **our office generally concurs with this assessment but some further evaluation will be required upon the next phase of land development that will add additional buildings, etc. on the site.**

Under the next phase of site development, a traffic impact assessment will be required, including taking driveway counts at all access points to/from the site. The applicant's traffic engineer recommends that the study evaluate driveway operations and should provide auxiliary turn lane warrant analysis to further evaluate the potential need for left- and right-turn lanes along North Park Avenue (S.R. 0363) at any defined access point to serve the site. The applicant's traffic engineer should provide capacity/level-of-service analysis at the southern site access along North Park Avenue (S.R. 0363) for future with-proposed site modifications conditions to document the future traffic operations at this intersection and confirm that this intersection will operate safely and efficiently with the proposed site modifications. A gap study at the southern site access along North Park Avenue (S.R. 0363) may be necessary to confirm that there are adequate gaps in the North Park Avenue (S.R. 0363) traffic stream for site traffic to safely enter and exit this access should the analysis results reveals poor levels-of-service operating condition. Based on the location of the southern driveway to be used for all operations in the future, except for maintenance of the solar

field on the northern parcel, the applicant's traffic engineer should gather counts also at the intersection of Breckinridge Boulevard and North Park Avenue (S.R. 0363) to evaluate the operations when the site vehicles are being deployed at the peak hour to discern if any physical improvements or adjustment in the site driveway location are necessary.

Deferrals

5. The applicant is requesting a deferral from **Section 123-32** of the **Subdivision and Land Development Ordinance**, requiring curbing along all existing streets. The plans do not show any curbing along the North Park Avenue (S.R. 0363) site frontage, thereby not satisfying the ordinance requirement. There is currently curbing provided along the western side of North Park Avenue (S.R. 0363) across from the site and along the eastern side of North Park Avenue (S.R. 0363) on the adjacent property to the south of the site. Our office would support the deferral request if the Board of Supervisors are agreeable to a deferral request to install curbing along the frontage at this time and under this phase, should either the Township Engineer also be agreeable that it is not necessary for stormwater, and if sidewalks are also not being considered along the property frontage until a future phase of land development or such a time that curbing along North Park Avenue (S.R. 0363) may be required by the Township along the frontages of these subdivided properties, whether under present or future land ownership, and at no cost to Lower Providence Township. *The submission of future additional land development for this property (Phase 2 by the applicant or otherwise) may also be a catalyst for the installation of any curbing deferred.*

The applicant has noted this comment and will work with the Township to incorporate the deferral of public improvements into the developer's agreement.

6. The applicant is requesting a deferral from **Section 123-33** of the **Subdivision and Land Development Ordinance**, requiring sidewalk along all existing streets. The plans do not show any sidewalk along the North Park Avenue (S.R. 0363) site frontage, thereby not satisfying the ordinance requirement. We note for the Planning Commission and Board of Supervisors, that there is sidewalk along the western side of North Park Avenue (S.R. 0363) across from the site, and along the eastern side of North Park Avenue (S.R. 0363) across the site frontage of the adjacent property to the south of the site and along the eastern side of North Park Avenue (S.R. 0363) to the north of Village Green Lane. It may be ideal for the applicant to provide sidewalk along its site frontage along North Park Avenue (S.R. 0363) connecting to the sidewalk to the south of the site. When sidewalk is installed, curbing along the site frontage should also be completed in conjunction with the sidewalk installation. However, if the Board of Supervisors do not require the installation of sidewalk along the site frontage of North Park Avenue (S.R. 0363) during this first phase of site redevelopment, we would be supportive to deferring the applicant's obligation to install sidewalk along the North Park Avenue (S.R. 0363) site frontage until a future phase of land development or such a future time that sidewalk along North Park Avenue (S.R. 0363) may be required by the Township along the frontages of these subdivided properties, whether under present or future land ownership, and at no cost to Lower Providence Township. *The submission of future additional land development for this property (i.e., Phase 2 by the applicant or otherwise) may also be a catalyst for the installation of any sidewalk deferred.*

The applicant has noted this comment and will work with the Township to incorporate the deferral of public improvements into the developer's agreement.

Preliminary/Final Land Development Plans

7. According to the Township Street Map, North Park Avenue (S.R. 0363) is classified as a semi-controlled access urban road and should have a minimum 52-foot, cartway width as required in **Section 123-31.B** of the **Subdivision and Land Development Ordinance**. The plans currently show an approximate 35 to 47-foot cartway width along the site frontage of North Park Avenue (S.R. 0363), thereby not satisfying the ordinance requirement. A deferral or waiver from this ordinance requirement must be requested from the Board of Supervisors if provision of a 52-foot cartway width along the North Park Avenue (S.R. 0363) site frontage is not provided.

The applicant has noted this comment and will work with the Township to incorporate the deferral of public improvements into the developer's agreement.

8. We continue request that sight distance measurements be shown on the plans at the existing southern driveway that is proposed to remain along North Park Avenue (S.R. 0363) and must satisfy requirements in **Section 123-36.A** of the **Subdivision and Land Development Ordinance**, as well as PennDOT safe stopping sight distance requirements contained in Chapter 441 of **PennDOT Publication 282**. **The information from the TPD traffic memo should be helpful to provide this on the plans and should be affirmed by the site civil engineer.** Specifically, vehicular egress sight distances looking in both directions must be provided for the existing southern driveway to North Park Avenue (S.R. 0363) at ten (10) feet back of the closest travel lane edge at an eye height of 3.5 feet looking at an approaching vehicle of 3.5 feet, as well as for the ingressing left-turn vehicle sight distance (at a position 35 feet prior to each driveway centerline) looking to the front (3.5 feet eye height to 3.5 feet eye height) and rear (2 feet taillight height to 3.5 feet approaching driver eye height). At least the minimum safe stopping sight distances must be achievable at the southern driveway and must be sufficient for the speed and conditions of this section of the roadway in order to allow for all ingress and egress movements at the driveway location as shown on the plans. While the applicant's engineer has indicated in its response that since the existing access within the public right-of-way remains unchanged and that no additional traffic is being generated by Phase 1 of the project, the sight distance analysis has not been performed, we recommend that since the overall access configuration for the site is being modified with this application, sight distance measurements must be provided on the plans at the southern driveway.
9. A clear sight triangle should be shown on the plans at the existing southern driveway along North Park Avenue (S.R. 0363) as required in **Section 123-36.H** of the **Subdivision and Land Development Ordinance**. The applicant's engineer has indicated in its response that since the existing access within the public right-of-way remains unchanged and that no additional traffic is being generated by Phase 1 of the project, sight distance analysis has not been performed. Since the access configuration for the site is being modified with this application, we continue to request that a clear sight triangle be provided on the plans at the southern driveway.
10. It appears as though the northern driveway radius at the exiting southern driveway along North Park Avenue (S.R. 0363) ties into the ultimate right-of-way line. The applicant's engineer has

indicated in its response that the northern driveway radius ties into the existing edge of pavement which is also located along the PennDOT right-of-way. Based on a review of the plans, the northern driveway radius at the southern driveway along North Park Avenue (S.R. 0363) ties into the ultimate right-of-way line and an existing edge of parking area pavement outside the legal right-of-way. A small island that exists under current conditions that is surrounded by rocks and contains vegetation, and a utility pole is also proposed to remain, and it falls partially within the legal right-of-way. The condition is not ideal for the long term since this area was used as access and parking at the two-story building that will be demolished, and there is no traffic-related need for the pavement area north of the driveway. We assume the small island is not being touched and the southern access not fully revised so there will be no work within the legal right-of-way requiring a PennDOT permit at this time for this initial project phase. Under the next phase, the plans must be revised to show the driveway radius tie into the existing shoulder or curbed edge of North Park Avenue (S.R. 0363). Any work within the legal right of way of North Park Avenue (S.R. 0363) will then necessitate a highway occupancy permit (HOP) from PennDOT.

11. It is recommended that the entire area to the west of the proposed solar charging canopy along the North Park Avenue (S.R. 0363) frontage up to the edge of the shoulder along North Park Avenue (S.R. 0363), which is currently asphalt, should be seeded and landscaped.
12. A driveway apron exists on North Park Avenue (S.R. 0363) north of the southern access and just beyond the utility pole in the center of the southern parcel of the site. The applicant and their engineer should identify this driveway on the plan and explain how that driveway will be used or removed and when.
13. A "Stop" sign and stop bar should be shown on the plans on the existing southern driveway approach to North Park Avenue (S.R. 0363). The applicant's engineer indicates in its response that no improvements, including pavement markings, are proposed with this phase of the project. We continue to recommend that at least a "Stop" sign be added to the plans at this time.
14. Turning templates should be provided demonstrating the ability of emergency vehicles and the largest expected vehicle expected on-site to maneuver into and out of the existing southern driveway along North Park Avenue (S.R. 0363). The applicant's engineer indicates in its response that since the operation of the existing driveway will remain unchanged with the proposed site modifications, turning templates have not been provided. We continue to recommend that turning templates be provided.
15. The Township Fire Marshal should review the emergency vehicle turning templates for accessibility and circulation needs of emergency apparatus. Ensure that any correspondence, including any review comments and/or approvals from the Fire Marshal, is included in subsequent submissions. The applicant's engineer indicates in its response that no comments have been received from the Fire Marshal.

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

Sincerely,



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

CAM/BMJ/MEE

cc: EJ Mentry, Township Manager
Lauren A. Gallagher, Esquire, Rudolph Clarke, LLC, Township Solicitor
Timothy Woodrow, P.E., Woodrow Engineers, Township Engineer
Fran Hanney, PennDOT District 6-0
Scott Burton, PennDOT District 6-0
John Miklos, Montgomery County Planning Commission
Len Bradley, P.E., NSPE, CSI, RGS Associates, Inc. (Applicant's Engineer)
Guy DiMartino, P.E., Traffic Planning and Design, Inc. (Applicant's Traffic Engineer)

I:\eng\LOWERPR01\822459_Brightview Companies LLC\Project Management\Submissions\2022-12-19 LD Plans\Review\2023-01-10 Review Letter #3 - Brightview Companies (finalized).docx

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR
KENNETH E. LAWRENCE, JR., VICE CHAIR
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311
NORRISTOWN, PA 19404-0311
610-278-3722 • FAX: 610-278-3941
WWW.MONTCOPA.ORG

SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

September 26, 2022

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

Re: MCPC #22-0200-001
Plan Name: Brightview 400 N Park Ave
(1 lot comprising 6.58 acres)
Situate: North Park Ave (E) and Breckinridge Blvd (S)
Lower Providence Township

Dear Mr. Mrozinski:

We have reviewed the above-referenced land development in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on August 2, 2022. We forward this letter as a report of our review.

BACKGROUND

The applicant, BrightView Companies, LLC, proposes the demolition of a parking apron and a converted residential building and the construction of a photovoltaic canopy above a new parking area and an accompanying underground stormwater management system. The proposed development is located in the township's R-2 Residential zoning district, on the eastern corner of a 6.58-acre. The site has public water and sewer service.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal, however, in the course of our review we have identified the following issue(s) that the applicant and township may wish to consider prior to final plan approval. Our comments are as follows:

REVIEW COMMENTS

SUBDIVISION AND LAND DEVELOPMENT



- A. **Screen Buffers** – The proposed development includes the installation of a new fence and the planting of screening buffers along the perimeter of the site. We recommend the applicant provide details of the design of the solar canopy and demonstrate that its position, design, and/or screening will prevent it from creating glare visible from neighboring residential properties or public rights-of-way. We recommend the township and applicant discuss options for providing additional buffering or other glare mitigation strategies that may be employed should the canopy be found to create a glare after installation.
- B. **Parking Lot Landscaping** – The applicant seeks approval to use the provision §123-37R which allows for the use of parking designs or layouts that are not consistent with the requirements of the section.
- C. **Sidewalks** – The applicant has requested that the requirement to provide sidewalks (§123-33) be deferred to the next, larger phase of development on this site. We find this deferment to be acceptable, but recommend the applicant confer with the township regarding the development site's eventual pedestrian facilities, the site's location within the township's pedestrian network, and possible locations for a marked crossing of North Park Avenue (SR 363) in the vicinity of the development site.


CONCLUSION

We wish to reiterate that MCPC generally supports the applicant's proposal, but we believe that our suggested revisions will better achieve the township's planning objectives for commercial development.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. Please print the assigned MCPC number (22-0200-001) on any plans submitted for final recording. A paper copy bearing the municipal seal and signature of approval must be supplied for our files.

Sincerely,



John Miklos, Community Planner II
jmiklos@montcopa.org – (610) 278-3554

c: Tim McElfresh, Applicant's Representative

E.J. Mentry, Township Manager

Mark Kuberski, Chair, Township Planning Commission

Timothy Woodrow, PE, Township Engineer

Casey Moore, PE, Township Traffic Engineer

Attachments: 1. Aerial View

2. Site View

ATTACHMENTS

Aerial View



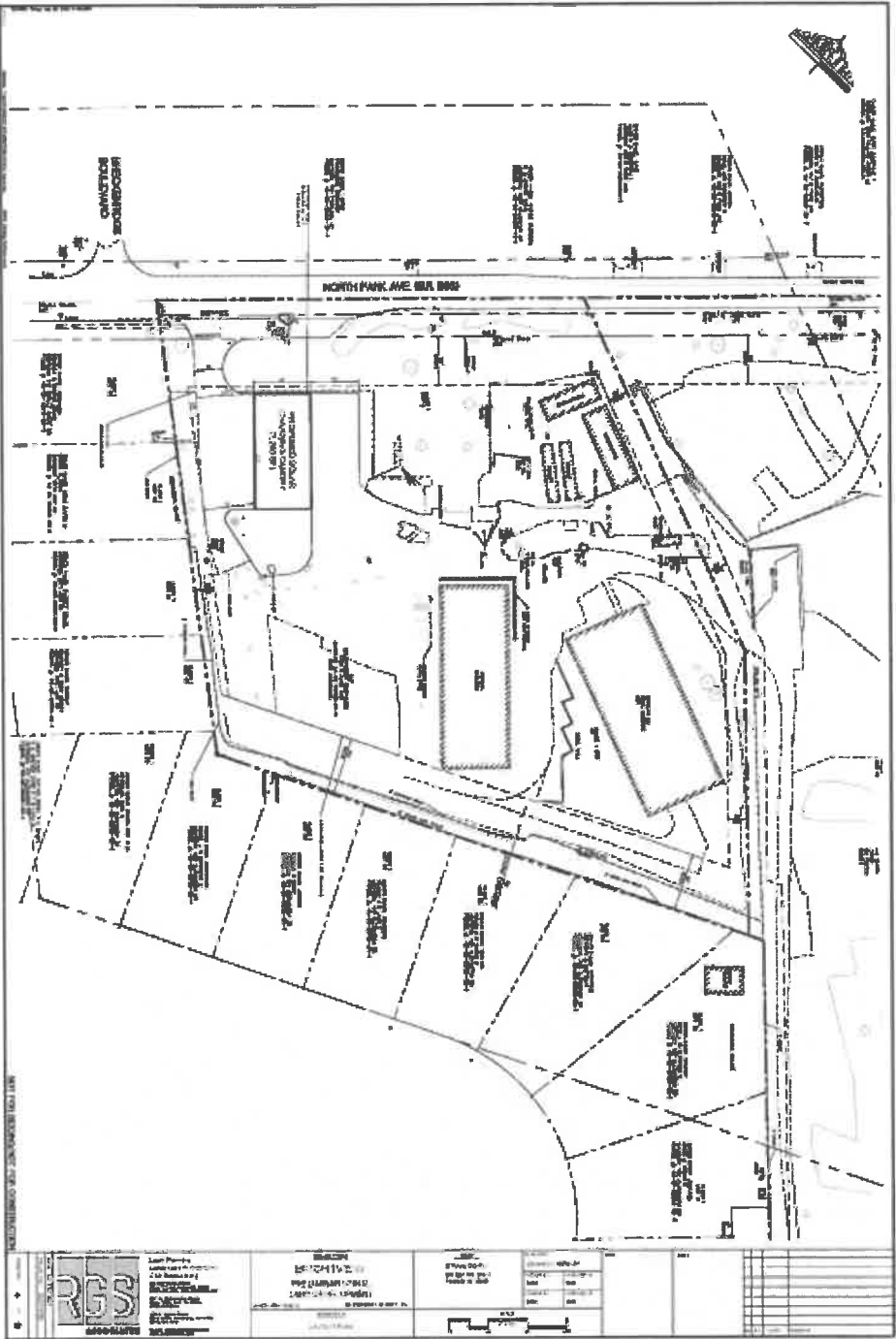
Montgomery
County
Planning
Department
11111 Old Orchard Road, Suite 100
Columbia, MD 21044
www.montgomeryplanning.org

Scale: 1" = 100 Feet

North Arrow

Brighthouse - 400 N Park Avenue
MCPC#170200001

Site Plan





THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

MEMORANDUM

TO: Lower Providence Township Officials, Staff, and Consultants
BrightView Team

FROM: Thomas J. Comitta, AICP, CNU-A, RLA
Erin L. Gross, AICP, RLA

DATE: August 15, 2022; **Updated: January 12, 2023**

SUBJECT: **REVIEW COMMENTS – BRIGHTVIEW (400 N. PARK AVENUE)**
PRELIMINARY/FINAL LAND DEVELOPMENT PLANS,
DATED REVISED 12-15-2022

The enclosed Review Comments pertain to the following documents that we received on **December 19, 2023**, and to a Site Visit on July 28, 2022, including:

- Preliminary / Final Land Development Plan (13 sheets), prepared by RGS Associates, dated **revised 12-15-2022**;
- BrightView Companies, LLC. Narrative, prepared by RGS Associates, dated July 25, 2022; and
- **Response Letter, prepared by RGS Associates, dated 12-16-2022.**

Please call or email if there are any questions.



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS – BRIGHTVIEW (400 N. PARK AVENUE)
PRELIMINARY/FINAL LAND DEVELOPMENT PLANS, DATED REVISED 12-15-2022

August 15, 2022; Updated: January 12, 2023

The following Review Comments pertain to the documents listed in the Cover Memorandum. **New comments are in BOLD type.**

1. Overview and Existing Conditions

- 1.1. The Applicant is proposing to demolish an existing office building and to construct a solar charging canopy that is 7,440 square feet in size. The solar charging station is proposed at the existing landscaping business in the R-2 District (trading as BrightView Landscape Services).

The revised Plan submission includes design modifications that are proposed to address concerns by the Township relative to the overall aesthetics of the site. As part of these modifications, the solar canopy has been changed to a solar field located in the northeastern corner of the site. Please label the solar field on the Plans.

- 1.2. TCA **still** defers to the Township and the Township Engineer relative to the requested Waivers and Modifications, as well as the applicability of §123-37 Parking and Loading Areas of the Subdivision and Land Development Ordinance (SALDO), per the BrightView Companies Narrative.
- 1.3. The narrative requests a Sidewalk deferral from §123-33 (SALDO), and indicates that as part of the Sketch Plan submission for the next portion of the development, the applicant will be providing a traffic improvement concept for consideration and review.

While TCA **still** defers to the Township and the Township Engineer relative to the requested deferral, please **still** clarify if Sidewalks are going to be considered as part of the traffic improvements for the next portion of development.

- 1.4. **Previously the Sketch Plan, dated 8-1-2022, illustrated a portion of the property to the northeast that is not included in the Land Development Plan, dated 12-15-2022. This portion of the property includes a Riparian Buffer area. Please clarify why this portion of the property is not included in the current Plans. In addition, if this area is part of the property, Riparian Buffer Plantings should be installed in this area in accordance with §143-268 and §143-271 (ZO), as the stream is a tributary to Stony Creek.**

2. Buffering and Screening

- 2.1. Per Sections 123-50.B.(3) (SALDO), 123-50.C.(1)(SALDO) and 143-28.B.(1)(b)(ZO), a screening buffer shall be a double row of evergreen trees. River Birch trees are proposed as a compliment to the proposed evergreen trees along the southern and northeastern property line. However, River Birch trees are solely proposed along the central portion of the eastern property line that abuts existing residential properties.



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS – BRIGHTVIEW (400 N. PARK AVENUE)
PRELIMINARY/FINAL LAND DEVELOPMENT PLANS, DATED REVISED 12-15-2022

August 15, 2022; Updated: January 12, 2023

Therefore, we recommend that a double row of evergreen trees be provided along the eastern property line in order to provide the required screening buffer.

The Applicant indicates that a double row of trees has been provided where feasible. Since no additional Evergreen Trees are proposed along this property line, we still recommend a double row of Evergreen Trees.

- 2.2. Section 123-50.C.(2)(b)(SALDO) indicates that if earthen mounds are not used, additional tree planting shall be provided. The number shall be equal to 50% of the number of trees required in §123-50.C.(1) (SALDO). Therefore, please provide a Planting Requirements table on the Landscape Plan in order to demonstrate compliance.

The Applicant indicates that the Landscape Plan notes that earthen mounds are to be installed with all tree plantings. However, please clarify the location of this note, and still include a Planting Requirements table in order to demonstrate compliance with the Landscape requirements.

- 2.3. Section 123-50.B. (SALDO) indicates that "...nonresidential development shall be screened and shall be applicable along areas fronting roads, areas adjacent to other properties,...".

While a fence is proposed on the street side of the proposed solar canopy, we recommend that plantings be added to provide additional screening.

The solar canopy has been changed to a solar field in the northeastern corner of the property. Screening should be added along the property line in the northeastern corner of the property.

3. Landscaping

- 3.1. Section 143-28.B.(2)(ZO) indicates that any area not used for buildings, structures, paved areas or screening shall be planted with an all-season ground cover. Therefore, please indicate all areas proposed to be lawn/seeded on the Landscape Plan.

Labels have been added to indicate "Ground Plantings w/ Seeded Lawn and Landscaping". However, the limit of the area to be seeded lawn is still unclear. Please clarify if the shaded areas are the intended lawn areas.

- 3.2. The American Arborvitae is an Evergreen Tree included in Appendix B of the Subdivision and Land Development Ordinance. However, instead of the American Arborvitae we recommend the Green Giant Arborvitae (also included in Appendix B), which we have found to be more deer resistant.

The American Arborvitae have been changed to Green Giant Arborvitae. Therefore, this item is resolved.



THOMAS COMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS – BRIGHTVIEW (400 N. PARK AVENUE)
PRELIMINARY/FINAL LAND DEVELOPMENT PLANS, DATED REVISED 12-15-2022

August 15, 2022; Updated: January 12, 2023

- 3.3. Please clarify if Shade Trees will be proposed along the Street per §123-52. (SALDO) when the next portion of the development is proposed.

The Applicant indicates that the Attorneys for the Applicant will coordinate with the Township Solicitor to incorporate the deferrals of public improvements into the Development Agreement.

- 3.4. **General Planting Notes should be added to the Landscape Plan, and should include notes regarding maintenance, guaranteed period, etc.**

4. Tree Protection and Tree Removal

- 4.1. Please provide a table on the Landscape Plan in order to indicate the number of trees to be removed, and the proposed required replacement trees per §123-114.B.(6)(a) (SALDO).

Previously there were five (5) trees with a DBH of eight inches or greater that were proposed to be removed on the Existing Conditions and Demolition Plan (Sheet 3). The Landscape Plan now indicates in the Tree Removal Chart that there are 11 Trees proposed to be removed. Please clarify if all of these existing trees to be removed have a DBH of eight inches or greater, and ensure that all of the trees proposed to be removed are identified on the Existing Conditions and Demolition Plan.

The Tree Removal Chart on the Landscape Plan indicates 5 Trees Proposed for Replacement Trees, and 6 required Replacement Trees to be deferred. While we defer to the Township, we believe that the Applicant should at least indicate the proposed location for the six (6) trees to be deferred. Further, this deferral should be added to the Cover Sheet under “Requested Deferrals”.

In addition, the area now proposed for the solar field currently has existing trees/tree mass. Please indicate trees 8 inches DBH or greater in this area, and trees 8 inches DBH or greater to be removed on the Existing Conditions and Demolition Plan. In addition, replacement trees should be provided for any trees 8 inches DBH or greater in this area that are proposed to be removed.

- 4.2. In addition, based on our site visit on July 28th, we note that there are six (6) other trees that will be impacted by the proposed construction. There are three (3) large Spruce Trees, one (1) large Oak Tree, one (1) large White Pine Tree with vines growing up from the base, and one (1) Locust Tree, which are located to the northwest corner of the existing office building (just north of the paved area, and just north of the existing fence). Therefore, replacement trees will be required for the additional six (6) trees that are not currently shown on the Plans.

The Applicant indicates that a deferral of the installation of these Replacement Trees will be incorporated into the Development Agreement for any trees impacted by the construction. Please see comment 4.1. above.



THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS – BRIGHTVIEW (400 N. PARK AVENUE)
PRELIMINARY/FINAL LAND DEVELOPMENT PLANS, DATED REVISED 12-15-2022

August 15, 2022; Updated: January 12, 2023

- 4.3. **Please clarify if Tree Protection Fencing will be needed. If so, the location of the Fencing should be illustrated on the Erosion and Sediment Control Plan, and a corresponding detail should be provided, per §123-18.A.(3)(p)(SALDO).**

5. **Details**

- 5.1. Please provide a detail of the proposed fence (that is proposed to be connected to the existing fence).

The Applicant indicate that notes have been provided on the Plan to indicate that the proposed fence will match the existing fence and, therefore, no detail has been provided. We defer to the Township relative to the inclusion of a detail for the fence.

Please call or email if there are any questions.

LOWER PROVIDENCE TOWNSHIP POLICE DEPARTMENT

Inter Office Communications Memo

DATE: August 15, 2022

TO: Mike Mrozinski

FROM: Chief Jackson

SUBJECT: Brightview

I have reviewed the land development plan for Brightview and have no recommendations.



LOWER PROVIDENCE TOWNSHIP

100 Parklane Drive • Eagleville, PA 19403 • www.lowerprovidence.org
Administration: 610 539-8020 • Fax: 610 539-6347
Police: 610-539-5900 • Fax: 610-630-2219



DATE: August 3, 2022

To: Michael Mrozinski
Director of Community Development

FROM: Michael Rohlfing
Fire Marshal

SUBJECT: Plan Review for Brightview – Preliminary/Final and Branch of the Future

After reviewing the plans provided, the following is a list of requirements:

1. Truck turning plan to be submitted using the attached information sheet.
2. All roadways must extend to within 150 feet of all buildings, have an unobstructed width of at least 20 feet wide (exclusive of shoulders) and an unobstructed vertical clearance of at least 13 feet six inches.
3. Hydrant location/s must be within 100 feet of Fire Department Connections.
4. Hydrant shall be red and have a 6" NST front discharge and two 2.5" NST side discharges.
5. A satisfactory first responder radio coverage test using the attached information is required prior to Use and Occupancy.
6. Security gate/s shall utilize Opticom as an emergency means of operation.

Please contact me should you have any questions.



**LOWER PROVIDENCE TOWNSHIP
COMMUNITY DEVELOPMENT**

**100 Parklane Drive Eagleville, PA 19403 • www.lowerprovidence.org
Administration: 610- 635-3512 • Fax: 610 539-6347**

Guide: Ground mounted solar energy systems

§143-6.2 Ground-mounted solar energy systems (GMSES) accessory to residential uses shall conform to the following regulations:

No GMSES is permitted in the front yard

The structure(s) shall meet the same side yard setbacks as exist for primary residences. The rear yard setback shall be the sum of the longest horizontal distance of the system and the distance between the highest point of the system from the average grade elevation or the rear yard setback for the primary residence, whichever is greater.

No GMSES shall exceed 20 feet in height

No more than 20% of a lot may be covered with a GMSES

GMSES shall be located so that any reflection and/or glare is directed away or buffered from neighboring properties and roadways.

**LOWER PROVIDENCE TOWNSHIP
PLANNING COMMISSION MEETING
OCTOBER 26, 2022, MEETING MINUTES**

1) Call to Order

A) Chairman Kuberski called the meeting to order at 7:00 p.m.

2) Roll Call:

A) The following board members were in attendance: Mr. William Brooke, Ms. Ginny Kricun, Mr. Mark Kuberski, Ms. Susan LaPenta, Mr. Frank McDonough, Mr. Patrick Neary, and Ms. Kristina O'Donnell.

B) Also in attendance: Mr. Mike Mrozinski, Director of Community Development; Mr. Tim Woodrow, Township Engineer; Ms. Lauren Gallagher, Township Solicitor; Casey Moore, Township Transportation Consultant, John Miklos, Montgomery County Planning Commission; and Ms. Cara Coless, Board of Supervisors Liaison.

3) Approval of Planning Commission Meeting Minutes of May 25, 2022

MOTION: W. Brooke made a motion to move the minutes of May 25, 2022, into the record. Ms. Kricun seconded the motion. The motion *passed* 6-0-1. Ms. LaPenta abstained.

4) New Business

A) Consideration of LD-22-02 Revised Land Development plans for BrightView Companies, 400 N Park Avenue.

A description of the plan revisions for two phases of land development at 400 N Park Avenue, parcel #43-00-10543-00-7, was provided by Len F Bradley III (Supervisor of Engineering) of RGS Associates on behalf of the applicant, BrightView. Representatives from BrightView, Todd Chambers (Executive Vice President) provided information relating to the broader project plans, as well.

The purpose of this presentation was primarily to provide an update on their plans which were rerevised to address concerns of the Zoning Hearing Board and neighboring property owners. There was no request for waivers currently. The applicant has an appeal pending with the Zoning Hearing Board at this time and is seeking guidance on any amendments needed for their appeal.

Questions and comments from the public were entertained following the presentation, including from Brian Jennings, 431 Alexandra Drive and Kevin Donahue, 2003 Tennyson Ct.

The applicant anticipates revising plans and going before the Planning Commission and Zoning Hearing Board in November.

B) Consideration of LD-22-07 Revised Final Land Development plans for Audubon Square V. S Trooper Road and Eisenhower Boulevard.

Attorney Bernadette Kearney presented changes to the previously approved plans for Audubon Square 5. The plans primarily involve four buildings and are impacted by the applicant's purchase of the former Valley Forge Tavern property on S. Trooper Road,

opposite of Norris Hall Lane. The applicant was also represented by Brian Proska of TPD, Debi Roesener of Bursich Engineers, and Brad Macy of Audubon Land Development. Considerable discussion was about transportation capacity and connections, including possible future development at Shannondell and at Egypt and Rittenhouse. Concern was also raised about the ability of public utilities such as Audubon Water to serve the increased development.

The applicant stated that they will comply with the recommendations within the review letters from the Township Engineer, Township Transportation Consultant, Township Police Department, and Township Fire Marshal.

The Commission considered the waiver requests. The first three requests concerned improvements at Rittenhouse and Egypt:

§123-31 Rights of Ways. A waiver from providing an Ultimate Right of Way on Rittenhouse Road at this time.

§123-32 Curbs and storm sewers. A waiver from providing curbs and storm sewers along Rittenhouse Road and Egypt Road.

§123-33 Sidewalks. A waiver from providing sidewalks along Rittenhouse Road and Egypt Road.

The Commission recommends granting those waivers as the involved improvements will be addressed when that intersection is developed. The vote was 7-0.

§123-36. A.(2)(d) Driveways. A waiver to allow Access Drive C (which will be extended to Eisenhower Road) to be closer than 5' from the property line at its intersection with Norris Hall Road. The Commission voted 6-1 to recommend granting this waiver. Mr. Brooke voted against.

§123-37.C Parking. A waiver regarding the landscaping the parking lot islands. The Commission voted 7-0 to recommend granting this waiver, conditioned on any plants not installed in the islands be planted elsewhere on the site.

§123-37. L(2)(a) Planting Strip. A waiver to not provide a planting strip between Buildings 8 and 9. This area is too narrow to add a landscape median without losing a row of parking spaces which are needed for the businesses. The Commission voted 7-0 to recommend granting this waiver

§123-37.M(2)(b) Driveway Width. A waiver to allow the driveway width for Access Drive D to be 24' wide instead of 28' wide to match the existing width of this driveway. The Commission voted 7-0 to recommend granting this waiver

§123-143 Land use Design Manual, Section 1.1.4 Trails. A waiver to construct the relocated trail along Access Drive C with an 8' width instead of a 10' width to match the

previously constructed trail. The Commission voted 7-0 to recommend granting this waiver.

The Commission voted 7-0 to recommend granting approval to this amended final plan.

C) Comprehensive Plan Update

The latest draft of the first five chapters of the Comprehensive Plan Update had been distributed to the Commission in their packets. Mike Mrozinski explained that this was to give the Commission an opportunity to read and comment on the latest draft ahead of the formal transmission to the Commission in coming months. It was suggested that any questions or concerns be brought up ahead of next meetings. Other draft chapters will be forwarded when available.

5) **Motion to Adjourn:**

A) **MOTION:** A motion was made for adjournment. The motion *passed* 7-0. The meeting adjourned at 8:59 p.m.

Next Scheduled Meeting: November 23, 2022 – 7:00 p.m.

MILLER TURETSKY RULE & MCLENNAN

MARK D. TURETSKY
JOHN A. RULE
KEITH B. McLENNAN*
JOSHUA H. CAMSON*
CHRISTOPHER D. HINDERLITER*
ROBERT MINNICH

ATTORNEYS AT LAW
3770 RIDGE PIKE
COLLEGEVILLE, PENNSYLVANIA 19426
(610) 489-3300; ext:149
(610) 489-1157 Facsimile
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JAMES H. FREEMAN
Of Counsel

JILL K. ANDERSON, J.D.

Sender's E-mail Address:
Kmcleman@millerturetsky.com

*ALSO MEMBER OF NEW JERSEY BAR

November 23, 2022

Via E-Mail: Jared.klein@blankrome.com
And VIA CERTIFIED MAIL
RRR No. 7019 1120 0001 1274 9146

Jared N. Klein, Esquire
Blank Rome LLP
130 N. 18th Street
Philadelphia, PA 19103

**RE: Brightview Landscaping – Lower Providence Township ZHB
Application No. Z-22-15**

Dear Mr. Klein:

I am writing to advise you that at its meeting last night the Lower Providence Township Zoning Hearing Board (the "Board") granted Brightview's variance request from Zoning Ordinance Section 143-149 of the Lower Providence Township Zoning Ordinance to consolidate two non-conforming parcels held in single and separate ownership and continue and expand the non-conformity as a landscape business in the R-2 Residential District.

The Application for a Variance from Section 143-6.2BB(1)(a)(1) to permit placement of ground-based solar electricity panels in the locations identified on the exhibits presented to the Board is granted subject to the following conditions:

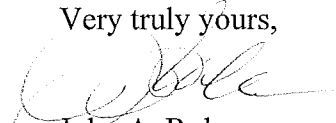
1. Applicant shall provide adequate buffering along Park Avenue as represented to the Board;
2. Applicant will remove the access road and culvert on the 501 N. Trooper Road parcel to address storm water issues as represented to the Board; and
3. The ground-mounted solar panels shall not exceed six feet in height measured from the ground on which placed.

As required by the Pennsylvania's Municipalities Planning Code, the full findings of facts and conclusions of law of the Board will be provided within 45 days of the hearing. Any party may

Jared N. Klein, Esq.
November 23, 2022
Page 2

appeal this decision within 30 days of its mailing or the findings of fact and conclusions of law.

Very truly yours,



John A. Rule

JAR/jds

Pc: George Ozorowski, Esq. Chairman
Joseph Pucci Vice Chairman
Kathie A. Eskie
Gail Hager

Christopher Gerdes
Randy Klein
Michael Mrozinski
Tina Blain



LOWER PROVIDENCE TOWNSHIP



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Police: 610-539-5900 • Fax: 610-630-2219

LOWER PROVIDENCE TOWNSHIP INTER-OFFICE MEMORANDUM

TO: Members of the Board of Supervisors; E.J. Mentry, Township Manager

FROM: Mike Mrozinski, Director of Community Development

DATE: January 11, 2023

RE: 711 S. Trooper Road – Select Pizza Grill - waiver of land development request

For your consideration is a request from Vasilios Schujas of Select Pizza Grill for proposed construction of a new outdoor dining space to the building within the Audubon Shopping Center at 711 S. Trooper Road. The proposal involves some minor site work such as altering some parking spaces.

Please see the attached site plan and review letter dated December 6, 2022 from the Township Engineer.



December 6, 2022

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

Reference: Select Pizza Grill – Audubon Square – Expansion

Dear Mike:

I am in receipt of a three-sheet set of plans that describe the proposed construction of a new outdoor dining space to the building within the Audubon Square Shopping Center currently occupied as Select Pizza Grill. Sheet one of the plan set describes an addition defined as Pergola No. 1 and Pergola No. 2. In order to construct these improvements, there will be a loss of seven parking spaces immediately in front of the restaurant and the loss of one parking space on the opposite side of the drive aisle to allow for a reconfigured striping plan providing for handicap accessible parking spaces. My review of the application would reveal the following:

1. Parking – The addition of seating space to the restaurant will require that additional parking be provided for the use.
2. Parking – The application is silent with regard to the number of parking spaces required versus number of parking spaces provided for this use.
3. Impervious Cover – The application is silent as to the impact on impervious cover with regard to the proposed construction.
4. Lighting – The application is silent as to any proposed modifications to site lighting that may be necessary to facilitate the proposed construction.
5. Pedestrian Connections – The proposal does not adversely impact the existing pedestrian connections that exist along Trooper Road. Further, any sidewalk that was disrupted by the proposed construction is replaced in the design plans.

December 6, 2022

Michael Mrozinski, Director of Community Development

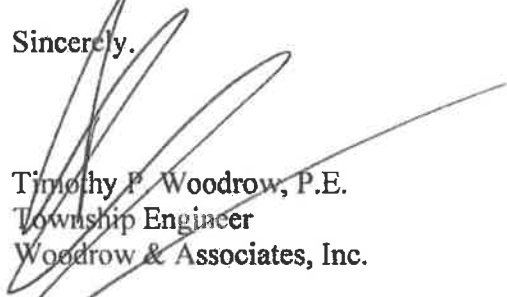
Lower Providence Township

Reference: Select Pizza Grill – Audubon Square – Expansion

6. Handicap Accessibility – Our building code official should review the application to assure proper accommodation has been made for those individuals with disabilities, especially related to access.

Please feel free to contact me with any questions you may have regarding the comments on the application.

Sincerely,



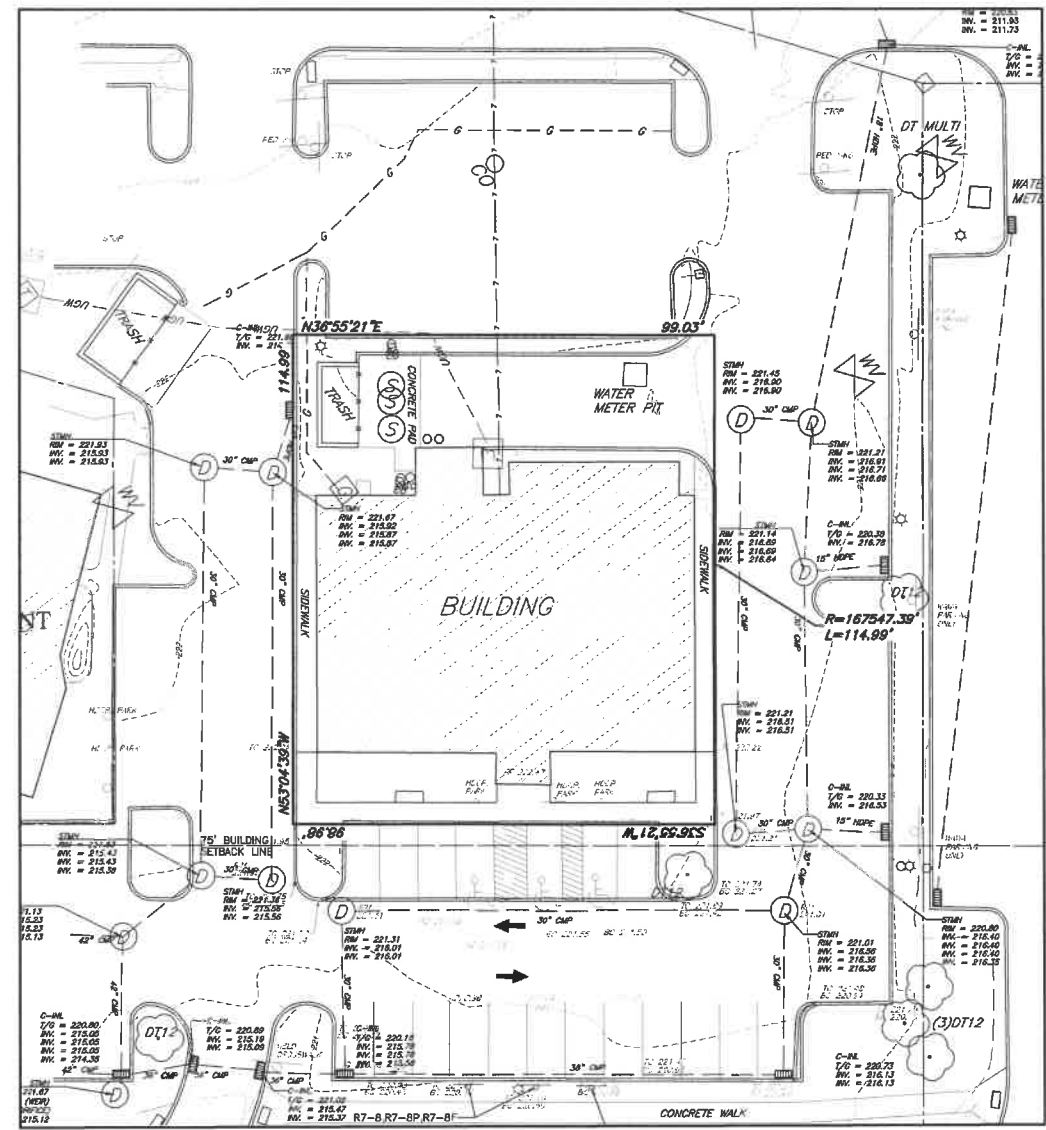
Timothy P. Woodrow, P.E.
Township Engineer
Woodrow & Associates, Inc.

TPW/del

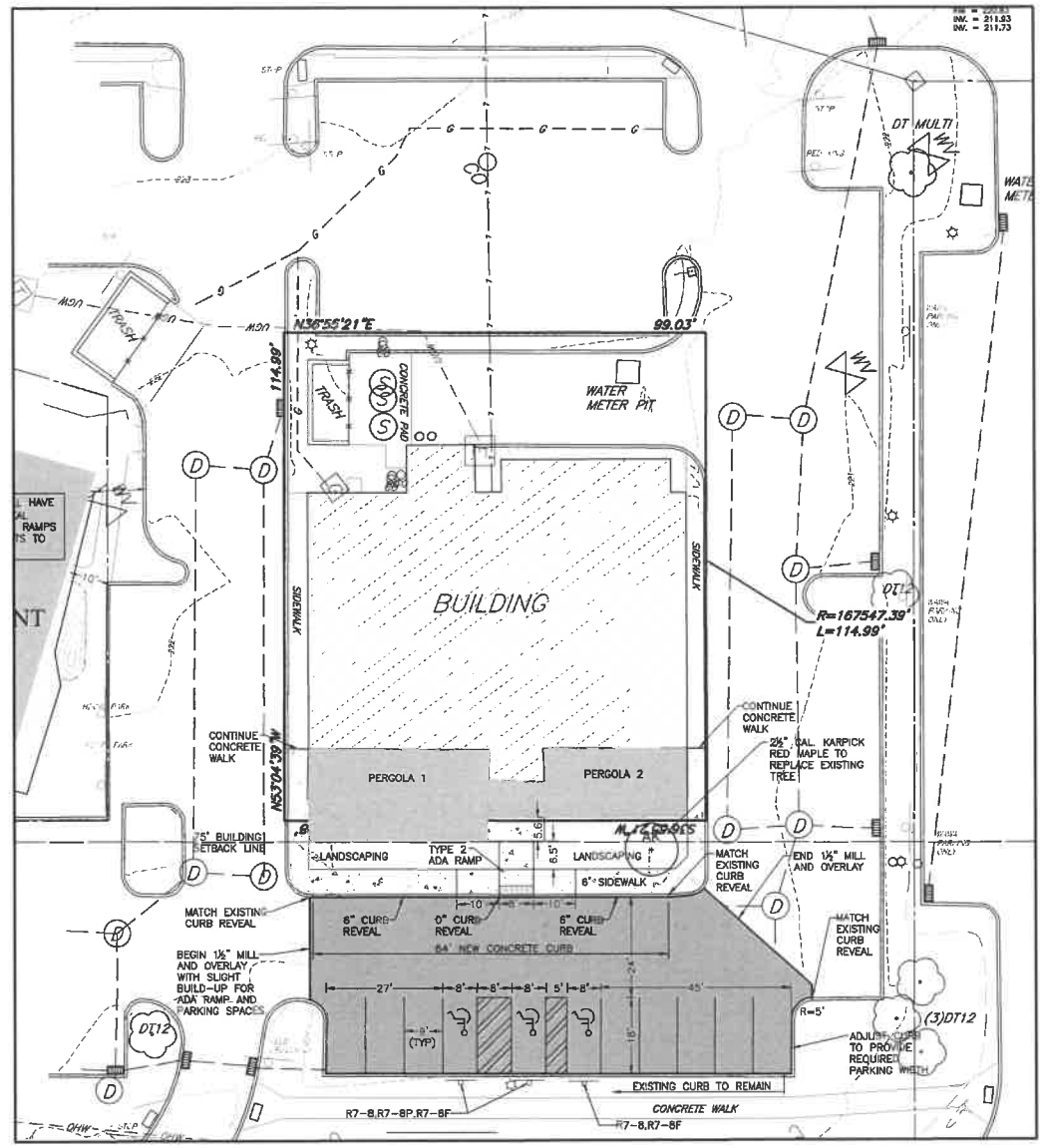
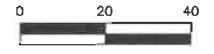
cc: EJ Mentry, Township Manager – Lower Providence Township
Michael Clarke, Esq., Township Solicitor – Rudolph Clarke, LLC
Lauren Gallagher, Esq. – Rudolph Clarke, LLC
Brad Macy
Burisch Associates



LOCATION KEY MAP
SCALE: 1" = 200'



EXISTING/DEMO SITE PLAN



PROPOSED LAYOUT PLAN



- EXISTING FEATURES LEGEND**
- CONCRETE MONUMENT FOUND
 - IRON PIN FOUND
 - PROPERTY LINE
 - ADJOINER LINE
 - LEGAL RIGHT OF WAY
 - EASEMENT LINE
 - CENTERLINE OF ROAD
 - EDGE OF PAVEMENT
 - EDGE OF DRIVE
 - EDGE OF GRAVEL
 - FENCE LINE
 - CONTOURS
 - SPOT ELEVATION
 - WOOD LINE
 - TREES
 - SANITARY SEWER MAIN
 - SANITARY SEWER CLEANOUT
 - SANITARY SEWER MANHOLE
 - STORM SEWER
 - STORM INLET
 - ENDWALL
 - STORM SEWER MANHOLE
 - WATER MAIN
 - FIRE HYDRANT
 - WATER VALVE
 - WATER SERVICE
 - GAS MAIN
 - GAS METER
 - GAS VALVE
 - OVERHEAD WIRES
 - UNDERGROUND WIRES
 - STREET LIGHT
 - UTILITY POLE
 - ELECTRIC BOX
 - ELECTRIC METER
 - TRANSFORMER
 - ADA ACCESSIBLE PARKING SPACE
 - SIGN
 - SDLS
- ABB
- SLANTED TEXT DENOTES EXISTING FEATURE

- PROPOSED LEGEND**
- BUILDING SETBACK LINE
 - EDGE OF PAVING
 - CURB
 - CONCRETE
 - BUILDING
 - ADA ACCESSIBLE PARKING SPACE
 - ADA RAMP
 - ADA DETECTABLE WARNING STRIP
 - 24" STOP BAR
- VERTICAL TEXT DENOTES PROPOSED FEATURE

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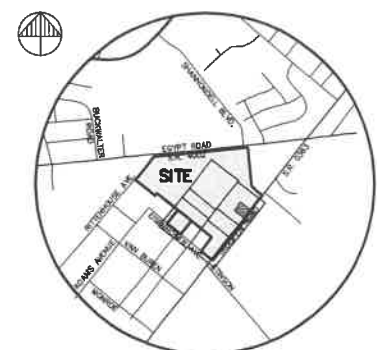
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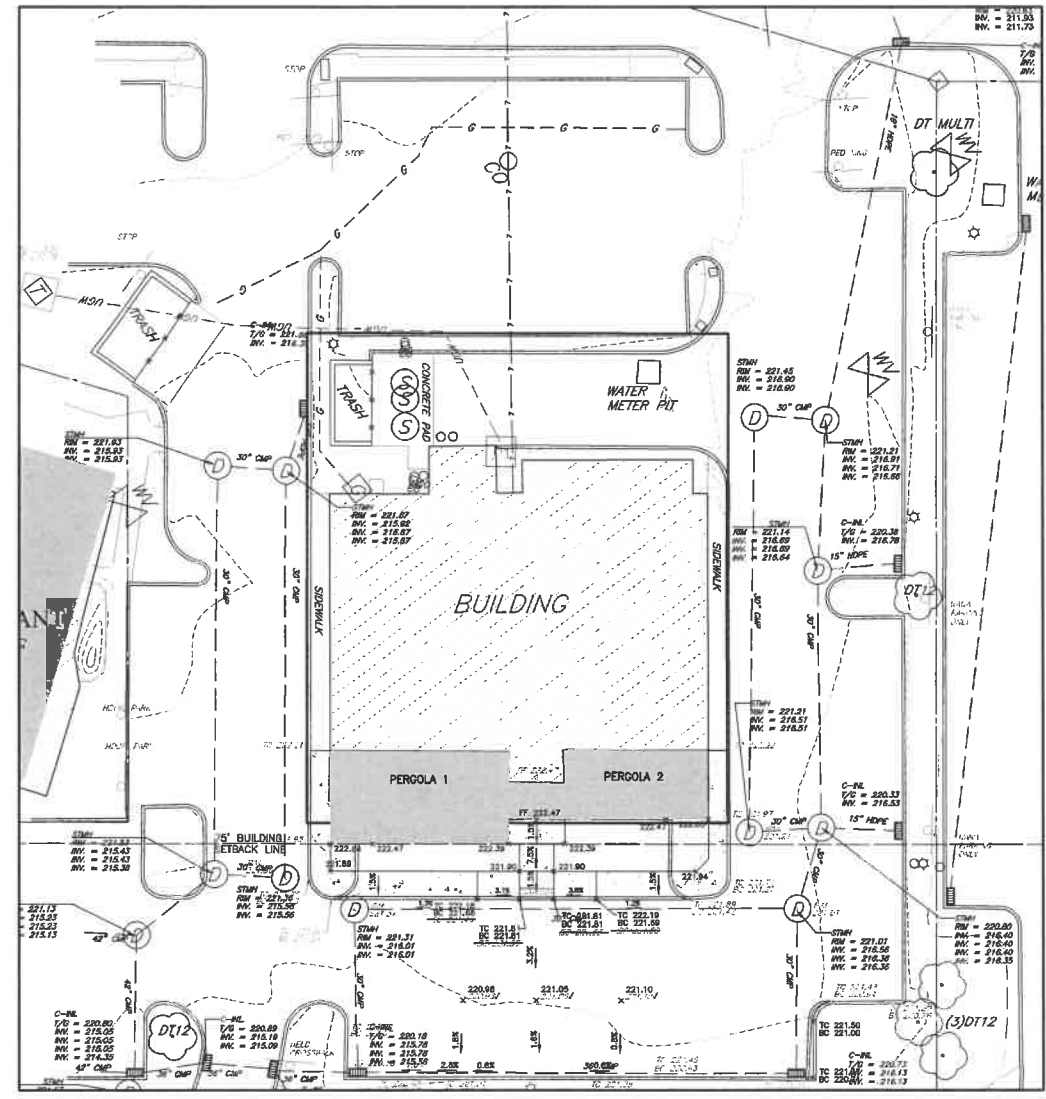
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| CLIENT |
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| SUBJECT |
| EXISTING / PROPOSED SITE PLAN |
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| LOWER PROVIDENCE TWP, MONTGOMERY COUNTY, PENNSYLVANIA |

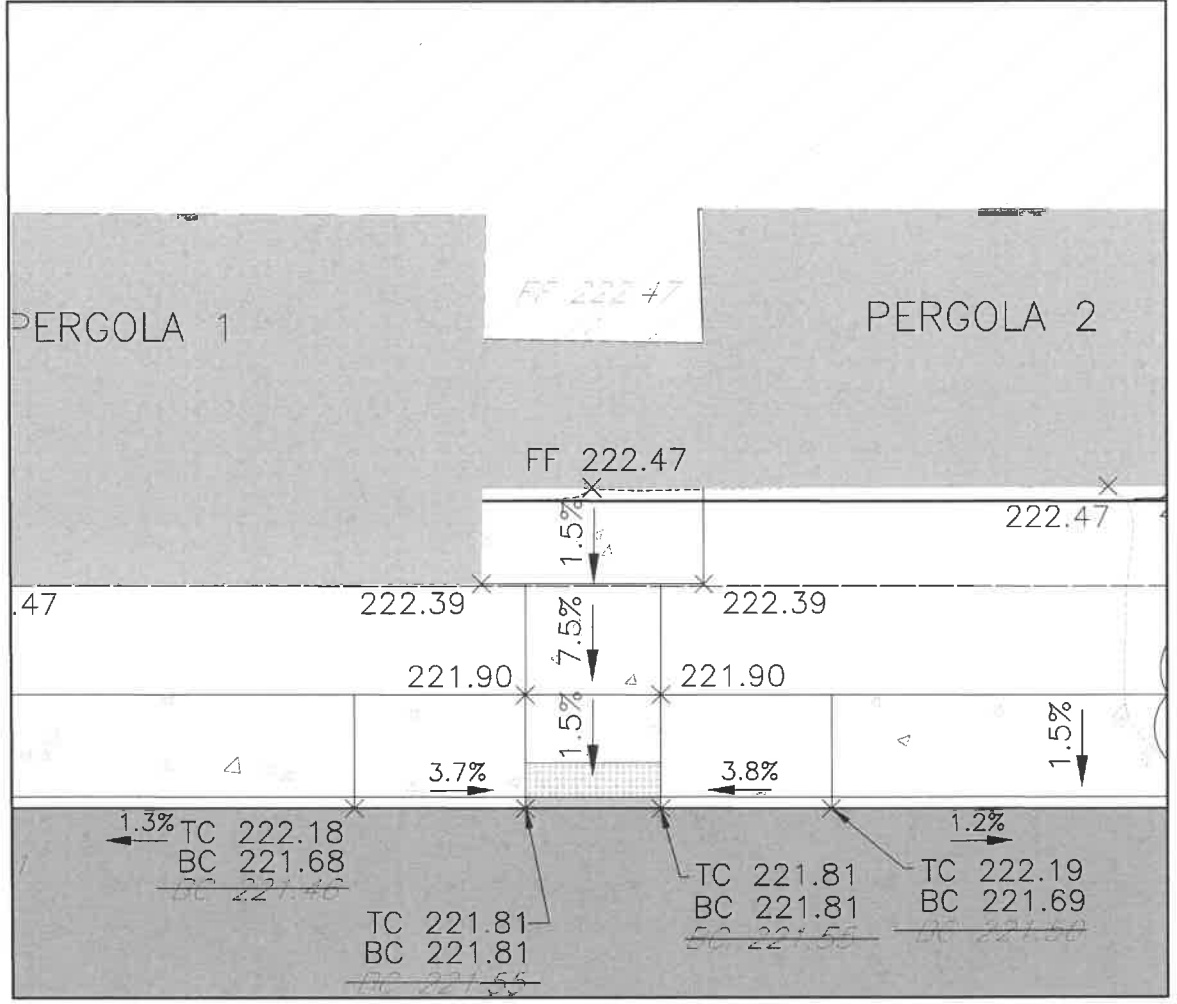
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| JOB NO. | 013717.16 |
| SHEET NO. | 1 OF 3 |
| DWG. NO. | LO113717 |



LOCATION KEY MAP
SCALE: 1" = 200'



PROPOSED GRADING PLAN



ADA RAMPS #1 - DETAILED GRADING PLAN



- EXISTING FEATURES LEGEND**
- CONCRETE MONUMENT FOUND
 - IRON PIN FOUND
 - PROPERTY LINE
 - ADJOINER LINE
 - LEGAL RIGHT OF WAY
 - EASEMENT LINE
 - CENTERLINE OF ROAD
 - EDGE OF PAVE
 - EDGE OF DRIVE
 - EDGE OF GRAVEL
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 - SIGN
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 - ADA RAMP
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 - 24" STOP BAR
- VERTICAL TEXT DENOTES PROPOSED FEATURE

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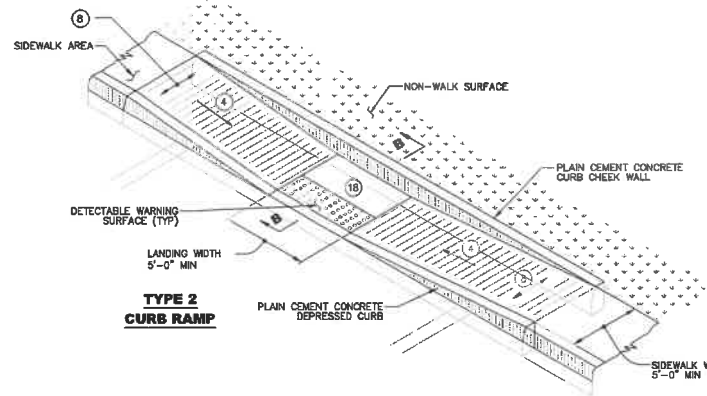
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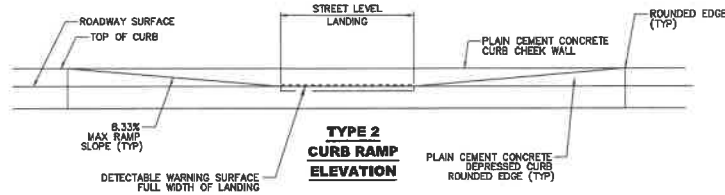
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| CLIENT |
| SELECT PIZZA GRILL P.O. BOX 16 NATIONAL PARK NJ 08063 |

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| GRADING PLAN | SUBJECT |
| | SELECT PIZZA GRILL RESTAURANT |
| LOWER PROVIDENCE TWP, MONTGOMERY COUNTY, PENNSYLVANIA | |

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| JOB NO. | 013717.16 |
| SHEET NO. | 2 OF 3 |
| DWG. NO. | L0213717 |

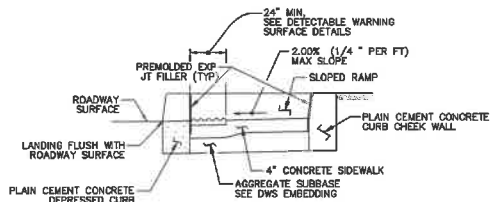


TYPE 2 CURB RAMP

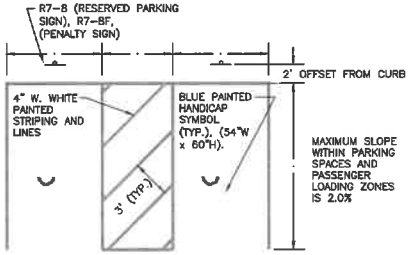


TYPE 2 CURB RAMP ELEVATION

- 1) SIDE FLARES 10.00% MAX SLOPE
- 2) IF THE LANDING IS INDICATED TO BE LESS THAN 4'-0", CONSTRUCT SIDE FLARES 8.33% MAX. SLOPE.
- 3) OPTIONAL ROLLED CONCRETE SURFACE OR REGRADE SLOPE CAN BE USED TO MEET THE ADJACENT SURFACES IN LIEU OF A RETURN CURB CHEEK WALL.
- 4) 8.33% MAX RAMP SLOPE
- 5) SLOPE VARIES SEE RAMP DETAILS
- 6) 2'-0" ROLLED TRANSITION
- 7) SLOPE: ZERO ±2.00%
- 8) CURB RAMP REQUIRE A 4'-0" MINIMUM LANDING WITH A MAXIMUM SLOPE OF 2.00% IN ALL DIRECTIONS WHERE PEDESTRIANS PERFORM TURNING MANEUVERS. SEE DETAILS FOR LOCATIONS.



TYPE 2 CURB RAMP SECTION B-B



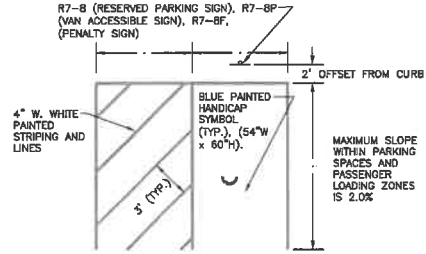
STANDARD ADA ACCESSIBLE SPACES



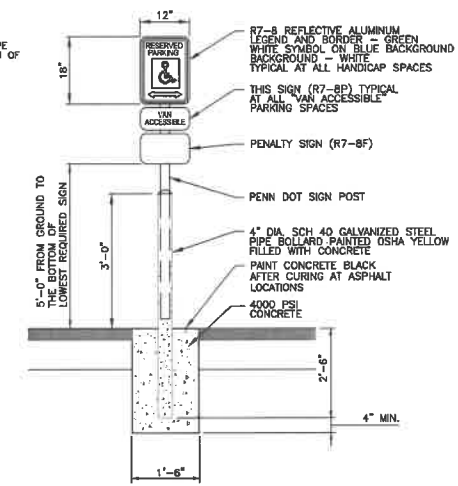
R7-8F UNRESERVED PARKING PENALTIES SIGN
12"x18"
NO SCALE



R7-8 RESERVED PARKING SIGN
12"x18"
NO SCALE

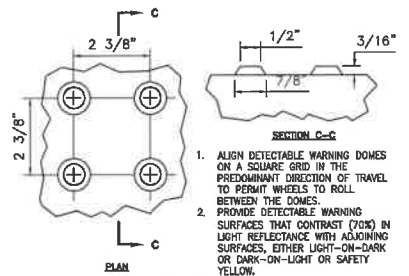


ADA ACCESSIBLE VAN ACCESSIBLE SPACE



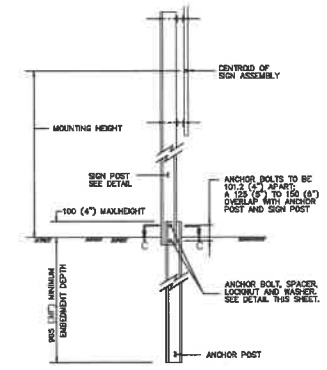
ADA ACCESSIBLE PARKING SIGN

- 1. PLACE ONE SIGN AT EACH HANDICAP SPACE.
- 2. WHERE HANDICAP SPACES FACE EACH OTHER WITHOUT WALKWAY THERE SHALL BE ONE POST WITH SIGNS MOUNTED BOTH SIDES.



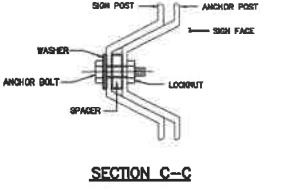
DETECTABLE WARNING TRUNCATED DOME DETAIL

- 1. ALIGN DETECTABLE WARNING DOMES ON A SQUARE GRID IN THE PREDOMINANT DIRECTION OF TRAVEL TO PERMIT WHEELS TO ROLL BETWEEN THE DOMES.
- 2. PROVIDE DETECTABLE WARNING SURFACES THAT CONTRAST (70% IN LIGHT REFLECTANCE WITH ADJOINING SURFACES, EITHER LIGHT-ON-DARK OR DARK-ON-LIGHT OR SAFETY YELLOW).



BREAKAWAY SIGN POST (TYPE B) DETAIL

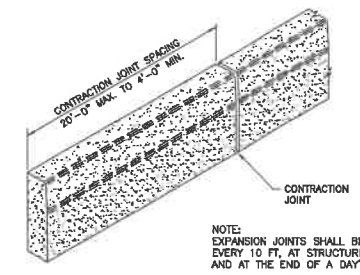
- 1. TO BE USED FOR ALL NEW SIGN INSTALLATIONS.
- 2. REFER TO PENALT PBL 1114, 10-8000 STANDARD DETAILS FOR ADDITIONAL APPLICABLE INFORMATION.



SECTION C-C

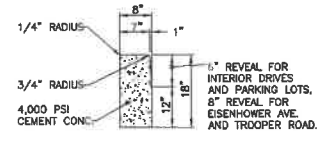
NOTES

- 1. PROVIDE MATERIALS AND CONSTRUCTION MEETING THE REQUIREMENTS OF PUBLICATION 408, SECTION 630 FOR PLAIN CEMENT CONCRETE CURB AND DERESSED CURB, SECTION 640 FOR PLAIN CEMENT CONCRETE GUTTER AND SECTION 641 FOR PLAIN CEMENT CONCRETE CURB GUTTER.
- 2. SPACE CONTRACTION JOINTS IN UNIFORM LENGTHS OR SECTIONS.
- 3. PLACE 3/4" THICK PREMOULDED EXPANSION JOINT FILLER MATERIAL AT STRUCTURES AND AT THE END OF THE WORK DAY. CUT MATERIAL TO CONFORM TO AREA ADJACENT TO CURB OR TO CONFORM TO CROSS SECTIONAL AREA OF CURB.
- 4. WHERE CURBS ARE INSTALLED ADJACENT TO PARKING LANES A 6" HIGH CURB CAN BE UTILIZED WITH APPROVAL FROM THE LOCAL MUNICIPALITY.
- 5. FOR TYPE HAND FORM CURB EXPANSION JOINTS SHALL BE SPACED EVERY THIRTY (30) FEET, AT STRUCTURES, AND AT THE END OF A DAYS WORK, FOR CONCRETE CURB FORMED BY 'MACHINE SLIP FORM' THE CONTRACTION JOINTS SHALL BE SAW CUT EVERY TEN (10) FEET A MINIMUM OF TWO (2) INCHES IN DEPTH. EXPANSION JOINTS SHALL BE EVERY SIXTY (60) FEET, AT STRUCTURES, AND AT THE END OF A DAYS WORK.
- 6. THE STONE BEDDING SHALL BE ASHTO #57.



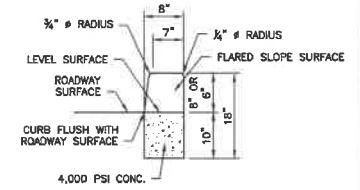
PLAIN CEMENT CONCRETE CURB

- NOTE: EXPANSION JOINTS SHALL BE EVERY 10 FT. AT STRUCTURES, AND AT THE END OF A DAY'S WORK.



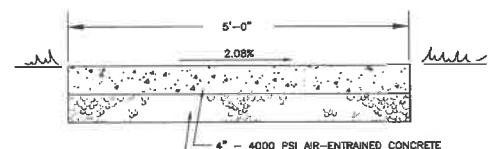
CONC. CURB DETAIL

- NOTE: 1. ALL CURBING SHALL BE CONSTRUCTED BOTH AS TO MATERIALS AND METHODS IN GENERAL CONFORMANCE WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS FORM 408 WITH THE EXCEPTION THAT THE USE OF A WHITE CURING COMPOUND SHALL BE REQUIRED.
- 2. CURBING IN PHASE 3 TO BE 6" HIGH. PROVIDE 4" TRANSITION FROM EXISTING 8" CURBS TO PROPOSED 6" CURBS



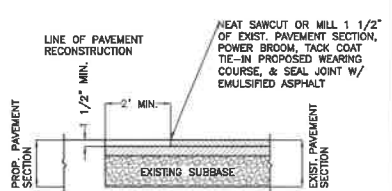
DEPRESSED CURB SECTION B-B

- NOTE: 1. ALL CURBING SHALL BE CONSTRUCTED BOTH AS TO MATERIALS AND METHODS IN GENERAL CONFORMANCE WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS FORM 408 WITH THE EXCEPTION THAT THE USE OF A WHITE CURING COMPOUND SHALL BE REQUIRED.
- 2. CURBING IN PHASE 3 TO BE 6" HIGH. PROVIDE 4" TRANSITION FROM EXISTING 8" CURBS TO PROPOSED 6" CURBS

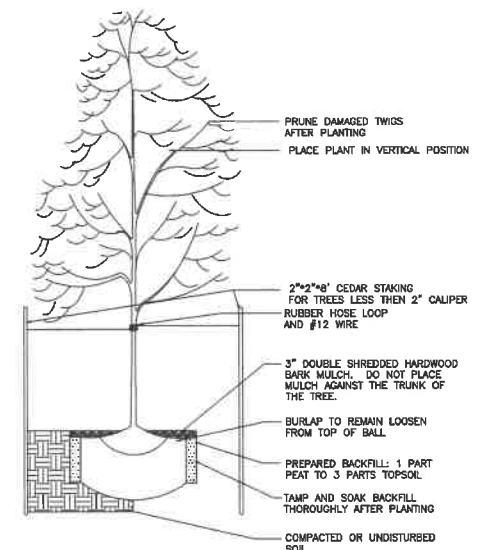


SIDEWALK DETAIL

- NOTES: 1. 1/2" BIT, EXP. JOINT AT 20' O.C.
- 2. CONSTRUCTION JOINT AT 5' O.C.
- 3. SIDEWALKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PA. DEPT. OF TRANSPORTATION SPECIFICATIONS FORM 408 CURRENT EDITION WITH THE EXCEPTION THAT THE USE OF WHITE CURING COMPOUND SHALL BE REQUIRED.



PAVEMENT TIE-IN DETAIL



DECIDUOUS TREE PLANTING DETAIL

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|------|---------|----------|----------|----------|----------|
| SEAL | MANAGER | DESIGN | DRAFT | FILE | NOTES |
| | NF | KRK | DAR | SEL-04 | |
| | | CHKD. BY | CHKD. BY | DATE | SCALE |
| | | | | 11-01-22 | AS NOTED |

BURSICH ASSOCIATES
ENGINEERS, LAND SURVEYORS, LANDSCAPE ARCHITECTS
2126 EAST HIGH STREET
P.O. BOX 16
610.223.4040
www.bursich.com

| | |
|--------|---|
| CLIENT | SELECT PIZZA GRILL P.O. BOX 16 NATIONAL PARK NJ 08063 |
|--------|---|

| | |
|---|--|
| SUBJECT | CONSTRUCTION DETAILS SELECT PIZZA GRILL RESTAURANT |
| LOWER PROVIDENCE TWP, MONTGOMERY COUNTY, PENNSYLVANIA | |

| | |
|-----------|-----------|
| JOB NO. | 013717.16 |
| SHEET NO. | 3 OF 3 |
| DWG. NO. | CD113717 |

LOWER PROVIDENCE TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION No. 2023 - 09

WHEREAS, Providence Greene Home Owners' Association (hereinafter referred to as "Association") has submitted a request to amend the Declaration of Covenants, Restrictions, Easements, Charges and Liens dated April 15, 1994 for a development located within Lower Providence Township (hereinafter referred to as the "Township") known as Providence Greene; and

WHEREAS, The Cutler Group, Inc. ("Developer") was the owner of the real property located in the Township of Lower Providence, County of Montgomery, Commonwealth of Pennsylvania, upon which real property Developer constructed a residential community consisting of 180 townhouse dwelling units and 5 single family detached dwelling units, together with Common Open Space and facilities for the benefit of such community; and

WHEREAS, the Developer created the Association with certain rights, obligations and limitations on both the Association and owners of real property located therein pursuant to a Declaration of Covenants, Restrictions, Easements, Charges and Liens dated April 15, 1994 and filed in the Montgomery County Recorder of Deeds Book 5076, Page 762, et. seq. (hereinafter referred to as the "Original Declaration"); and

WHEREAS, in 2005, the Association recorded an Amended and Restated Declaration of Covenants, Restrictions, Easements, Charges and Liens (hereinafter referred to as the "1st Amended Declaration"); and

WHEREAS, the Association desires to amend and restate the Original Declaration and the 1st Amended Declaration to clarify certain issues, namely to remove certain properties from

the Association, but to otherwise maintain the purpose of the Association; and

WHEREAS, in order to amend the Original Declaration and/or the 1st Amended Declaration, the Original Declaration requires that the Association first obtain the Township's approval of the proposed amendment to the 1st Amended Declaration; and

WHEREAS, the Township is willing to approve the request to amend the Original Declaration and the 1st Amended Declaration to remove the five (5) single family lots from the Association, subject to certain conditions.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Board of Supervisors of Lower Providence Township this 19th day of January, 2023, that said request for approval of the amendment to the Original Declaration and the 1st Amended Declaration is **GRANTED**, subject to the following conditions:

1. The lots to be removed from the Association are five (5) single family lots, and are those identified as lots 181-185 in the Final Record Plan prepared by Alan C. Breyer of Yerkes Associates, Inc., dated January 23, 1990, last revised February 14, 1995, a copy of which is attached hereto, incorporated herein and labeled Exhibit "A".
2. Any and all improvements for which the Association is currently responsible for all maintenance, repair and replacement, including but not limited to all open space, stormwater facilities and the private roadways known as "Greene's Meadow Drive" and "Greene's Way Circle," along with all associated rights of way, curbs and sidewalks, shall remain in the full care, custody, ownership and control of the Association.
3. No additional or further maintenance obligations shall be imposed upon the Township by way of this approval, including but not limited to any maintenance obligations for

any curbs, sidewalks, rights of way, roadways, open space, stormwater facilities or other improvements that are, were or shall in the future become the property or responsibility of the Association.

BE IT FURTHER RESOLVED by the Board of Supervisors of Lower Providence Township that approval is further subject to the condition that a final recorded copy of the Amended Declaration shall be provided to the Township Solicitor immediately upon receipt by the Association.

BE IT FURTHER RESOLVED by the Board of Supervisors of Lower Providence Township that approval is further conditioned upon acceptance of the conditions contained herein by the Association and signifying acceptance thereof by signing a copy of this Resolution. In the event that the execution of this Resolution is not delivered to the Township within ten (10) days from receipt, it shall be deemed that the Association does not accept these conditions and the approval conditioned upon his, her or its acceptance is hereby revoked, and the aforementioned Association's request is considered to be denied for the reasons set forth above.

RESOLVED and **APPROVED** this 19th day of January, 2023.

BOARD OF SUPERVISORS OF LOWER
PROVIDENCE TOWNSHIP

ATTEST:

E.J. Mentry, Secretary

By: _____
Cara Coless, Chair

DRAFT

ACCEPTANCE OF CONDITIONS:

The Providence Greene Home Owners' Association, the Applicant for the above referenced request related to the development known as Providence Green, Lower Providence Township does hereby acknowledge and accept the conditions set forth in the Approval Resolution issued by the Board of Supervisors of Lower Providence Township and accept the conditions contained herein as recited above.

Witness:

Applicant: Providence Greene Home Owners' Association

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

DRAFT

**LOWER PROVIDENCE TOWNSHIP
INTER-OFFICE CORRESPONDENCE**

TO: E.J. Mentry, Township Manager
FROM: Joseph R. Chillano, Public Works Director
CC: Rich Lafiata, Director of Finance
DATE: January 13, 2023

SUBJECT: Authorization to sell equipment and/or vehicles at auction

=====
I would like to obtain authorization from the Board of Supervisors to sell the following equipment and/or vehicles at an upcoming auction.

1. 2013 Ford Explorer: 146,634 miles, [REDACTED]
2. 2018 Ford Police Interceptor: 112,894 miles, [REDACTED]
3. 2000 Ford F350 Bucket Truck: 77,930 miles, [REDACTED]
4. 2007 Dodge Charger: 121,800 miles, [REDACTED]
5. Dog kennels: Police no longer utilize K9 units
6. Police car seats
7. Police light bars for vehicles: Don't fit newer SUVs
8. Police car rear cages (cage between officer and the back seat): Don't fit newer SUVs
9. Police gun boxes for vehicles
10. Eight large truck tires: 11R22.5 average depth 16/32
11. Three tailgate pre-wet brine tanks: No longer in operation
12. Three-point hitch ballfield planer
13. Three-point hitch drag
14. Three tow-behind turf rollers
15. Three-point hitch seeder

All vehicles and equipment will be brought to J.J. Kane Auctioneers located in Plymouth Meeting, Pa. This is an absolute auction held monthly.

Respectfully submitted,

Joseph R. Chillano



LOWER PROVIDENCE TOWNSHIP

100 Parklane Drive • Eagleville, PA 19403 • www.lowerprovidence.org
Administration: 610 539-8020 • Fax: 610 539-6347
Police: 610-539-5901 • Fax: 610-630-2219



MEMORANDUM

TO: Board of Supervisors

FROM: E.J. Mentry, Township Manager

SUBJECT: FEMA Agent Resolution (1/19/23 Agenda Item #4.d.)

DATE: January 13, 2023

I am requesting BOS approval of Resolution 2023-10 at the upcoming meeting on January 19. This resolution designates the Township Manager (E.J. Mentry) as the authorized agent to sign all required forms and documents in relation to the FEMA buyout program resulting from Hurricane Ida. This resolution was previously adopted by the BOS on December 16, 2021 designating then Interim Township Manager Gregg Schuster as the authorized agent. The resolution needs to be updated in advance of the anticipated settlement of the buyouts (in approximately 4-5 months).

Included in your meeting binders is an email from Susan Mazzitelli, our Flood Mitigation Project Manager for the FEMA applications, requesting this resolution. Also included is the previous resolution from 2021 for reference, a copy of the model deed restriction that will be used for all of the properties in the buyout program, and the estimated budget and timeline for the Lower Providence Township program.

Please let me know if you have any questions.

E.J. Mentry

From: Susan Mazzitelli <susanmazzitelli@gmail.com>
Sent: Tuesday, January 3, 2023 12:39 PM
To: E.J. Mentry
Cc: Michael W. Mrozinski; Gerald Burke
Subject: Lower Providence Township FEMA HMGP 4506 Acquisition Application
Attachments: Resolution 2021-30 Designation of HMGP Agent.pdf; 3 - Bank Account Verification Form - DGM 04 Feb 2022.pdf; 4 - Designation of Agent.pdf; 5 - fema_form-20-16C.pdf; 6 - Assurances - Acquisition Demolition Projects- SF424D-V1.1 (1).pdf; 1 - FEMA Model Deed Restriction - Disaster 4506 Attachment E.docx; 2 - Attachment C - FFATA Data Sheet.pdf; Lower Providence Twp. HMGP 4506 Budget & timeline with M&A - Attachment B.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

Hi E.J.,

The Acquisition application is in the pipeline to be approved soon. Below you will find grant forms to be filled out/signed and the Township will need to open an interest bearing bank account which grant funds will be deposited into and all project invoices will be paid out of.

Gregg Schuster, Interim Township Manager was appointed Designation of Agent for the project. Now that you are Township Manager, your Board will need to appoint you as the Designated Agent to sign all grant documents. I attached the DOA attached to the application for your reference. I filled out the HMGP 4506 Budget & timeline with M&A - Attachment B for you.

If you have any questions about the forms, let mw know.

Please return all completed/signed forms to Gerald Burke at PEMA & copy me.

Susan

Susan Mazzitelli, CFM

Lower Providence Township Flood Mitigation Project Manager

3 South Homestead Drive | Yardley, PA 19067^{SEP} | Mobile: (267) 391-9027 | susan.mazzitelli@gmail.com

Begin forwarded message:

From: "Burke, Gerald" <gburke@pa.gov>
Subject: Request to Complete forms
Date: December 20, 2022 at 10:59:24 AM EST
To: "susanmazzitelli@gmail.com" <susanmazzitelli@gmail.com>

Subrecipient, please find attached several forms that you will need to complete prior to the anticipated award of your grant. We are sending these forms to you prior to your award so we can streamline the process to a much easier path to getting the required grant agreement in your hands for signature(s).

**** These forms will need to be completed and returned to us as soon as possible.

**** By receiving this email, does not mean you have been FEMA awarded at this point.

1 – Model Deed Restriction, this form can only be completed once you the sub-grantee have a fully executed grant agreement with the Commonwealth of Pennsylvania. The fully executed date is required on this form. This form will be incorporated in the newly recorded deed one the properties are acquired.

2 – Attachment C FFATA form, this form needs to be completed and returned to PEMA as required before the grant agreement can be drafted and sent to you the sub-recipient for signature. Please make sure the UEI number is correct. If you do not have a UEI number, follow the directions on page 1.

3 – Bank Account Verification form, each grant needs to have a stand along interest bearing checking account open to receive deposits and manage check debits. Therefore, this form needs to be completed with all bank account information included. Form must be filled out in its entirety or will not be accepted.

4 – Designation of Agent form, must be completed and returned to PEMA as soon possible. This form must be accompanied with the municipal resolution naming the Applicant Agent. The applicant Agent is normally the individual that will be managing the day-to-day activity of the grant.

5 – CRLDS and ORM, and DFWR, form must be completed certifying you agree to the term set forth in this requirement. Form must be return to PEMA as soon as possible and will become part of the Executed Grant Agreement.

6 – Assurances-Burden of Collection, form must be completed and signed agreeing to all parts of this act as describe on the form. Form must be signed and returned to us as soon as possible.

7 – Budget & Timeline with M&A, this spreadsheet will need to be completed before the grant agreement can be drafted. Your PEMA project officer will assist in the completion of this form. The numbers on this form must be accurate to what has been entered into the Federal NEMIS System.

Gerald D. Burke, Emergency Management Specialist

Hazard Mitigation Project Officer

PA Emergency Management Agency

EM Mitigation, Insurance, and Resilient

Communities (MIRC) Program Office

1310 Elmerton Avenue | Harrisburg, PA 17110

Phone: 717-651-2175 | Fax: 717-651-2150

Cell: 717-562-1101

pema.pa.gov | osfc.pa.gov



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Learn how to Be Informed, Be Prepared, and Be Involved at www.ReadyPA.org

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DESIGNATION OF AGENT

RESOLUTION NO. 2023-10

BE IT RESOLVED BOARD OF SUPERVISORS OF LOWER PROVIDENCE TOWNSHIP

THAT E.J. MENTRY TOWNSHIP MANAGER
(Name) (Title)

is hereby authorized to execute for and in behalf of

Lower Providence Township

a public entity established under the laws of the Commonwealth of Pennsylvania, all required forms and documents for the purpose of obtaining financial assistance for the Hazard Mitigation Grant Program (HMGP) or the Pre-Disaster Mitigation (PDM) program under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended by Public Law 100-707) or the Flood Mitigation Assistance (FMA) program, Repetitive Flood Claims (RFC) program or Severe Repetitive Loss (SRL) program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq), National Flood Insurance Reform Act of 1994 (Public Law 103-325) and the Flood Insurance Reform Act of 2004 (Public Law 108-264), as pertains to federal mitigation grant programs indicated below (check all that apply):

HMGP PDM FMA

Passed and approved this _____ day of _____ 20

CERTIFICATION

I, E.J. Mentry duly appointed Township Manager
(Name) (Title)

of Lower Providence Township, do hereby certify that the above is a true and correct copy of
(Public Entity)

a resolution passed and approved by the Board of Supervisors
(Governing Body)

on the _____ day of _____ 202

Signature (Official Position) (Date)

LOWER PROVIDENCE TOWNSHIP

RESOLUTION 2021-30

DESIGNATION OF AGENT

BE IT RESOLVED the Board of Supervisors OF Lower Providence Township
(Governing Body) (Public Entity)

THAT Gregg Schuster, Interim Township Manager
(Name) (Title)

is hereby authorized to execute for and in behalf of

Lower Providence Township,

a public entity established under the laws of the Commonwealth of Pennsylvania, all required forms and documents for the purpose of obtaining financial assistance for the Hazard Mitigation Grant Program (HMGP) or the Pre-Disaster Mitigation (PDM) program under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended by Public Law 100-707) or the Flood Mitigation Assistance (FMA) program, Repetitive Flood Claims (RFC) program or Severe Repetitive Loss (SRL) program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq), National Flood Insurance Reform Act of 1994 (Public Law 103-325) and the Flood Insurance Reform Act of 2004 (Public Law 108-264), as pertains to federal mitigation grant programs indicated below (check all that apply):

- HMGP PDM FMA RFC SRL

Passed and approved this 16th day of December, 2021.

CERTIFICATION

I, Gregg Schuster, duly appointed and Interim Township Manager
(Name) (Title)

of Lower Providence Township, do hereby certify that the above is a true and correct copy of
(Public Entity)

a resolution passed and approved by the Board of Supervisors
(Governing Body)

of Lower Providence Township on the 16th day of December 2021.

[Signature] Interim Township Manager 12/16/21
(Signature) (Official Position) (Date)

Attachment E

FEMA Model Deed Restriction - Disaster 4506

Exhibit A is FEMA's Model Deed Restrictions that support 44 C.F.R. Part 80 requirements. Applications requesting mitigation assistance to acquire properties for open space purposes must include a copy of the deed restriction language proposed to meet these requirements.

The deed conveying the property to the locality must reference and incorporate Exhibit A (or equivalent name). Any variation from the model deed restriction can only be made with prior approval from FEMA's Office of Chief Counsel. Such requests should be made to the FEMA Regional Administrator through the relevant State or Tribal Office. Exhibit A shall be attached to the deed when recorded.

Exhibit A

In reference to the property or properties ("Property") conveyed by the Deed between *property owner] participating in the federally assisted acquisition project ("the Grantor") and *the local government, ("the Grantee"), its successors and assigns:

SELECT THE APPROPRIATE MITIGATION GRANT PROGRAM AND DELETE ALL OTHERS:

WHEREAS, the Flood Mitigation Assistance Program, as authorized in the National Flood Insurance Reform Act of 1994, sections 1366 and 1367, (42 USC §§ 4104c, 4104d), identifies the use of FMA funds for planning and carrying out activities designed to reduce the risk of flood damage to structures insurable under the National Flood Insurance Program.

WHEREAS, The Robert T. Stafford Disaster Relief and Emergency Assistance Act, ("The Stafford Act"), 42 U.S.C. § 5121 et seq., identifies the use of disaster relief funds under § 5170c, Hazard Mitigation Grant Program, including the acquisition and relocation of structures in the floodplain.

WHEREAS, The Robert T. Stafford Disaster Relief and Emergency Assistance Act, ("The Stafford Act"), 42 U.S.C. § 5121 et seq., identifies the use of pre-disaster mitigation grants under § 5133, Pre-Disaster Mitigation, to assist States and local governments in implementing cost-effective hazard mitigation measures to reduce injuries, loss of life, and damage and destruction of property.

WHEREAS, the Severe Repetitive Loss Pilot Program, as authorized under Sections 1361(A) of the National Flood Insurance Act of 1968 (NFIA, or "the Act"), 42 USC 4011 et seq., as amended by the National Flood Insurance Reform Act of 1994; Public Law 103-325, and the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004, Public Law 108-264, identifies the use of SRL funds for uses that reduce flood damages to properties insured under the National Flood Insurance Program;

Attachment E

WHEREAS, the mitigation grant program provides a process for a local government, through the State, to apply for federal funds for mitigation assistance to acquire interests in property, including the purchase of structures in the floodplain, to demolish and/or remove the structures, and to maintain the use of the Property as open space in perpetuity.

Whereas *Commonwealth of Pennsylvania* has applied for and been awarded such funding from the Department of Homeland Security, Federal Emergency Management Agency and has entered into a mitigation grant program Grant Agreement dated **August 8, 2021**, with FEMA and herein incorporated by reference, making it a mitigation grant program grantee.

Whereas the Property is in **[Village/City/County]**, and **[Village/City/County]** participates in the National Flood Insurance Program and is in good standing with NFIP as of the date of the Deed.

Whereas the **[local government]**, acting by and through the **[local government]** Board, has applied for and been awarded federal funds pursuant to an agreement with the *Commonwealth of Pennsylvania* dated **[date]**, and herein incorporated by reference, making it a mitigation grant program subgrantee.

WHEREAS, the terms of the mitigation grant program statutory authorities, Federal program requirements consistent with 44 C.F.R. Part 80, the Grant Agreement, and the State-local Agreement require that the Grantee agree to conditions that restrict the use of the land to open space in perpetuity in order to protect and preserve natural floodplain values.

Now, therefore, the grant is made subject to the following terms and conditions:

1. Terms. Pursuant to the terms of the *Hazard Mitigation Grant* program statutory authorities, Federal program requirements consistent with 44 C.F.R. Part 80, the Grant Agreement, and the State- local Agreement, the following conditions and restrictions shall apply in perpetuity to the Property described in the attached deed and acquired by the Grantee pursuant to FEMA program requirements concerning the acquisition of property for open space:

a. Compatible uses. The Property shall be dedicated and maintained in perpetuity as open space for the conservation of natural floodplain functions. Such uses may include parks for outdoor recreational activities; wetlands management; nature reserves; cultivation; grazing; camping (except where adequate warning time is not available to allow evacuation); unimproved, unpaved parking lots; buffer zones; and other uses consistent with FEMA guidance for open space acquisition, Hazard Mitigation Assistance, Requirements for Property

Attachment E

Acquisition and Relocation for Open Space.

- b. Structures. No new structures or improvements shall be erected on the Property other than:
- i. A public facility that is open on all sides and functionally related to a designated open space or recreational use;
 - ii. A public rest room; or
 - iii. A structure that is compatible with open space and conserves the natural function of the floodplain, including the uses described in Paragraph 1.a., above, and approved by the FEMA Administrator in writing before construction of the structure begins.

Any improvements on the Property shall be in accordance with proper floodplain management policies and practices. Structures built on the Property according to paragraph b. of this section shall be floodproofed or elevated to at least the base flood level plus 1 foot of freeboard, or greater, if required by FEMA, or if required by any State, Tribal, or local ordinance, and in accordance with criteria established by the FEMA Administrator.

c. Disaster Assistance and Flood Insurance. No Federal entity or source may provide disaster assistance for any purpose with respect to the Property, nor may any application for such assistance be made to any Federal entity or source. The Property is not eligible for coverage under the NFIP for damage to structures on the property occurring after the date of the property settlement, except for pre-existing structures being relocated off the property as a result of the project.

d. Transfer. The Grantee, including successors in interest, shall convey any interest in the Property only if the FEMA Regional Administrator, through the State, gives prior written approval of the transferee in accordance with this paragraph.

i. The request by the Grantee, through the State, to the FEMA Regional Administrator must include a signed statement from the proposed transferee that it acknowledges and agrees to be bound by the terms of this section, and documentation of its status as a qualified conservation organization if applicable.

ii. The Grantee may convey a property interest only to a public entity or to a qualified conservation organization. However, the Grantee may convey an easement or lease to a private individual or entity for purposes compatible with the uses described in paragraph (a), of this section, with the prior approval of the FEMA Regional Administrator, and so long as the conveyance does not include authority to control and enforce the terms and conditions of this section.

iii. If title to the Property is transferred to a public entity other than one with a conservation mission, it must be conveyed subject to a conservation easement that shall be recorded with the deed and shall incorporate all terms and conditions set forth in this section, including the

Attachment E

easement holder's responsibility to enforce the easement. This shall be accomplished by one of the following means:

a) The Grantee shall convey, in accordance with this paragraph, a conservation easement to an entity other than the title holder, which shall be recorded with the deed, or at the time of title transfer, the Grantee shall retain such conservation easement, and record it with the deed.

iv. Conveyance of any property interest must reference and incorporate the original deed restrictions providing notice of the conditions in this section and must incorporate a provision for the property interest to revert to the State, Tribe, or local government in the event that the transferee ceases to exist or loses its eligible status under this section.

2. Inspection. FEMA, its representatives, and assigns including the state or tribe shall have the right to enter upon the Property, at reasonable times and with reasonable notice, for the purpose of inspecting the Property to ensure compliance with the terms of this part, the Property conveyance and of the grant award.

3. Monitoring and Reporting. Every three years on [date], the Grantee (mitigation grant program subgrantee), in coordination with any current successor in interest, shall submit through the State to the FEMA Regional Administrator a report certifying that the Grantee has inspected the Property within the month preceding the report, and that the Property continues to be maintained consistent with the provisions of 44 C.F.R. Part 80, the property conveyance, and the grant award.

4. Enforcement. The Grantee (mitigation grant program subgrantee), the State, FEMA, and their respective representatives, successors, and assigns, are responsible for taking measures to bring the Property back into compliance if the Property is not maintained according to the terms of 44 C.F.R. Part 80, the property conveyance, and the grant award. The relative rights and responsibilities of FEMA, the State, the Grantee, and subsequent holders of the property interest at the time of enforcement, shall include the following:

a. The State will notify the Grantee and any current holder of the property interest in writing and advise them that they have 60 days to correct the violation.

i. If the Grantee or any current holder of the property interest fails to demonstrate a good faith effort to come into compliance with the terms of the grant within the 60-day period, the State shall enforce the terms of the grant by taking any measures it deems appropriate, including but not limited to bringing an action at law or in equity in a court of competent jurisdiction.

ii. FEMA, its representatives, and assignees may enforce the terms of the grant by taking any measures it deems appropriate, including but not limited to 1 or more of the following:

Attachment E

a) Withholding FEMA mitigation awards or assistance from the State or Tribe, and Grantee; and current holder of the property interest.

b) Requiring transfer of title. The Grantee or the current holder of the property interest shall bear the costs of bringing the Property back into compliance with the terms of the grant; or

c) Bringing an action at law or in equity in a court of competent jurisdiction against any or all of the following parties: the State, the Tribe, the local community, and their respective successors.

5. Amendment. This agreement may be amended upon signatures of FEMA, the state, and the Grantee only to the extent that such amendment does not affect the fundamental and statutory purposes underlying the agreement.

6. Severability. Should any provision of this grant or the application thereof to any person or circumstance be found to be invalid or unenforceable, the rest and remainder of the provisions of this grant and their application shall not be affected and shall remain valid and enforceable.

[Signed by Grantor(s) and Grantee, witnesses and notarization in accordance with local law.]

Grantor's Signature _____

Date _____

Name (printed or typed) _____

Grantee's Signature _____

Date _____

Grantee's Name _____

Grantee's Title _____

Last Updated:

07/27/2012

Attachment B
Lower Providence Township HMGP 4506-0058
Acquisition of Private Real Property (Structures and Land)
Estimated Budget

| Item Name | Cost Classification | Unit Quantity | Unit of Measure | Unit Cost (\$) | Cost Estimate (\$) |
|---|----------------------------|---------------|-----------------|----------------|-----------------------|
| Certified Appraisals | Contractual | 9 | Each | 700.00 | \$6,300.00 |
| Engineering/Bid Specifications | Contractual | 9 | Each | 10,000.00 | \$90,000.00 |
| Site & Land Acquisition | Contractual | 1 | Each | 2,975,000.00 | \$2,975,000.00 |
| Legal/Closing Costs | Other(Legal) | 9 | Each | 14,000.00 | \$126,000.00 |
| Demolition/Disposal | Contractual | 9 | Each | 15,000.00 | \$135,000.00 |
| Asbestos Testing | Contractual | 9 | Each | 750.00 | \$6,750.00 |
| Asbestos Mitigation | Other(Asbestos Mitigation) | 9 | Each | 4,500.00 | \$40,500.00 |
| Contingency 5% | Other (Contingency) | 1 | Each | 169,877.00 | \$169,877.00 |
| URA | Other (URA) | 1 | Each | 7,200.00 | \$7,200.00 |
| | | | | | |
| | | | | | |
| Total Project Cost | | | | | \$3,556,627.00 |
| Federal Share - Project | 100% | | | | \$3,556,627.00 |
| Non-federal Share - Project | 0% | | | | \$0.00 |
| Subrecipient Management Costs - (Federal 100%) Pre-Award +PM | Other (Project Management) | 1 | Each | ##### | \$169,877.00 |
| | | | | | |
| Total Federal & Non-federal | | | | | \$3,726,504.00 |



LOWER PROVIDENCE TOWNSHIP

100 Parklane Drive • Eagleville, PA 19403 • www.lowerprovidence.org
Administration: 610 539-8020 • Fax: 610 539-6347
Police: 610-539-5901 • Fax: 610-630-2219



MEMORANDUM

TO: Board of Supervisors

FROM: E.J. Mentry, Township Manager

SUBJECT: The Wall That Heals (1/19/23 Agenda Item #4.e.)

DATE: January 13, 2023

Pursuant to my email to the Board of Supervisors dated 12/22/2022 (Subject “RESPONSE REQUESTED: Vietnam War Memorial Collaboration with Upper Prov.”), I have added a discussion item to the 1/19/23 BOS agenda to raise this matter publicly.

I recently met with Tim Tieperman, Upper Providence Township (UPT) Manager, to discuss a potential partnership for The Wall That Heals (Vietnam Veterans Memorial Replica). Upper Providence has been selected to host The Wall from October 26-29, 2023. The location has not yet been determined. The UPT Director of Parks and Recreation is taking the lead on the project, so I’ve tasked Jane Delaney to coordinate with her for logistics and to gather more information. Other than finalizing the specific location for the memorial, the main tasks will be volunteer recruitment and sponsorships.

The purpose of placing this item on the upcoming agenda is simply to announce the collaboration and draw public attention to this great program coming to our area this fall. Volunteer recruitment is going to be essential to the success of this program, so the sooner we get the word out the better.

At this time, no formal action from the BOS is sought, but there may be a nominal financial contribution to be approved at a later date (approximately \$1000-2000).

Please let me know if you have any questions.



LOWER PROVIDENCE TOWNSHIP

100 Parklane Drive • Eagleville, PA 19403 • www.lowerprovidence.org
Administration: 610 539-8020 • Fax: 610 539-6347
Police: 610-539-5901 • Fax: 610-630-2219



MEMORANDUM

TO: Board of Supervisors

FROM: E.J. Mentry, Township Manager

SUBJECT: 2023 Board of Supervisors Goals and Strategy (1/19/23 Agenda Item #4.f.)

DATE: January 13, 2023

As discussed briefly at the end of the Reorganization Meeting, the BOS would like to resume discussions of strategic/action planning and setting goals and priorities for 2023. The upcoming 1/19/23 BOS agenda includes an item to begin these conversations. To assist in guiding the discussion next week and throughout the year, I've compiled a very general list of major topics based on feedback and past discussions with the BOS. These items are *not* in any particular order based on priority:

1. Comprehensive Plan Action/Implementation Planning
 - a. *Upon adoption of the Comprehensive Plan, which is anticipated for either February or March 2023, we will need to prioritize the implementation goals and craft an action plan.*
2. Grant Planning
 - a. *In conjunction with the above item, the BOS would like to formulate a prioritized plan for potential grant-funded projects.*
3. Role of Township Boards/Commissions/Committees/Councils
 - a. *Discussion on ways to empower Township boards to be more proactive while simultaneously improving communication and collaboration with the BOS.*
4. Business Development
 - a. *Re-establish the Business Development Committee, its role/function, and plans and priorities for 2023 and beyond.*
5. Township Complex/Business Planning
 - a. *Continue discussions and begin formal planning for renovations and improvements to the Township Building and overall campus plan.*

For the 1/19/23 BOS meeting, Chair Coless has suggested we start with discussing the role of the Planning Commission (PC), specifically as it relates to the pending adoption of the Comprehensive Plan and how the PC can become more involved with the goals and implementation of the plan. Included in your meeting binders for reference is a planning series guide from the PA Governor's Center for Local Government Services specifically addressing "The Planning Commission in Pennsylvania".

Please let me know if you have any questions.