

**LOWER PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS BUSINESS MEETING  
October 20, 2022**

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**Call to Order:** Chairman Neights called the hybrid live/virtual meeting to order at 7:04 p.m.

**Pledge of Allegiance**

**Protocol for Hybrid Meetings:** Chairman Neights 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: Chairman Neights, Supervisor Sorgini, and Supervisor Darby. Supervisor MacFarland and Vice-Chair Coless were absent.
- b. Also in attendance were: E.J. Mentry, Township Manager; Michael Clarke and Nicole Feight, Township Solicitors; Tim Woodrow, Township Engineer, Mike Mrozinski, Community Development Director; Police Chief Michael Jackson and Student Representative Kaitlyn Phan.

**Chairman's Comments**

Chairman Neights announced that an executive session was held prior to the meeting on October 20, 2022, to discuss personnel and legal matters.

**1) Presentations**

- A) Recognition of Lower Providence Police Department for completion of Crisis Intervention Specialist training – Anna Trout, Office of Mental Health/Development Disabilities/Early Intervention and Michelle Monzo, Montgomery County Emergency Services. Chief Michael Jackson thanked Ann Trout and Michelle Monzo for everything that they do for all of Montgomery County.
- B) Recognition of Lower Providence Fire Department – Acting State Fire Commissioner Chas McGarvey presented Fire Chief Jim Lentz with a certificate of recognition of training and for being 100% certified under the state's Voluntary Recognition Program. Chief Jim Lentz thanked the efforts of all the volunteers and their training that they have gone through.
- C) Introduction of new Director of Finance – E.J. Mentry, Township Manager, welcomed Rich Lafiata and read a brief bio about him.
- D) Student representative report – Kaitlyn Phan.

**2) Consent Agenda**

- A) **MOTION:** Supervisor Sorgini made a motion to approve the consent agenda items 1(a), including moving the minutes of the Board of Supervisors budget workshop of September 28 and business meeting of October 6, 2022, into the record; 1(b) monthly reports for September 2022; and 1(c) payment of bills in the amount of \$1,980,370.08 and Escrow release #1 for Woodland Avenue tracts in the amount \$15,784.50. Supervisor Darby seconded the motion.
  - i) There was no public comment.
  - ii) The motion *passed* 3-0.

### 3) New Business

- A) Conditional Use Hearing – HTC Associates for 3150 Ridge Pike
- i) **MOTION:** Chairman Neights made a motion to open the Conditional Use hearing. Supervisor Sorgini seconded the motion
  - ii) There was no public comment
  - iii) The motion *passed* 3-0.
  - iv) Solicitor Michael Clarke conducted the conditional use hearing. A stenographer was present to transcribe the hearing.
  - v) **MOTION:** Chairman Neights made a motion to close the Conditional Use Hearing. Supervisor Darby seconded the motion.
  - vi) There was no public comment.
  - vii) The motion *passed* 3-0.
- B) Discussion of waiver of land development request from the Lincoln Center, 1100 Adams Avenue
- i) Mike Mrozinski introduced the applicant seeking the waiver of land development for The Lincoln Center. The project proposes to reconfigure an existing portion of the property for educational use by converting a loading dock area into a gymnasium.
  - ii) Michael Quintilano, Director of Operations and Finance for the Lincoln Center was in attendance for questions.
  - iii) Discussion ensued regarding the public improvements that would be waived if the Board granted the waiver of land development, specifically addressing the lack of sidewalks on Adams Ave.
  - iv) No action was taken. The Board will consider a resolution of approval or denial at the November 3, 2022 business meeting.
- C) Discussion of waiver of land development request from Streamlight, 30 Eagleville Road
- i) Mike Mrozinski explained that Streamlight is looking to add a small garage to the back of their property.
  - ii) Al Crealy, Facilities and Engineering Manager at Streamlight was in attendance for questions.
  - iii) Discussion ensued regarding the public improvements that would be waived if the Board granted the waiver of land development.
  - iv) No action was taken. The Board will consider a resolution of approval or denial at the November 3, 2022 business meeting.
- D) Consideration of Resolution 2022-29 directing the tax collector to implement provisions of Act 57 allowing taxpayers who fail to receive a tax notice during their first year of occupancy to apply for a waiver from penalties and additional costs
- i) E.J. Mentry, Township Manager, discussed Resolution 2022-29, in regard to Act 57.
  - ii) **MOTION:** Supervisor Darby made a motion to approve Resolution 2022-29 directing the tax collector to implement provisions of Act 57 allowing for a waiver from penalties and additional costs. Supervisor Sorgini seconded the motion.
  - iii) There was no public comment.
  - iv) The motion *passed* 3-0.

**4) Announcements/Meetings**

- A) The Board of Supervisors are looking for qualified residents interested in serving on the Township's various boards and commissions. Details and instructions on submitting a letter of interest and resume can be found on the township website, [lowerprovidence.org](http://lowerprovidence.org)
- B) Nominations are being accepted for the annual Community Awards, recognizing a Citizen, Volunteer and Business of the Year. Details are posted on the township website.
- C) Planning Commission – Oct 26 at 7:00 p.m.
- D) Zoning Hearing Board – Oct 27 at 7:00 p.m. cancelled

**5) Comments and other Business**

- A) Supervisor Sorgini – Sewer Authority improvements continue to bear fruit over the course of the past few weeks and the heavy rains, have caused no adverse effects on the system.
- B) E.J. Mentry, Township Manager announced that Lower Providence Township was awarded a grant from Montgomery County for signal improvements at the intersection of Germantown and Evansburg Road, in the amount of \$72,844.
- C) Chairman Neights announced that progress was made in recent discussions with PA American Water regarding the need for an easement for pedestrian connections along Church Rd.
- D) Chairman Neights – Environmental Advisory Committee are making a lot of progress on things. Erin McCool, chairperson, will be asking for an expansion of the EAC membership from the Board of Supervisors.

**6) Courtesy of the Floor**

- A) George Bancroft, Soni Drive, asked about the status of the Finance Committee.

**7) Adjournment**

- A) **MOTION:** Supervisor Sorgini made a motion to adjourn. Supervisor Darby seconded the motion. The motion *passed 3-0*. The meeting adjourned at 8:42 p.m.

Next Business Meeting: November 3, 2022 @ 7:00 p.m.  
November 17, 2022 @7:00 p.m.

**LOWER PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS BUDGET WORKSHOP  
OCTOBER 13, 2022**

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**Attendance:**

- a. The following were in attendance: Supervisors Gary Neights, Cara Coless, Janine Darby, Peter MacFarland, and Jason Sorgini; Township Manager E.J. Mentry; Accounting Manager Susan Law; and Community Relations Coordinator Denise Walsh.
- b. The workshop convened at 4:40 p.m.

**1. Chair Remarks**

- a) Chairman Neights gave an overview of the agenda and the procedure that would be followed for the workshop.

**2. Lower Providence Community Library Budget Discussion**

- b) Tejal Mehta, vice president of the Library Board of Trustees, Ben Simkin, Board treasurer, and Marija Skoog, library director, presented the library's proposed 2023 budget.
- c) Prior library budgets have included a contribution from the Township that was used for a building loan debt repayment. While the loan has been satisfied, the library's proposed 2023 budget retains the contribution.
  - i) The library representatives explained that the library receives state funding based on level of service. The Lower Providence Community Library has achieved an "excellence" level. They stated that the Township contribution is critical to keep the library functioning at this high level and loss of the contribution could result in a reduction of state aid.
  - ii) Ms. Mehta said the contribution would allow the library to make long-delayed adjustments for staff, including increased salaries and benefits.

**3. Lower Providence Fire Department Budget Request**

- a) Mr. Mentry reviewed the budget request provided by the fire department, notably a \$50,000 increase for operations and approximately \$250,000 for staffing.
  - i) The request reflects the LPFD's 15-year plan which includes implementation of an in-station night and weekend staffing program and an at-home night and weekend program that has already begun.
  - ii) There was discussion about maintaining financial oversight due to the increased funding.

**4) Lower Providence Emergency Medical Services Budget Request**

- a) Mr. Mentry said EMS is requesting an increase in the Township's contribution from \$50,000 to \$100,000. It was noted that the Township's general contribution has remained unchanged since 1999.
  - i) Additionally, at the time of the new EMS building project, a \$17,000 yearly allocation was added by the Township to cover the cost of soil remediation discovered during construction. This additional contribution is scheduled to expire in 2024.
  - ii) The Board agreed to increase total EMS funding to \$100,000 and may consider additional American Rescue Plan (ARPA) allocations in 2023.

**5) Operating Budget Review/Revisions**

- a) Mr. Mentry noted that the healthcare renewals had come in less than anticipated.
- b) The fee schedule changes were outlined, specifically increases in permit fees and Parks & Recreation fees.

- c) There was discussion regarding the proposed staffing changes, including requested additional full and part-time positions. The Board directed Mr. Mentry to keep all staffing additions in the preliminary budget except for the new police officer and the full-time Parks and Recreation Coordinator, but to increase the part-time wages for Parks and Recreation.

**6) Capital Budget Review/Revisions**

- a) Mr. Mentry reviewed the updated 2023 Capital Budget requests from all departments, including the projects and equipment that have been earmarked for ARPA expenditure.
- b) There was discussion regarding the Parks and Recreation capital projects, with some changes made to specific projects but not to the overall project budget. The Board agreed with the ARPA projects as proposed.

**7) Deficit Reduction Options**

- a) Mr. Mentry reviewed the current projected deficit and provided an overview of deficit reduction options including expense reductions, fund balance utilization, and tax increases.
- b) There was a discussion of the various tax rates and several options for incremental increases. The Board directed Mr. Mentry to update the tax increase options once the changes to the budget have been made.

**8) Next Steps**

- a) Mr. Mentry will send the updated budget and deficit reduction options to the Board in advance of the next Board meeting.
- b) Adjournment – The budget workshop was adjourned at 8:30 PM. The Board will consider preliminary approval of the budget and authorization to advertise at its November 3, 2022 regular business meeting.

**Respectfully submitted:**

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**E.J. Mentry, Secretary**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND THE LOWER PROVIDENCE TOWNSHIP CODE OF ORDINANCES, TO PROVIDE FOR THE CREATION OF THE LOWER PROVIDENCE TOWNSHIP HUMAN RELATIONS COMMISSION, AND TO PROHIBIT DISCRIMINATION IN HOUSING, COMMERCIAL PROPERTY, EMPLOYMENT AND PUBLIC ACCOMMODATIONS ON THE BASIS OF ACTUAL OR PERCEIVED RACE, COLOR, RELIGIOUS CREED, ANCESTRY, SEX, NATIONAL ORIGIN, VETERAN STATUS, HANDICAP OR DISABILITY, USE OF GUIDE OR SUPPORT ANIMALS BECAUSE OF THE BLINDNESS, DEAFNESS OR PHYSICAL HANDICAP OF THE USER OR BECAUSE THE USER IS A HANDLER OR TRAINER OF SUPPORT OR GUIDE ANIMALS, OR BECAUSE OF AN INDIVIDUAL'S SEXUAL ORIENTATION, GENDER IDENTITY OR GENDER EXPRESSION; PROVIDING DEFINITIONS; AND PROVIDING PENALTIES**

**WHEREAS**, the public policy of the United States of America, and the Commonwealth of Pennsylvania is grounded in the concept that all individuals are entitled to equality and equal protection under law, *United States Constitution*, Amendment 14; *Constitution of the Commonwealth of Pennsylvania*, Article I, §§ 26, 28; and

**WHEREAS**, the Board of Supervisors of Lower Providence Township, Montgomery County, finds that the population of the Township is reflective of the general population of the United States, in that it consists of a diverse array of persons representing different characteristics based upon actual or perceived race, color, religious creed, ancestry, sex, national origin, veteran status, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression.

**WHEREAS**, the Township prides itself on the diversity of its citizens and residents, and the harmonious relations which have been fostered in the Township by a widely practiced and recognized attitude of respect among all citizens of Lower Providence Township; and

**WHEREAS**, the Township Board of Supervisors finds that the direct and secondary negative effects of discrimination and discriminatory practices involving the personal characteristics described above in matters of employment, housing, commercial property and public accommodation are well known and have been extensively studied, documented and demonstrated; and

**WHEREAS**, the practice or policy of engaging in discrimination or discriminatory practices against any individual or group, because of actual or perceived race, color, religious creed, ancestry, sex, national origin, veteran status, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression is a matter of highest public concern, and constitutes a paramount threat to the rights, privileges, peace and good order of the citizens of Lower Providence Township and to guests and visitors of Lower Providence Township, that undermines the basic tenets of our freedom as citizens

of the United States, and is utterly without place in this Township, which has a storied tradition of fiercely defending the individual rights of its citizens; and

**WHEREAS**, the Township Board of Supervisors desires to establish and adopt an official policy of non-discrimination in Lower Providence Township, in all matters involving employment, housing and commercial property, and public accommodation;

**NOW, THEREFORE, it is the intention of the Township Board of Supervisors, and it is hereby ORDAINED that the provisions of this Ordinance shall become and be made part of the Code of Ordinances of the Township of Lower Providence, Pennsylvania, and the sections of this Ordinance may be renumbered to accomplish such intention, as follows:**

**SECTION I. Human Relations Commission.**

A. Short Title. This Ordinance shall be known as the "Lower Providence Township Human Relations Ordinance."

B. Purpose and Declaration of Policy.

1. Lower Providence Township finds that it is of high public importance to adopt appropriate legislation to insure that all persons, regardless of actual or perceived race, color, religious creed, ancestry, sex, national origin, veteran status, handicap, use of guide or support animals because of blindness, deafness or physical handicap of the user or the user is a handler or trainer of support or guide animals, or sexual orientation, gender identity or gender expression enjoy the full benefits of citizenship and are afforded equal opportunities for employment, housing and public accommodation.

2. The Board of Supervisors of Lower Providence Township hereby declares it to be the public policy of the Township to foster equality and equal opportunity for all citizens, regardless of actual or perceived race, color, religious creed, ancestry, sex, national origin, veteran status, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression in all matters effecting employment, housing and commercial property and public accommodation, and to safeguard the right of all persons to remain free of discrimination or discriminatory practices in any of the foregoing aspects of their lives.

3. Nothing in this Ordinance shall be construed as supporting, endorsing or advocating any particular doctrine, point of view, or religious belief. On the contrary, it is the express purpose and intent of this Ordinance that all persons be treated fairly and equally, and that all persons in Lower Providence Township shall be guaranteed fair and equal treatment under law.

4. This Ordinance shall be deemed an exercise of the police power of Lower Providence Township, as provided under the Pennsylvania Second Class Township Code, for the protection of the public welfare, prosperity, health and peace of the community of Lower Providence Township.

C. Definitions.

The following words and phrases, when appearing in this Ordinance, shall have the meanings given to them under this Section.

**TOWNSHIP BOARD OF SUPERVISORS:** The Board of Supervisors of Lower Providence Township, Montgomery County.

**COMMERCIAL PROPERTY OR HOUSING:** The opportunity for an individual to obtain any commercial property or housing accommodation for which he is qualified.

**DISCRIMINATION:** Any discriminatory act(s) taken by any person, employer, entity, employment agency, or labor organization, with respect to or involving a transaction related to employment, public accommodations, on the basis of a person's actual or perceived race, color, religious creed, ancestry, sex, national origin, veteran status, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression.

**DISCRIMINATORY ACTS:** All acts or actions defined in the Pennsylvania Human Relations Act as unlawful discriminatory practices as related to employment, public accommodations, publicly offered commercial property or housing accommodations actual or perceived race, color, religious creed, ancestry, sex, national origin, veteran status, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression.

**EMPLOYEE:** Does not include any individuals who, as a part of their employment, reside in the personal residence of the employer.

**EMPLOYER:** Any person who employs four (4) or more employees, including the Township, its departments, boards and commissions, and any other government agency within the jurisdiction of the Township, save those of any government agency whose laws may be deemed preemptive of this Ordinance.

**EMPLOYMENT:** The opportunity for an individual to obtain employment for which he is qualified.

**GENDER IDENTITY OR EXPRESSION:** Self-perception, or perception by others, as male or female, including an individual's appearance, behavior, or physical characteristics, that may be in accord with, or opposed to, one's physical anatomy, chromosomal sex, or assigned sex at birth, and shall include, but is not limited to, persons who are undergoing or who have completed sex reassignment, are transgender or gender variant.

**ORDINANCE:** This Ordinance, which shall be referred to as the "Lower Providence Township Human Relations Ordinance."

**PERSON:** Any natural person, fraternal, civic or other membership organization, corporation, general or limited partnership, proprietorship, limited liability company, or similar business organization, including the Township, its departments, boards and commissions, and any

other for-profit and nonprofit organization.

**PUBLIC ACCOMMODATION:** The opportunity for an individual to access food, beverages or lodging, resort or amusement which is open to, accepts or solicits the patronage of the general public, but shall not include any accommodations which are in their nature distinctly private.

**SEXUAL ORIENTATION:** Actual or perceived homosexuality, heterosexuality and/or bisexuality.

**TOWNSHIP:** Lower Providence Township, Montgomery County, Pennsylvania.

Any terms of this Ordinance not expressly defined herein shall be construed in a manner consistent with the Pennsylvania Human Relations Act.

**D. Unlawful Practices.**

1. Discrimination in employment, housing and commercial property or any public accommodation is prohibited under this Ordinance.

2. Retaliation against any individual because such person has opposed any practice forbidden by this Ordinance, or because such person has made a charge, testified, or assisted in any manner in any investigation or proceeding under this Ordinance is prohibited under this Ordinance.

3. Aiding, abetting, inciting, compelling or coercing the doing of any act declared by this Ordinance to be an unlawful practice, or obstructing or preventing any person from complying with the provisions of this Ordinance is prohibited under this Ordinance.

**E. Exceptions.**

1. Notwithstanding any other provision of this Ordinance, it shall not be an unlawful practice for a religious corporation or association to commit any of the acts as defined in Section I of this Ordinance.

**F. Establishment of Human Relations Commission.**

1. Pursuant to the authority set forth under § 962.1 of the Pennsylvania Human Relations Act, 43 P.S. § 962.1, there is hereby established a Human Relations Commission for Lower Providence Township, which shall be known as the "Lower Providence Township Human Relations Commission."

2. The Lower Providence Township Human Relations Commission shall consist of four (4) members, who shall be appointed to terms of three (3) years by Lower Providence Board of Supervisors. The terms of the members of the Commission shall be staggered, such that the terms of one third (1/3) of the members of the Commission shall expire each year. All members of the Commission shall be residents or business owners of Lower Providence Township and shall serve without compensation.

3. The Chairperson of the Commission will designate one member as needed to receive the complaint and conduct an intake meeting with the complainants. The member charged with this

duty shall not participate in any mediations involving parties to the complaint for which they handled the intake nor shall this member vote on complaints brought in front of the Commission.

4. The Human Relations Commission shall, annually, designate one member to serve as Chairperson of the Commission. The Chairman of Board of Supervisors shall be responsible for coordinating the activities, meetings, and operations of the Commission, as set forth under this Ordinance. The Chairperson shall also report, from time to time, to the Chairman of Board of Supervisors regarding the activities of the Commission.

5. Members of the Commission shall, as soon after their appointment as practical, attend such training and education seminars or sessions as deemed necessary to acquaint themselves with the functioning of the Lower Providence Township Human Relations Commission under this Ordinance, as well as the terms, conditions and provisions of the Pennsylvania Human Relations Act, and the operation of the Pennsylvania Human Relations Commission. Such training and education shall be as directed by the Chairperson, and shall be performed in conjunction with the state Human Relations Commission.

6. The Lower Providence Township Human Relations Commission shall have all of those powers necessary to execute the duties set forth under this Ordinance, provided that such powers shall not exceed those exercised by the Pennsylvania Human Relations Commission under the Pennsylvania Human Relations Act.

7. The Lower Providence Township Human Relations Commission shall operate within the scope of funds which may be allocated, on an annual basis, by the Board of Supervisors and shall not exceed the annual allocation in any year, except upon prior approval by the Board of Supervisors. In adopting this Ordinance, the Board of Supervisors hereby expresses its intention that the operation of the Lower Providence Township Human Relations Commission under this Ordinance shall be supported by volunteers, unpaid staff, and volunteer efforts and shall be as close to "zero-cost" to the Township as reasonably feasible.

G. Complaint and Procedures for filing Complaints

1. Complaints.

a. Any person claiming to be aggrieved by a practice which is made unlawful under this Ordinance may make, sign and file a verified complaint, as provided under paragraph B of this Section, alleging violations of this Ordinance. Such complaint shall, at a minimum, contain the following information:

i. The name, telephone number, mailing address and email (if applicable) of the aggrieved person(s);

ii. The name, telephone number, mailing address and email (if applicable) of the person(s) alleged to have committed the prohibited practice;

iii. A concise statement of the facts, including pertinent dates, time, locations, people, and acts involved constituting the alleged discriminatory practice;

iv. Such other information as may be required by the Commission.

b. Complaints may be filed in person at the office of the Township Manager, or by mailing such complaints to the Township offices, to the attention of the Township Manager or the member of the Commission designated to handle intake. All such complaints must be received by the Township within one hundred eighty (180) days of the occurrence of the last act giving rise to the complaint or such complaint shall be dismissed as untimely.

c. The Township Manager shall transmit all complaints received to the Chairperson of the Commission not later than ten (10) days of receipt of the complaint. The Township Manager shall conspicuously mark the face of the complaint with the date the document was first received in the Township offices.

d. The Commission may promulgate forms for use by persons wishing to file a complaint, however, complaints which are prepared without the use of an approved form shall be deemed acceptable under this Ordinance so long as the facts set forth under paragraph A of this Section can be clearly determined from the document submitted as a complaint.

e. The Commission may provide for a process by which persons seeking to file a complaint may consult with a volunteer or other staff person affiliated with the Commission who is trained to assist the prospective complainant in discerning the facts relevant to the prospective complaint. Such process shall also include referral of additional information to the prospective complainant concerning the content of this Ordinance, the content of the Pennsylvania Human Relations Act, and the availability of the Pennsylvania Human Relations Commission as an additional venue within which the prospective complainant may seek redress when possible.

## 2. Notifications and Answer.

a. Within thirty (30) days of receipt of a complaint, the Commission shall:

i. Send a copy of the complaint to the person(s) charged with a discriminatory act or practice under this Ordinance (the "respondent"), together with a copy of this Ordinance.

ii. Send a notice to the complainant, informing them that the complaint has been accepted and processed by the Commission. If the complaint alleges discrimination on a basis proscribed under federal or state law, the Notice shall also inform the complainant of his or her right to file a complaint with the Pennsylvania Human Relations Commission or the federal Equal Employment Opportunity Commission as well as the U.S. Department of Housing and Urban Development, where applicable.

iii. The Commission shall notify the Pennsylvania Human Relations Commission of the filing of any complaint that may be deemed to be within the jurisdiction of that Commission, as required under the Human Relations Act.

iv. The Commission shall also include a notice to both the complainant and the respondent(s) of their option to elect to proceed to voluntary mediation in order to resolve the matters giving rise to the complaint.

b. The respondent(s) shall file a written verified answer to the complaint within

thirty (30) days of service of the complaint. An answer shall be filed in the same manner as a complaint.

3. Mediation.

a. Within thirty (30) days of receipt of an answer to a complaint, or, where no answer is filed, within sixty (60) days of service of the complaint upon the respondent(s), the Commission shall proceed in accordance with the following options:

i. In the event that both parties have consented to mediation, under paragraph 2(A)(iv) of this Section, then the Commission shall refer the matter to a recognized alternative dispute resolution service, which same service may be provided through Montgomery County, the Montgomery County Bar Association, or any other professional mediation service provider, or may refer the matter to a licensed member of the Pennsylvania bar, who may be willing to perform service to the Commission as a volunteer mediator. Any costs or expenses which may be associated with the mediation shall be the responsibility of the parties. The parties shall jointly select the mediator; however, the Commission shall retain the authority to act as the mediator in the event the parties have agreed to mediation but cannot jointly agree on a mediator. Mediation sessions conducted by the Commission may proceed with a minimum of two eligible Commission Members. Mediation sessions shall remain private and not otherwise subject to public attendance.

b. When mediation has resulted in an amicable resolution of the complaint and the complaint is resolved, the Commission shall notify the parties that the complaint has been dismissed, and shall record the result of the mediation in the Notice of dismissal.

c. In the event the complaint has not been resolved through mediation the parties are entitled to proceed to the Court of Common Pleas in Montgomery County to pursue all available remedies afforded by the Pennsylvania Human Relations Act .

H. Non-limitation of Remedies.

Nothing contained in this Ordinance shall be deemed to limit the right of an aggrieved person to recover under any other applicable law or legal theory.

I. Multiple Filings.

This Ordinance shall have no jurisdiction over matters which are the subject of pending or prior filings made by an aggrieved person before any state or federal court or agency of competent jurisdiction.

J. Penalties.

Any person who shall violate any provision of Section I of this Ordinance may be subject by the Montgomery County Court of Common Pleas or any Court of competent jurisdiction to the penalties enumerated in Section 9(f)(1&2), Sections 9.2, 9.3, and Sections 10 & 11 of the Pennsylvania Human Relations Act. The penalties contained in this ordinance shall mirror any future changes to the Pennsylvania Human Relations Act as adopted by the General Assembly and {01445082;v1}

approved by the Governor.

1. This ordinance does not expand the remedies or penalties beyond those provided in the Pennsylvania Human Relations Act. To the extent any person elects to pursue legal action pursuant to the Pennsylvania Human Relations Act, such action must be brought in the Court of Common Pleas of Montgomery County. Any person who elects to pursue a claim in accordance with this ordinance will be limited to the rights and remedies outlined herein.

**SECTION II. Severability**

The terms, conditions and provisions of this Ordinance are hereby declared to be severable, and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, the Township Board of Supervisors hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, unenforceable, or unconstitutional portion, part or provision of this Ordinance.

**SECTION III. Repealer**

Any and all other Ordinances or parts of Ordinances in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

**ORDAINED AND ENACTED** by the Board of Supervisors of Lower Providence Township, Montgomery County, Pennsylvania this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**BOARD OF SUPERVISORS OF LOWER PROVIDENCE TOWNSHIP**

**BY:** \_\_\_\_\_  
**GARY NEIGHTS, CHAIRMAN**

**ATTEST:** \_\_\_\_\_  
**E.J. MENTRY, MANAGER/SECRETARY**



# LOWER PROVIDENCE TOWNSHIP

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



## LOWER PROVIDENCE TOWNSHIP CONDITIONAL USE APPEAL APPLICATION

HTC ASSOCIATES, LLC  
Applicant's(s) Name

P.O. Box 1210  
Street Address

WORCESTER, PA 19490  
City, State & Zip Code

(610) 496-7434  
Phone Number

_____
Appeal Number
_____
Advertised Dates
_____
Application Fee/Ck#
_____
Date Received (For Official Use Only)

The following is a list of questions designed to assist you and the Board of Supervisors in the efficient and timely review of your Conditional Use Appeal. Please thoroughly answer all questions that are applicable to your appeal. If you believe the question does not pertain to your appeal, please indicate as such on this form by answering "Not Applicable". **All questions must be answered to consider this appeal form complete.**

A complete site plan and construction documents must be attached to this application. Please refer to **the Lower Providence Township Conditional Use Appeal Procedures and Policy for this requirement.** Please return this form to the Planning & Development Department when you file your application. **Please type or print clearly.**

**Please complete the following questions:**

1. What is the applicant's interest in the premises affected? (i.e. owner, equitable owner, tenant.)

OWNER

2. If applicant is represented by an attorney or counsel please provide their full name, address, phone and fax number.

MICHAEL J. CLEMENT, ESQ. - WISLER, PEARLSTINE, LLP  
460 NORRISTOWN RD, SUITE 110, BLUE BELL, PA 19422  
P: (610) 825-8400 F: (610) 828-4887

3. If the property owner is not the applicant, list the full name, address and phone number of the property owner. If the applicant is not the property owner, the applicant must provide a signed and notarized letter from the property owner stating his/her permission to allow the applicant to represent the property owner at the Board of Supervisors with this Conditional Use appeal.

PROPERTY OWNER IS THE APPLICANT.

4. Please provide the requested information about the property involved in this Conditional Use Hearing appeal as described below:

Location:

3150 RIDGE PIKE

(Street Address)

Tax Map ID#: 43-00-03216-00-7

Lot Size: 34,689 SF

Zoning District: RPBD

Present Use:

VACANT LAND

Date of when Present Use began: \_\_\_\_\_

Date of acquisition of this property by the owner: 2/5/2009

Please list each structure and it's use currently located on this property:

NO STRUCTURES ON THE PROPERTY AT THE  
TIME OF THIS APPLICATION.

5. What type of sewage and water facilities are available on the property and what type of sewage and water facilities are currently in use on the property?

PUBLIC SEWER AND WATER

6. Are there any outstanding state or federal violations cited on this property at the time of this application?

No If yes, please explain these violations:

\_\_\_\_\_

7. Has any previous zoning appeal been filed in connection with this property?

No If yes, please explain:

\_\_\_\_\_

(List applicant's name, date & nature of appeal)

8. List all sections of the Lower Providence Township Subdivision and Development of Land Ordinance in which you are seeking relief from (waivers): (Please note that if this section is not complete, the appeal will not be heard)

SEE ADDENDUM ATTACHED HERETO AND MADE A PART HEREOF.

9. State in narrative form the nature of your appeal including the primary relevant facts intended to be presented to the Board of Supervisors. Please include a description of all explosive or toxic materials to be stored on this site. Please reference to your attachment if additional space is needed.

SEE ADDENDUM ATTACHED HERETO AND MADE A PART HEREOF.

10. What is the exact use proposed for the property? List hours of operation, number and type of employees, business equipment to be used or stored at the site, nature of normal business operations. (Please reference to your attachment if additional space is needed.)

SEE ADDENDUM ATTACHED HERETO AND MADE A PART HEREOF.

11. Are any additional state, federal or other permits required to operate the proposed use or construct the structure? NO If yes, please provide the list of permits (and their status) required to operate the proposed use or structure.

\_\_\_\_\_

12. Describe the landscaping proposed for this property is planned, if any. Please indicate the type of landscape buffering proposed, if any.

SEE ATTACHED SITE PLAN

13. What is the character of the buildings and uses on abutting properties and what is the general character of the surrounding neighborhood? (Please reference to your attachment if additional space is needed.)

THE PROPERTY IS BORDERED BY COMMERCIAL USES TO THE WEST, NORTH, AND EAST; AND BY A TOWNHOUSE COMMUNITY TO THE SOUTH

14. What will the impact of this use be on existing traffic patterns and volumes for this Conditional Use Appeal? Also, please specify the amount of parking spaces and unloading areas as specified in the Lower Providence Township Zoning Ordinance. (Please reference to your attachment if additional space is needed.)

SEE ADDENDUM ATTACHED HERETO AND MADE A PART HEREOF.

15. What will the impact of this use be on the existing stormwater infrastructure? Has a copy of the stormwater grading plan been reviewed by the Montgomery County Conservation District, if applicable?

SEE ADDENDUM ATTACHED HERETO AND MADE A PART HEREOF.

16. What type of new and or existing improvements are being proposed for this use?

CONSTRUCT AN 8,800SF BUILDING FOR CONTRACTOR SHOP AND OFFICE, AND ASSOCIATED PARKING.

17. What degree will the proposed use emit smoke, dust, odor or other air pollutants, noise, vibration, light, electrical disturbances, water pollutants, or chemical pollutants? Such evidence may include the proposed use of proven special structural or technological innovations. Please provide specific and detailed information on all of the aforementioned topics. Please reference to your attachment if additional space is needed.

NONE

18. Will any waivers granted by the Board of Supervisors, alter the essential character of the neighborhood or district in which the property is located, or substantially or permanently impair the appropriate use of development of adjacent property, or be detrimental to the public welfare? Please give reasons for your answers to the aforementioned questions by explaining below: (Please reference to your attachment if additional space is needed.)

NO

19. (I) (WE) believe that the Board of Supervisors should approve this request because: (include the grounds for the Conditional Use appeal or reasons both with respect to case law and fact for granting this use requested. Please reference to your attachment if additional space is needed.)

SEE ADDENDUM ATTACHED HERETO AND MADE A PART HERE OF.

20. Comments, Other Relevant Information or Additional Space for Answering Questions. Please indicate if additional attachments are with this appeal application:

I hereby certify that all of the above statements contained in this Conditional Use appeal application and any papers or plans submitted with this Conditional Use appeal to the Lower Providence Township Board of Supervisors herewith are true and correct to the best of my knowledge and belief.

Date 9/12/22 LOUIS GAMBONE  
(Print Name of applicant(s))

Date 9/12/22 [Signature]  
(Signature of applicant(s))

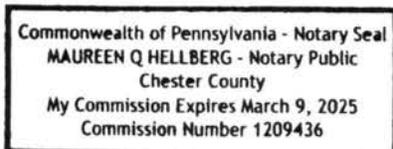
COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 12 day of Sept, 2022

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year aforesaid.

(SEAL)

Maureen Q. Heebey  
NOTARY PUBLIC



## ADDENDUM

Applicant is requesting a conditional use approval pursuant to 143-259.V of the Lower Providence Township Zoning Code to permit a one-story building having an 8,800 SF footprint. The building space will be used for an office and a contractor shop for indoor storage of tools, materials, and small equipment which is permitted pursuant to the provisions set forth in Section 143-259 of the Lower Providence Township Zoning Code. Since the proposed use is of the same general character as the permitted uses listed in Section 143-259, a conditional use is required pursuant to Section 143-259.V.

Applicant meets the requirements set forth in Section 143-80. Procedures for consideration of conditional use applications.

The proposed use complies with the legislative intent of the Ridge Pike Business District.

The proposed use is compatible with the neighboring commercial uses. The proposed improvements have been positioned to provide the greatest distance between the proposed building and the residential district on the southern side of the subject parcel. In addition to the separation distance, there is a significant landscape buffer between the subject property and the neighboring residential use.

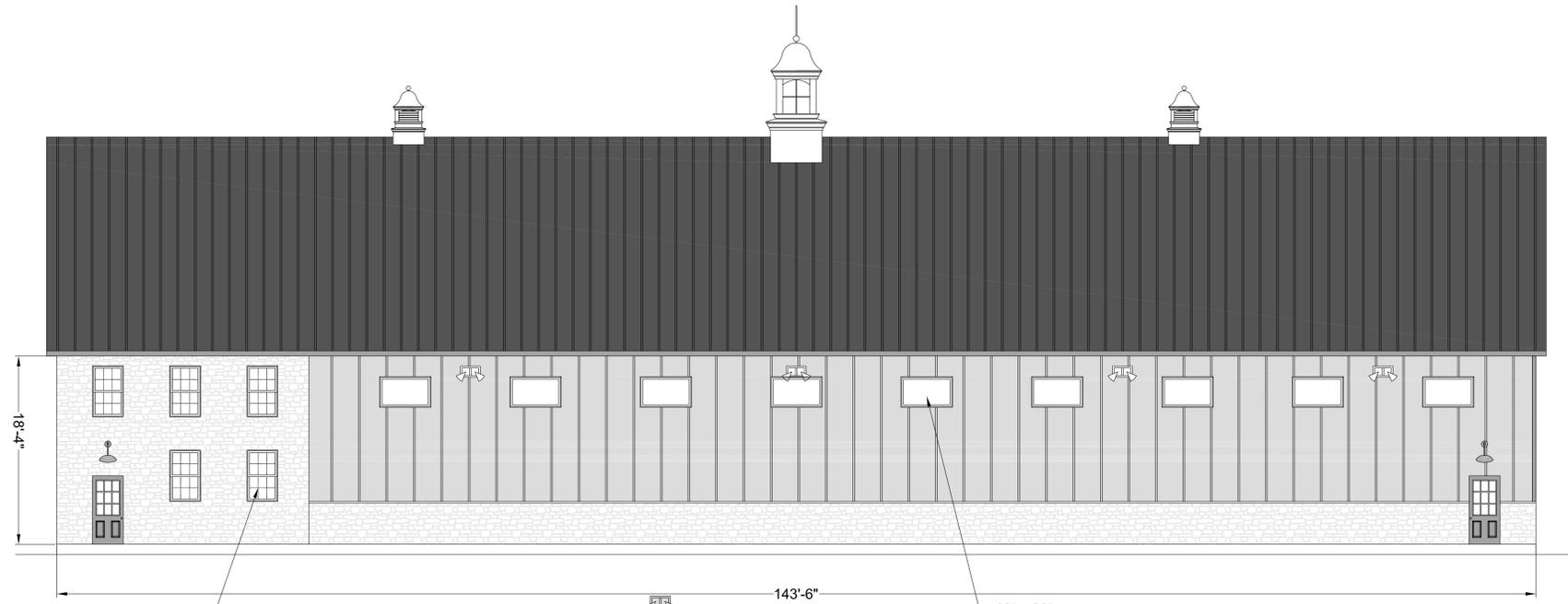
The proposed use does not anticipate the storage of explosives or toxins on site. The hours of operation for the proposed use shall comply with hours of operation as specified in the Lower Providence Township Zoning Code.

The proposed building will be served by public water and public sewer. Due to the commercial nature of the proposed use, there will be no impact to schools, and park and recreation facilities. The impacts to police, fire, utilities, and transportation will be minimal.

The stormwater management for this land development was previously reviewed and approved in conjunction with the neighboring residential development. The approved infrastructure was installed and connected as part of the public improvements already completed on the subject parcel.

The proposed use complies with the design standards of the Lower Providence Township Zoning Code and the Lower Providence Township Subdivision and Land Development Ordinance. The parking meets the requirements of the off-street parking standards in Article XII of the Lower Providence Township Zoning Code. The proposed use complies with the general design requirements pursuant to the previously obtained land development approval from Lower Providence Township.

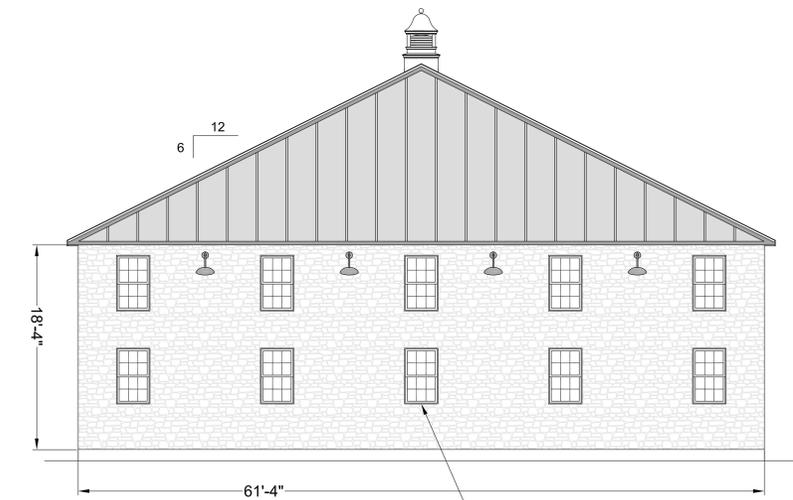
It is our opinion that the requested relief, if granted, will not have an adverse effect on the health, safety, and welfare of the surrounding neighborhood.



36" x 60" SINGLE HUNG WINDOW (5 WINDOWS)

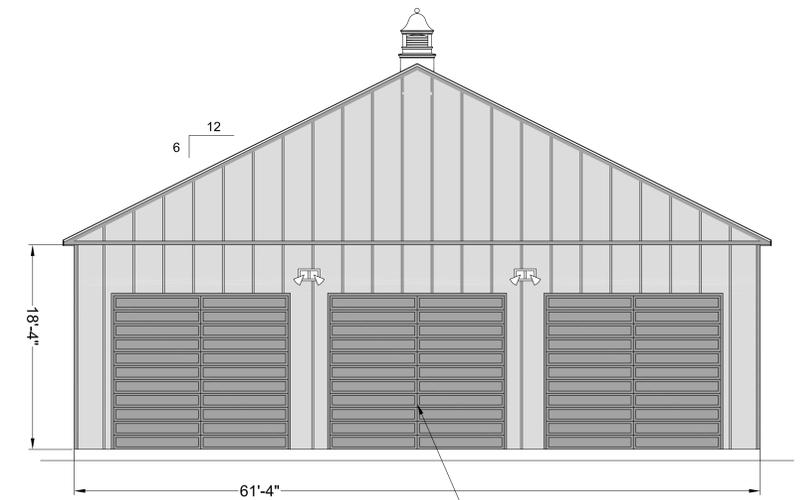
FRONT ELEVATION  
SCALE: 3/16"=1'

60" x 36" NON-OPERATING WINDOW (9 WINDOWS)



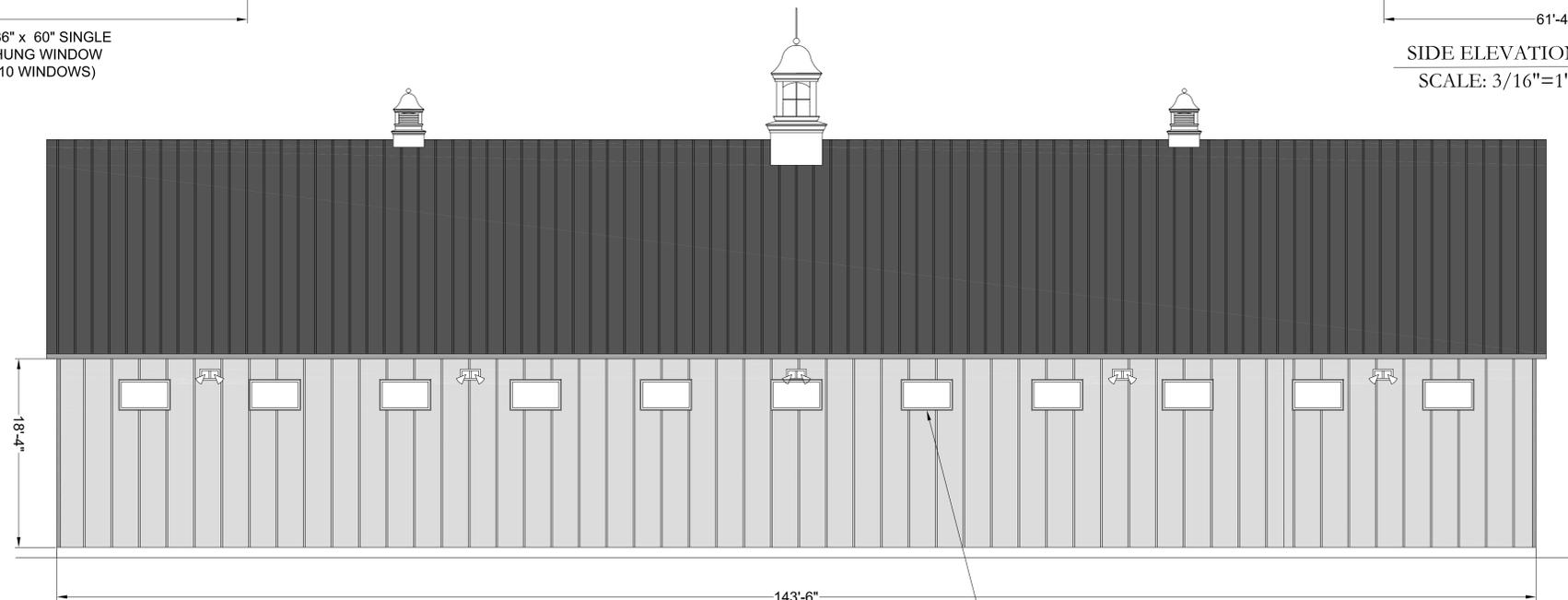
SIDE ELEVATION (facing Ridge Pike)  
SCALE: 3/16"=1'

36" x 60" SINGLE HUNG WINDOW (10 WINDOWS)



SIDE ELEVATION  
SCALE: 3/16"=1'

16'w X 14'h GARAGE DOORS (3 DOORS)



REAR ELEVATION  
SCALE: 3/16"=1'

60" x 36" NON-OPERATING WINDOW (12 WINDOWS)

REVISED \_\_\_\_\_

DATE: 9/12/2022

**3150 RIDGE PIKE**  
LOWER PROVIDENCE TOWNSHIP  
MONTGOMERY COUNTY  
  
PREPARED FOR  
**HTC ASSOCIATES, LLC**

**OWNER INFORMATION**

THE SUBJECT PARCEL IS IDENTIFIED BY THE FOLLOWING INFORMATION AS RECORDED IN THE OFFICE FOR RECORDING OF DEEDS, MONTGOMERY COUNTY COURTHOUSE IN NORRISTOWN, PENNSYLVANIA.

TOWNSHIP: LOWER PROVIDENCE TOWNSHIP COUNTY: MONTGOMERY COUNTY

PARCEL NO.	BLOCK/UNIT	DEED BOOK/PAGE	PARCEL AREA
430003216008	024-059	5596-02502	0.796 AC

TOTAL TRACT AREA: 0.796 AC

**RECORD OWNER:**  
HTC ASSOCIATES, LLC  
1741 VALLEY FORGE ROAD  
P.O. BOX 1210  
WORCESTER, PA 19490

**APPLICANT:**  
HTC ASSOCIATES, LLC  
1741 VALLEY FORGE ROAD  
P.O. BOX 1210  
WORCESTER, PA 19490

**GENERAL NOTES**

- BOUNDARY RETRACEMENT FROM FIELD SURVEY BY BURSICH ASSOCIATES, INC. TOPOGRAPHY FOR EAGLESTREAM DRIVE AND RIDGE PIKE FROM FIELD SURVEY BY BURSICH ASSOCIATES, INC.
- EXISTING TOPOGRAPHY FOR LOT 1 FROM FIELD SURVEY PERFORMED BY HORIZON ENGINEERING ASSOCIATES, LLC ON APRIL 9, 2008. (DATUM: LPTS4 DATUM)
- THERE IS NO FLOODPLAIN LOCATED WITHIN THE SITE LIMITS BASED ON FEMA NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP 420910242 E, EFFECTIVE DECEMBER 19, 1996 AND MAP 420910243 F EFFECTIVE OCTOBER 19, 2001.
- LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE. ALL LOCATIONS AND SIZES ARE BASED ON UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE ASBULT PLANS AND UTILITY MARKOUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES.
- NO LAND IS TO BE DEDICATED OR RESERVED FOR PUBLIC USE, WITH THE EXCEPTION OF THE LANDS BETWEEN THE TITLE LINE AND THE ULTIMATE RIGHT-OF-WAY ALONG RIDGE PIKE AND EAGLE STREAM DRIVE.
- THE PROPERTY IS CURRENTLY SERVED BY PUBLIC WATER AND SEWER. THE PROPOSED BUILDING SHALL BE CONNECTED TO THE EXISTING PUBLIC WATER AND SEWER SERVICES.
- THIS PROPERTY DOES NOT CONTAIN STEEP SLOPES, WOODLANDS, WETLANDS, OR NATURAL WATER WAYS.
- ALL PUBLIC SANITARY SERVICES SHALL BE DESIGNED, CONSTRUCTED, AND INSTALLED IN ACCORDANCE WITH THE LOWER PROVIDENCE TOWNSHIP SEWER AUTHORITY ENGINEERING STANDARDS.

**ZONING DATA**

OBTAINED FROM THE LOWER PROVIDENCE TOWNSHIP ZONING ORDINANCE, CHAPTER 143, ARTICLE XXXIII, DATED 06-01-06, LAST REVISED 03-15-08.

ZONING DISTRICT: RIDGE PIKE BUSINESS DISTRICT (RPBD)

PROPOSED USE: OFFICE/CONTRACTORS SHOP

MINIMUM REQUIREMENTS	PERMITTED	ACTUAL
MINIMUM BUILDING SETBACKS:	10 FT.	51.98 FT.
FRONT YARD:	10 FT.	47.88 FT.
SIDE YARD:	30 FT. (ADJACENT TO RESIDENTIAL DISTRICT)	87.08 FT.

MINIMUM PARKING SETBACK FROM RIDGE PIKE ULTIMATE R.O.W.: 10 FT. 10 FT.

MAXIMUM BUILDING HEIGHT: 35 FT. & MAXIMUM OF 3 STORIES 3 STORIES OR LESS

MAXIMUM IMPERVIOUS COVERAGE: 70% (WITH BONUS PROVISIONS) 69.0% (23,932 SF)

REQUIRED PARKING: OFFICE - 1 SPACE/300 SF GFA (1,500 SF/300 SF = 5 SPACES) 23 SPACES  
CONTRACTOR SHOP - 1 SPACE/450 SF GFA (7,300 SF/450 SF = 17 SPACES)

\*NOTE: IN ACCORDANCE WITH SECTION 143-262 OF THE LOWER PROVIDENCE TOWNSHIP ZONING ORDINANCE, THE APPLICANT IS PROPOSING TO PROVIDE THE FOLLOWING IN ORDER TO INCREASE THE PERMITTED IMPERVIOUS COVERAGE TO 70%:

\$143-262.E.1. PEDESTRIAN AND VEHICULAR CONNECTIONS WITH ADJACENT PROPERTIES.

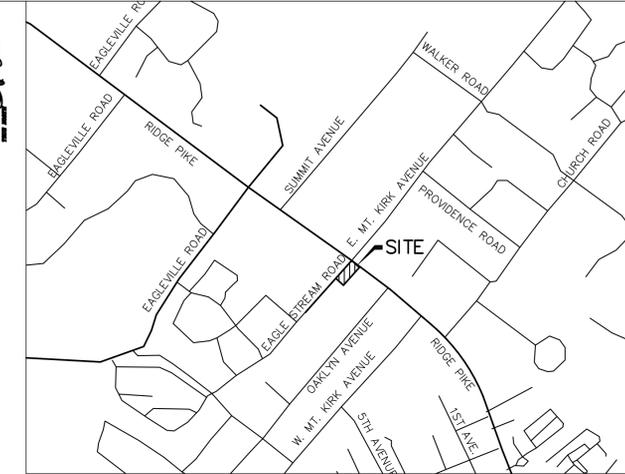
\$143-262.E.3. PROVIDE ONE (1) THREE INCH (3") CALIPER TREE FOR EVERY 25 FEET OF FRONTAGE.

\$143-262.E.4. RENOVATION OF EXISTING BUILDING FACADES TO CONFORM WITH LOWER PROVIDENCE TOWNSHIP SUBDIVISION AND DEVELOPMENT OF LAND ORDINANCE SECTION 123-142, "DESIGN STANDARDS FOR ALL USES WITHIN THE RPBD."

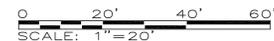
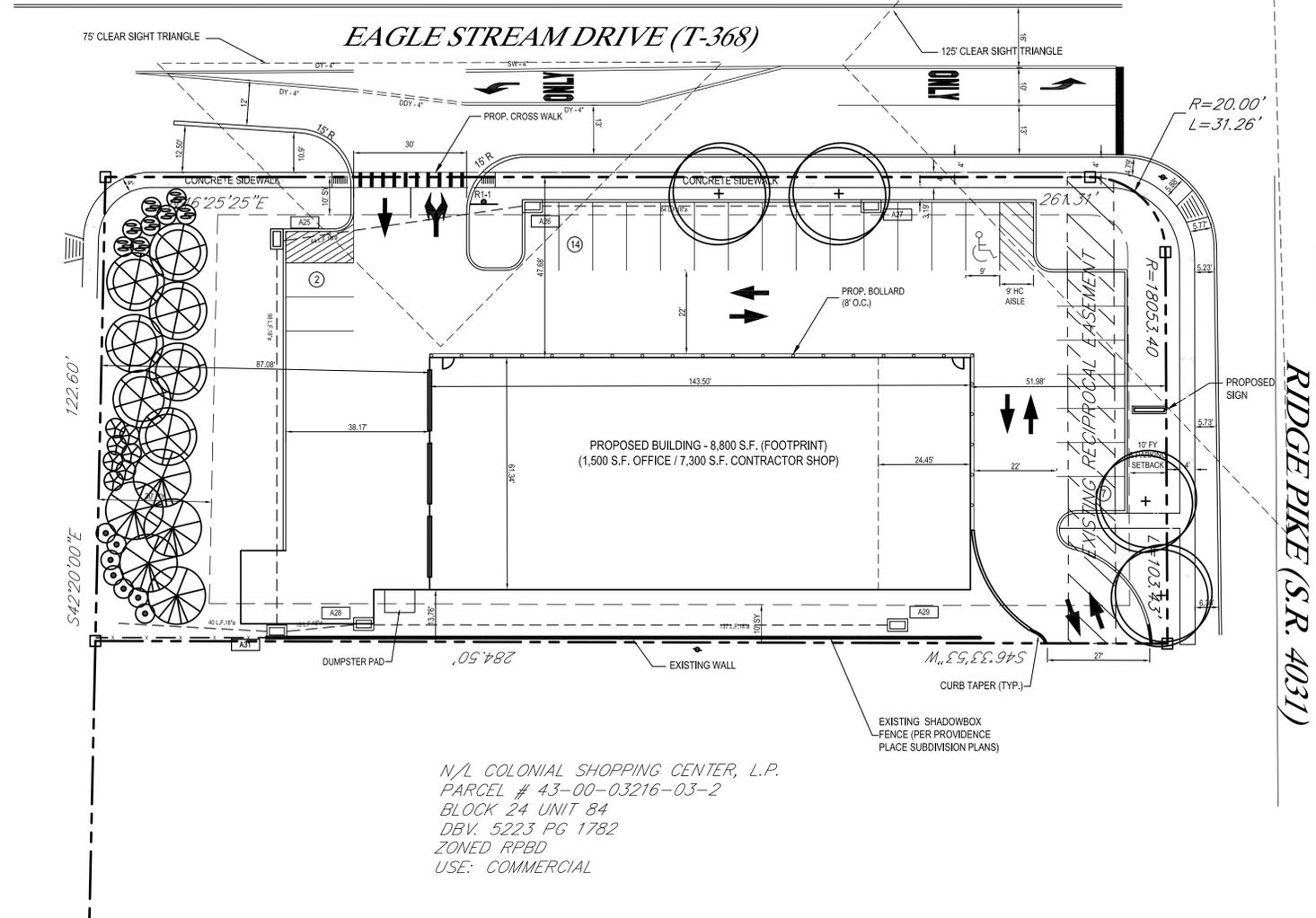
NOTE: SINCE THE PROPERTY IS CURRENTLY VACANT, THE APPLICANT AGREES TO COMPLY WITH THE REQUIREMENT OF §123-142 FOR THE SIDES OF THE PROPOSED BUILDING FRONTING ON EAGLE STREAM DRIVE AND RIDGE PIKE.

PROVIDENCE PLACE  
R-4 MULTI-FAMILY USE  
TOWNHOUSE DEVELOPMENT

N/L COLONIAL SHOPPING CENTER, L.P.  
PARCEL # 43-00-03216-03-2  
BLOCK 24 UNIT 84  
DBV. 5223 PG 1782  
ZONED RPBD  
USE: COMMERCIAL



LOCATION MAP  
SCALE: 1" = 100'

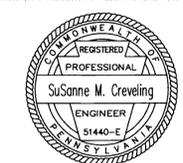


No.	REVISIONS/SUBMISSIONS	DATE
2		
1		
0	CONDITIONAL USE APPLICATION	9/12/2022

**SITE:**  
3150 RIDGE PIKE  
NORRISTOWN, PA 19403  
LOWER PROVIDENCE TOWNSHIP  
MONTGOMERY COUNTY

**APPLICANT:**  
HTC ASSOCIATES, LLC  
  
P.O. BOX 1210  
WORCESTER, PA 19490

I, Susanne M. Creveling, a PROFESSIONAL ENGINEER OF THE COMMONWEALTH OF PENNSYLVANIA, CERTIFY THAT THIS PLAN HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION, AND THE DESIGN OF ALL IMPROVEMENTS IS CORRECT.



*Susanne M. Creveling*  
SUSANNE M. CREVELING, P.E.  
PA PROFESSIONAL ENGINEER LIC. # 051440-E

HT ENGINEERING, INC.  
P.O. BOX 108  
FAIRVIEW VILLAGE, PA 19029  
PHONE: (610) 576-7906  
FAX: (610) 615-6137

PROJECT#: 22-010 DATE: 8/16/22  
DRAWN BY: SMC DRAWING NO.  
CHECKED BY: SMC  
SCALE: 1"=20' **SP-1**

**SITE PLAN**  
SHEET # 1 OF 1

**LOWER PROVIDENCE TOWNSHIP**  
**MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION No. 22 – 30**

**WHEREAS, The Lincoln Center for Family and Youth** (hereinafter referred to as “Applicant”) has submitted a request for waiver of the Land Development Review and Approval process for a project involving the construction of a 2,185 square foot building addition and the removal of 1,975 square feet of asphalt and 470 square feet of walkway for the purpose of adding a new gymnasium for the existing school (hereinafter referred to as the “Project”) on property located at 1100 Adams Avenue, Norristown, Montgomery County, Pennsylvania, further identified as Montgomery County Tax Parcel Number 43-00-00001-59-5 (hereinafter referred to as the “Property”), whereon an existing building houses classroom and office space; and

**WHEREAS,** the Project will result in a net decrease in impervious coverage of ten (10) square feet;

**WHEREAS,** Applicant will apply for and obtain any and all necessary demolition, building or other required permits related to the Project and will be subject to any and all fees and inspections required through the permitting process; and

**WHEREAS,** Township staff and the Township Engineer have reviewed the Project and have determined that the Project is appropriate for a waiver of the land development review and approval process; and

**WHEREAS,** the Board of Supervisors of Lower Providence Township (hereinafter referred to as “Board”) is prepared to grant approval of Applicant’s request to waive the Land Development review and approval process, subject to certain conditions.

**NOW, THEREFORE, BE IT HEREBY RESOLVED,** by the Board of Supervisors

of Lower Providence Township this 3<sup>rd</sup> day of November, 2022, that said request for waiver of the Land Development review and approval process is GRANTED, subject to the following conditions:

1. **Plans:** Applicant shall submit any and all plans reasonably required by the Township to review the Project and issue all required permits.

2. **Conditions of Waiver of Land Development Review and Approval Process.**

Waiver of the Land Development Review and Approval Process is GRANTED subject to the following conditions:

- a. Applicant shall comply with all conditions of approval listed in the Township Engineer's review letter dated September 12, 2022, or the latest version thereof, and all conditions of approval listed in the review letter of the Lower Providence Township Fire Marshal dated September 8, 2022, or the latest version thereof.
- b. Applicant shall construct sidewalks along the Adams Avenue frontage in conformity with the requirements of the Lower Providence Code prior to the issuance of a Certificate of Occupancy for the proposed gym addition.
- c. If an electric permit is required, the Applicant shall consider installation of a 240vac / 50A circuit near a parking spot to support the later addition of a Level 2 EV charger.
- d. Applicant shall comply with all applicable statutes, codes or ordinances during the permitting and construction of the Project.
- e. Applicant shall apply for and obtain all demolition, building and other applicable permits related to the Project prior to commencement of any construction related to the Project.
- f. Applicant shall apply for and obtain a grading permit from the Township prior to commencement of any construction related to the Project.
- g. Applicant shall be subject to all applicable fees and inspections required by the Township.
- h. Prior to project completion, the Applicant shall submit five (5) sets of paper as-built plans, and an as-built file in PDF format, that have been reviewed and approved by the Township Engineer.
- i. Applicant shall pay all monies related to professional review or other fees to the Township prior to recording of the final plans.
- j. Applicant acknowledges that the Township's approval of the waiver request is based on Applicant's description and scope of the

proposed project as depicted on the site plan prepared by Site Engineering Concepts, Inc., dated June 8, 2022. The Township reserves the right to revoke the approval of the waiver request in the event that the scope of the project deviates from the Applicant's proposal as described herein.

3. **Waivers.** Applicant is requesting, and the Board has approved, waivers from the following provisions of the Lower Providence Township Subdivision and Land Development Ordinance (hereinafter referred to as the "SALDO"):

a. Chapter 123 – requiring that all proposed subdivisions and land development comply with the provisions and processes set forth in the SALDO. The Board has GRANTED this waiver from the SALDO due to the size and scope of the Project.

**BE IT FURTHER RESOLVED** by the Board of Supervisors of Lower Providence Township that this preliminary and final plan approval is further conditioned upon acceptance of the conditions contained herein by the Applicant 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 Applicant does not accept these conditions and approvals conditioned upon his or her acceptance are hereby revoked, and the aforementioned Applicant's plan is considered to be denied for the reasons set forth above.

**RESOLVED** and **APPROVED** this 3<sup>rd</sup> day of November, 2022.

BOARD OF SUPERVISORS OF LOWER  
PROVIDENCE TOWNSHIP

ATTEST:

\_\_\_\_\_  
E.J. Mentry, Secretary

By: \_\_\_\_\_  
Gary Neights, Chairman

DRAFT

**ACCEPTANCE OF CONDITIONS:**

The Lincoln Center For Family and Youth, the Applicant for the above referenced application related to Parcel No. 43-00-00001-59-5 located at 1100 Adams Avenue, Lower Providence Township does hereby acknowledge and accept the waiver of Land Development Review and Approval Process issued by the Board of Supervisors of Lower Providence Township and accept the conditions contained herein as recited above.

Witness:

Applicant: The Lincoln Center for Family and Youth

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

DRAFT



# LOWER PROVIDENCE TOWNSHIP

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100 Parklane Drive • Eagleville, PA 19403 • [www.lowerprovidence.org](http://www.lowerprovidence.org)

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

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

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## 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:** September 22, 2022

**RE:** The Lincoln Center - waiver of land development request

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For your consideration is a request from The Lincoln Center, 1100 Adams Avenue, for a waiver of land development as they reconfigure the existing building into an educational use. Specifically, they are converting an unused loading dock area into gymnasium space. The applicant received Special Exception approval in 2020. A copy of the decision is provided for background.

Staff and consultants have reviewed the proposal. The proposal will not change the amount of impervious coverage significantly. A concern for pedestrian connectivity was raised. The applicant is represented by Rob Lambert from Site Engineers and Kristen Suzda from ReVision Architects.



## The Lincoln Center Gym Addition Letter for Waiver of Land Development

June 21, 2022

Michael Mrozinski  
Community Development Director  
Lower Providence Township  
mmrozinski@lowerprovidence.org

Dear Mike:

After years operating in rented space within Lower Providence Township, The Lincoln Center moved into their own building, converting an office building for classroom and office use for the 2021-2022 academic year. In their first year of operation, TLC learned that their 7th-12th grade students need a safe place for physical activity as an outlet during the day. No suitable space is available for conversion within the building, so TLC is looking at a modest expansion of their building footprint to provide the needed gym area.

The small addition in the northwest corner of the existing building at 1100 Adams will provide the necessary physical fitness space to serve the existing school population with no enrollment increase. Large enough for half-court basketball and removed from quieter classroom spaces, this addition will not increase the impervious coverage on the site while providing the fitness space TLC's students need to function at their best throughout the school day.

If you have any questions regarding this proposed project, please do not hesitate to reach out.

Sincerely,

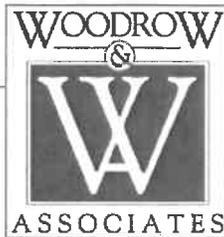
Kristen Suzda, RA  
Senior Project Manager

CC:  
Rob Lambert, SITE Engineering Concepts  
Mason Bracker, Watchdog Project Management  
file

133 Grape Street  
Philadelphia, PA 19127  
ph 215.482.1133  
efax 208.441.4564

www.ReVisionArch.com  
info@ReVisionArch.com





September 12, 2022

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

Reference: 1100 Adams Avenue – Waiver of Land Development Request

Dear Mike:

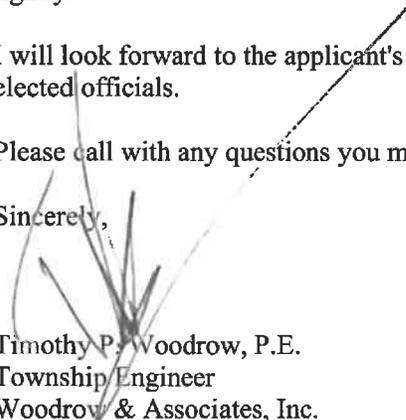
I am in receipt of a single-sheet plan prepared by Site Engineering Concepts, Inc. The plan is dated June 8, 2022, and proposes certain modifications to the existing structure located on the property. The plan describes the construction of an addition to housing new gymnasium for the school that uses the property today. The gymnasium is proposed to be constructed over existing impervious coverage. The result is a balance between existing and proposed impervious coverages.

However, this project does represent a significant improvement to a nonresidential structure, and this activity would qualify under the definition of land development. Under a land development review, I would point out the owner's obligation to provide certain improvements to road frontages identified within our subdivision land developer and ordinance. With this project, the most significant improvement that remains would be the construction of sidewalks along the Adams Avenue frontage. Given our recent efforts to improve pedestrian connections within the business Park and the fact that this frontage is one of the last remaining links to Audubon Road without pedestrian accommodation, this topic cannot be taken lightly.

I will look forward to the applicant's ability to express their concerns and justification for waiver to our elected officials.

Please call with any questions you may have regarding this matter

Sincerely,

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

TPW/del

cc: EJ Mentry, Township Manager – Lower Providence Township  
Lauren Gallagher, Esq. – Rudolph Clarke, LLC  
Robert Lambert, P.E. – Site Engineering Concepts, Inc.  
The Lincoln Center for Family and Youth



# LOWER PROVIDENCE TOWNSHIP

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

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**DATE:** September 8, 2022

**To:** Michael Mrozinski  
Director of Community Development

**FROM:** Michael Rohlfing  
Fire Marshal

**SUBJECT:** Plan Review for 1100 Adams Avenue, The Lincoln Center

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

1. Submittal for the relocation of the sprinkler's Fire Department Connection. The FDC must be located within 100' of a fire hydrant.

Please contact me should you have any questions.



**LOWER PROVIDENCE TOWNSHIP**  
**MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION No. 22 – 31**

**WHEREAS, Streamlight, Inc.** (hereinafter referred to as “Applicant”) has submitted a request for waiver of the Land Development Review and Approval process for a project involving the construction of a 540 square foot accessory structure to house various product testing equipment (hereinafter referred to as the “Project”) on property located at 30 Eagleville Road, Eagleville, Montgomery County, Pennsylvania, further identified as Montgomery County Tax Parcel Number 43-00-11635-00-4 (hereinafter referred to as the “Property”), whereon an existing 63,700 square foot building exists; and

**WHEREAS,** Applicant has the consent of the owner of the Property to submit the referenced application and proceed with the Project; and

**WHEREAS,** Applicant will apply for and obtain any and all necessary demolition, building or other required permits related to the Project and will be subject to any and all fees and inspections required through the permitting process; and

**WHEREAS,** Township staff and the Township Engineer have reviewed the Project and have determined that the Project is appropriate for a waiver of the land development review and approval process; and

**WHEREAS,** the Board of Supervisors of Lower Providence Township (hereinafter referred to as “Board”) is prepared to grant approval of Applicant’s request to waive the Land Development review and approval process, subject to certain conditions.

**NOW, THEREFORE, BE IT HEREBY RESOLVED,** by the Board of Supervisors of Lower Providence Township this 3<sup>rd</sup> day of November, 2022, that said request for waiver

of the Land Development review and approval process is GRANTED, subject to the following conditions:

1. **Plans:** Applicant shall submit any and all plans reasonably required by the Township to review the Project and issue all required permits.

2. **Conditions of Waiver of Land Development Review and Approval Process.**

Waiver of the Land Development Review and Approval Process is GRANTED subject to the following conditions:

- a. If an electric permit is required, the Applicant shall consider installation of a 240vac / 50A circuit near a parking spot to support the later addition of a Level 2 EV charger.
- b. Applicant shall comply with all applicable statutes, codes or ordinances during the permitting and construction of the Project.
- c. Applicant shall apply for and obtain all demolition, building and other applicable permits related to the Project prior to commencement of any construction related to the Project.
- d. Applicant shall apply for and obtain a grading permit from the Township prior to commencement of any construction related to the Project.
- e. Applicant shall be subject to all applicable fees and inspections required by the Township.
- f. Prior to project completion, the Applicant shall submit five (5) sets of paper as-built plans, and an as-built file in PDF format, that have been reviewed and approved by the Township Engineer.
- g. Applicant shall pay all monies related to professional review or other fees to the Township prior to recording of the final plans.
- h. Applicant acknowledges that the Township's approval of the waiver request is based on Applicant's description and scope of the proposed project as depicted on the site plan prepared by Nave Newell, dated January 31, 2017, as submitted to the Township on or about October 5, 2022 to include indications of the location of the proposed accessory structure. The Township reserves the right to revoke the approval of the waiver request in the event that the scope of the project deviates from the Applicant's proposal as described herein.

3. **Waivers.** Applicant is requesting, and the Board has approved, waivers from the

following provisions of the Lower Providence Township Subdivision and Land Development Ordinance (hereinafter referred to as the “SALDO”):

a. Chapter 123 – requiring that all proposed subdivisions and land development comply with the provisions and processes set forth in the SALDO. The Board has GRANTED this waiver from the SALDO due to the size and scope of the Project.

**BE IT FURTHER RESOLVED** by the Board of Supervisors of Lower Providence Township that this preliminary and final plan approval is further conditioned upon acceptance of the conditions contained herein by the Applicant 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 Applicant does not accept these conditions and approvals conditioned upon his or her acceptance are hereby revoked, and the aforementioned Applicant's plan is considered to be denied for the reasons set forth above.

**RESOLVED** and **APPROVED** this 3<sup>rd</sup> day of November, 2022.

BOARD OF SUPERVISORS OF LOWER  
PROVIDENCE TOWNSHIP

ATTEST:

\_\_\_\_\_  
E.J. Mentry, Secretary

By: \_\_\_\_\_  
Gary Neights, Chairman

DRAFT

**ACCEPTANCE OF CONDITIONS:**

Streamlight, Inc., the Applicant for the above referenced application related to Parcel No. 43-00-11635-00-4 located at 30 Eagleville Road, Lower Providence Township does hereby acknowledge and accept the waiver of Land Development Review and Approval Process issued by the Board of Supervisors of Lower Providence Township and accept the conditions contained herein as recited above.

Witness:

Applicant: Streamlight, Inc.

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

DRAFT







Department of Codes and Enforcement  
Lower Providence Township  
100 Parkland Drive  
Eagleville, PA 19403  
7 Oct 2022

Greetings,

Streamlight is planning to build a small garage-type structure to house various product testing equipment. This building is about 20 ft x 27 ft (540 sq ft) and will be located at the back of the facility across from the existing shed building. The location of the new building will require only very minor ground disturbance because this part of the site is already almost flat.

This proposed building is contained completely within the permissible building envelope as defined in the Final Land Development Plans dated 01/31/2017, sheet C3.1.

This building will be a slab-on-grade construction of minimal footprint. The proposed building does not adversely impact:

- Maximum building coverage
- Maximum Lot coverage
- Property setback lines (defining permissible building envelope)

Due to the size of the additional building, and the relatively small impact to the site, Streamlight is requesting a waiver of land development.

A handwritten signature in blue ink, appearing to read 'Al Creely', with a horizontal line extending to the right.

Al Creely  
Manager, Facilities and Engineering  
Streamlight, Inc  
30 Eagleville Rd  
Eagleville, PA 19403  
610-631-0600 x5847  
acreely@streamlight.com

# Methacton SCHOOL DISTRICT

Maintenance Facility  
4001-C Eagleville Road  
Eagleville, Pa 19403  
610.489.5000, ext. 30406  
Facsimile - 610-489-5040  
www.methacton.org

Methacton School District is an Equal Opportunity Employer

October 7, 2022

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

RE: Request for a Waiver of Land Development

Mr. Mrozinski,

Methacton School District is requesting a Waiver of Land Development for the placement of a 12' x 24' storage shed to be placed on the property of Arrowhead Elementary School 232 Level Road, Collegeville.

The shed will be used for the purpose of storing snow removal equipment.

We appreciate your consideration and approval.

Sincerely,



Robert Jones  
Director of Facilities  
Methacton School District

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Robert Jones  
Director of Facilities

**LOWER PROVIDENCE TOWNSHIP  
INTER-OFFICE CORRESPONDENCE**

TO: E.J. Mentry, Township Manager  
FROM: Joseph Chillano, Public Works Director  
DATE: 10/25/2022  
RE: 2023 Budget - Authorization to order Public Works dump truck

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E.J.,

As we are all aware the supply chain issues are still causing delays in the municipal trucking industry. At present time I've been told it can take up to 14 months to receive a new vehicle.

With that being said I am seeking authorization from the BOS to order the 2024 International HV507 municipal dump truck prior to January 2023. This truck is included in the 2023 Capital Budget with an estimated cost of \$255,000. Should you have any question, please let me know.

Respectfully submitted,

Joseph Chillano



LOWER PROVIDENCE TOWNSHIP  
COMMUNITY DEVELOPMENT

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100 Parklane Drive • Eagleville, PA 19403 • [www.lowerprovidence.org](http://www.lowerprovidence.org)

Administration: 610- 635-3512 • Fax: 610 539-6347

## GUIDE – LAND DEVELOPMENT WAIVER CRITERIA

In order for Township staff and consultants to adequately and expeditiously review and process requests for a waiver of land development, applicants seeking waiver approval *shall submit the following*:

1. Application letter requesting the waiver, describing the scope of the proposed project, benefits to the Township of the proposed project, and justification for the waiver request
  - a. Letter should include property address, parcel number, and property owner/applicant contact information [Or should complete existing application form for land developments]
2. Plans:
  - a. Sheet 1: Sketch plan fully if project is built to SALDO requirements (Chapter 123 of Lower Providence Township Code)
  - b. Sheet 2: Sketch plan of proposed project without SALDO requirements including a table showing the construction costs of the potentially non-constructed public improvements
  - c. Any other information as recommended by Township staff
3. \$500 Application fee
4. Execution of Professional Services Agreement (PSA) for applicant's financial responsibility of Township consultant time to review application including an escrow of \$2500.

### Process:

1. Applicant submits request for waiver of land development including required documents, fees, and exhibits
2. Township staff and consultants review application and evaluate justification of waiver request
3. Application scheduled for Board of Supervisors business meeting, consisting of two steps:
  - a. Applicant presents request to Board for questions and discussion
  - b. At a subsequent meeting, Board considers resolution of approval or denial of request