# LOWER PROVIDENCE TOWNSHIP <br> BOARD OF SUPERVISORS BUSINESS MEETING 

February 15, 2024

Call to Order: Chair Darby called the hybrid live/virtual meeting to order at 7:04 p.m.

## Pledge of Allegiance

Protocol for Hybrid Meetings: Chair Darby 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 members were in attendance: Chair Darby, Vice Chair Neights, Supervisor MacFarland and Supervisor Charles.
b. Also in attendance were: E.J. Mentry, Township Manager; Lauren Gallagher, Township Solicitor; Paul Donnelly, Assistant Township Manager; Tim Woodrow, Township Engineer; Mike Mrozinski, Community Development Director, Joe Chillano, Public Works Director; Mike Rohlfing, Fire Marshal/Emergency Management Coordinator (via Zoom); Mike Jackson, Chief of Police; and Mina Liu, Student Representative.

## Chair's Comments

- Chair Darby announced that an Executive Session was held prior to the meeting on February 15, 2024 to discuss personnel and legal matters. She stated that public comments would be limited to three minutes.

1) Presentations
A. Student Representative Report - Mina Liu shared Methacton School District news. Assemblies will be held to discuss the grave dangers of fentanyl poisoning. There will be no school on February 16 and 19 . On February $23^{\text {rd }}$ the senior banquet will be held at Normandy Farms. A community blood drive will be held on March 6 . Methacton high school students will soon choose their courses for 2024-2025 school year.
B. Introduction of New Police Officers

Chief Jackson introduced the department's new officers: Richard Henning, Ryan Frederick and Albert Passanante.

## 2) Consent Agenda

A. MOTION: Chair Darby made a motion to approve the consent agenda, accepting the minutes of February 1, 2024, and moving them into the record; accepting minutes of Township boards/committees/commissions; accepting departmental monthly reports; authorizing the payment of bills in the amount of $\$ 695,162.49$; and accepting the Treasurer's Report. Vice Chair Neights seconded the motion.
i. Chair Darby noted a correction on page 3 of the February 1, 2024 Board of Supervisors minutes. The full member appointed to the Zoning Hearing Board should be Gary Brown not Mark Kuberski.
ii. There was no public comment.
iii. The motion passed $4-0$, including the corrected minutes.

## 3) Public Hearing - Conditional Use - 2601 Egypt Road (continued from Feb.1) <br> Court reporter Tim Kurek was present to transcribe a complete record of testimony.

A. MOTION- Chair Darby made a motion to open the public hearing, seconded by Supervisor Neights. The motion passed 4-0.
i. Solicitor Gallagher said they were reconvening a hearing related to the Conditional Use Application for 2601 Egypt Road to allow more than one permitted use at the property, with the addition of a retail smoke shop. The property is located in the General Commercial (CG) zoning district. This matter was opened at the Board of Supervisors meeting of February 1, 2024, and was postponed at the applicant's request.
ii. Brendan Campbell was present as counsel for the applicant, Nagib Albadani. Mr. Campbell asked Mr. Albadani a series of questions regarding the 2601 Egypt Road property, including about past uses, planned use as a smoke shop, signage, and parking.
a. Supervisor Neights asked if the applicant had performed a traffic impact analysis, to which Mr. Campbell responded that they had not. Mr. Campbell said he does not believe the planned use will get the same traffic volume that it did previously when it was a Dunkin Donuts.
b. Chair Darby asked specifically about the number of customers Mr. Albadani expects to which he responded that a customer might come every few hours. He does not expect them to come in two or three at a time.
iii. There was no one seeking party status.
iv. Solicitor Gallagher said a vote on the application would take place at the March 21, 2024 meeting.
v. MOTION: Chair Darby made a motion to close the public hearing, seconded by Supervisor Charles. The motion passed 4-0.
vi. There was no public comment.
4) Old Business
A. Consideration of Appointment to Fill Supervisor Vacancy
i. MOTION: Chair Darby made a motion to appoint Terri Neufeglise to fill the unexpired term on the Board of Supervisors, seconded by Supervisor Neights.
ii. Discussion took place about the process to find a new supervisor, the level of transparency, and the opportunity for community input.
iii. There was no public comment.
iv. The motion passed 4-0.

## 5) New Business

A. Authorization to Advertise 2024 Road Reconstruction Bid
i. Mr. Mentry said that this was the annual kick-off to the road improvement program that is included in the 2024 budget. Included this year are Hildebidle, Highley, Staughton, and Smith roads. There is an alternate bid that includes Allison Circle, Wilson Blvd., and Theresa St.
ii. MOTION: Chair Darby made a motion to authorize advertisement of the 2024 Road Reconstruction Bid, seconded by Supervisor Neights.
iii. There was no public comment.
iv. The motion passed 4-0.

## B. Authorization to Advertise Police Pension Ordinance Amendment

i. Mr. Mentry said that the ordinance amendment is consistent with the recently settled fiveyear collective bargaining agreement with the police bargaining unit approved before the end
of 2023. The ordinance amends the police pension plan to add a military buy back option which is a provision that will allow officers with prior years of active-duty military service the option to purchase up to five years of that service to count toward their years of service with the Township and pension calculation. It would allow an eligible officer to retire early with a full pension benefit provided they pay for the actuarial cost for the years of military service.
ii. MOTION: Chair Darby made a motion to authorize to advertise a Police Pension Ordinance Amendment. Supervisor Neights seconded the motion.
iii. Supervisor MacFarland asked about the financial impact on the pension plan.
iv. There was no public comment.
v. The motion passed 4-0.

## C. Consideration of Letter of Intent for Proposed Council of Government

i. Mr. Donnelly said that neighboring municipalities met in Upper Providence Township for a roundtable to explore regionalized services, with the ultimate goal to potentially form a Council of Government. The letter of intent to the Governor's Office of Local Government Services acknowledges the Township's willingness to support the endeavor and accept assistance in exploring these services. He noted that there are no obligations with the letter and that similar letters had been submitted by Upper Providence, Limerick, Skippack Townships and the boroughs of Royersford, Trappe and Collegeville. Mr. Mentry said the roundtables were initially organized two years ago by Upper Providence. Township.
ii. MOTION: Chair Darby made a motion to accept the Letter of Intent for Proposed Council of Government. Supervisor Neights seconded the motion.
iii. There was no public comment.
iv. The motion passed 4-0.
D. Consideration of Compliance Engine Inspection Reporting Service
i. Mr. Mentry explained that Mike Rohlfing, the Township's fire marshal, has been exploring ways to streamline administrative operations for his department. Mr. Rohlfing explained that as part of the department's business safety inspection process, businesses are required to provide the Township with their annual fire suppression inspection reports to make sure there are no deficiencies. The Compliance Engine Inspection Reporting Service is a third-party service that gathers, standardizes and submits these reports to the Township, conducting any follow-up needed. He said there is no cost to the Township. Mr. Mentry said the Solicitor and staff have reviewed the required agreements with no concerns.
ii. Supervisor MacFarland asked about who conducts the inspections. Mr. Rohlfing said the businesses can hire whoever they choose.
iii. MOTION: Chair Darby made a motion to approve Compliance Engine Inspection Reporting Service. Supervisor Charles seconded the motion.
iv. There was no public comment.
v. The motion was passed 3-1 with Supervisor MacFarland dissenting.

## 5) Announcements/Meetings

- Administration Office closed Feb. 19 for Presidents' Day holiday
- Library Board - Feb. 19 at 7:00 p.m.
- Parks and Recreation Board - Feb. 20 at 7:00 p.m. The Redtail Park survey will be open until the end of the month.
- Zoning Hearing Board - Feb. 22 at 7:00 p.m. - Cancelled
- Environmental Advisory Council - Feb. 26 at 7:00 p.m.
- Human Relations Commission - Feb. 27 at 6:00 p.m
- Planning Commission - Feb. 28 at 7:00 p.m.
- Rep. Webster will be hold a press conference in Hoy Park on Feb. 2 on the Perkiomen Watershed Initiative.
- The March 7 Board of Supervisors meeting will be a workshop to discuss the Municipal Campus Plan.
- Supervisor Neights, Sewer Authority liaison, said that the Authority honored its engineer, Ed Woydon, on his retirement. Theresa Funk is the new SA engineer. He noted that the SA is entering into a cost-sharing agreement with PennDOT associated with the work at Germantown and Ridge pikes and discussed Methacton High School's renovation plans and potential connection to the SA system.


## 6) Courtesy of the Floor

7) Adjournment - Chair Darby adjourned the meeting at 8:05 p.m.
8) The meeting was reconvened at $8: 06 \mathrm{p} . \mathrm{m}$.
A. Ann Bickle, Township resident, expressed concern about the Resources for Human Development (RHD proposal and the existing Eagleville Hospital.
9) Adjournment - Chair Darby adjourned the meeting at $8: 21$ p.m.

## Next Business Meetings: March 7, 2024

March 21, 2024

## LOWER PROVIDENCE TOWNSHIP BOARD OF SUPERVISORS WORKSHOP <br> MARCH 7, 2024

## Attendance:

a. The following were in attendance: Supervisors, Dr. Janine Darby, Peter MacFarland, Gary Neights and Terri Neufeglise. Supervisor Charles was absent.
b. Also present were: Tim Woodrow, Township Engineer; E.J. Mentry, Township Manager; Paul Donnelly, Assistant Township Manager; Rich Lafiata, Finance Director; Michael Mrozinski, Community Development Director; Joseph Chillano, Public Works Director; Jane Delaney, Parks and Recreation Director, Michael Jackson, Chief of Police; Michael Rohlfing, Fire Marshal and Emergency Management Coordinator, and Denise Walsh, Community Relations Coordinator.
c. The workshop convened at 7:05 p.m.

## 1. Campus Master Plan Discussion

A) Mr. Mentry said efforts to enhance the functionality and efficiency of the Township includes a Campus Master Plan for a potential new Township Building and Police Department. He noted that the current Township building was constructed in 1979 and has not undergone any major renovations or expansion since that time. Since 1999, there have been four feasibility studies which recognized the need for additional space and renovations and recommended expansion or new construction. He listed three central challenges with the current Township Building and Police facilities: Safety and security; staff growth and space; and IT, HVAC and plumbing issues. Adequate parking is an additional concern.
B) Mr. Mentry explained that in 2023 the Township engaged Boyle Construction as the Construction Manager/Owner's Representative, along with MKSD Architects, to evaluate the municipal campus and facility needs. Following meetings with Township, Police, Library, and Sewer Authority staff, design concepts and cost estimates were provided.
C) Lauren Clifton and Peter Syzonenko of MKSD reviewed the designs for new construction. There are two primary options: One building housing all departments, including Police; or two separate buildings, one for Administration and one for the Police Department and Emergency Management. The proposed site for either option moves the buildings closer to Ridge Pike, most significantly for improved egress for the police. The possibility of renovating the existing barn for event space was also discussed.
D) Silvia Hoffman of MKSD spoke about sustainability options and possibly designing to LEED (Leadership in Energy and Environmental Design) standards.
E) Tony Ganguzza and Christian Donovan of Boyle Construction reviewed the full cost of each of the primary options. They also showed comparable construction costs, noting the upward trend in these costs. Estimated costs for a single building and two buildings were $\$ 32.22$ million and $\$ 32.25$ million, respectively. These estimates do not include costs associated with additional work, such as barn renovations, nor work on the existing building.
F) Finance Director Rich Lafiata said financing options researched include a bond, banknote and swap option. Based on current estimates, a borrowing of $\$ 30 \mathrm{~m}$ would require an annual debt payment of between $\$ 1.8$ and $\$ 2 \mathrm{~m}$. The Township currently collects about $\$ 450,000$ annually through its debt service millage, and the current debt is due to be retired in 2026.
G) Supervisor Neufeglise asked about the inclusion of the Sewer Authority within the new building.
H) In response to questions from Supervisor MacFarland, it was noted that proposed egress for the Police Department would need to be modified and that the cost estimates do not include any demolition or renovations to the barn.
I) Chair Darby confirmed with Mr. Ganguzza that phasing of the project was possible and that there is the potential for reusing the existing Township Building for community space.
J) Supervisor Neights asked about the possible revenue from the barn renovation and the reasoning behind the increase in conference rooms and "huddle spaces." He asked if a holistic approach to the site had been taken. Mr. Syzonenko said that many configurations had been considered and that the options presented met the Township's expressed needs while using less valuable space within the complex.
K) There was discussion about the proximity of the football field to the two-building option and modifications that could be made to accommodate both the building and the field.
L) There was consensus that the option for separate buildings is preferred.

## 2. Courtesy of the Floor

A) Julie Nekhleh, Township resident, discussed HVAC costs for two separate buildings, the new location of the 911 Memorial, EV chargers, geothermal possibilities, and the reuse of furniture.
B) Dave Laganelli, Township resident, commented on the two-building option and driveway placement. He also had questions regarding the Church Road subdivision. Mr. Woodrow offered to speak with him after the workshop.
C) Lindsay Chelius, Township resident, expressed concerns about the Resources for Human Development (RHD) transitional housing proposal.

## 3. Announcements/Meetings

- Sewer Authority - March 11 at 4:30 p.m.
- Transportation Impact Fee Advisory Committee - March 11 at 7:00 p.m.
- Library Board - March 18 at 7:00
- Environmental Advisory Council - March 18 at 7:00 p.m.
- Parks and Recreation Board - March 19 at 7:00 p.m.
- Planning Commission - March 27 at 7:00 p.m. - Cancelled
- Zoning Hearing Board - March 28 at 7:00 p.m.

Adjournment - The workshop adjourned at 9:00 PM.
Next meetings: March 21, 2204
April 4, 2024

## Respectfully submitted:

E.J. Mentry, Secretary

Lower Providence Environmental Advisory Council meeting for January 22, 2024
Roll Call: Amber Minnick, Douglas White, Laura Winslow, John Zollers, Terri Neufeglilse, Madison Roeger, and Avinh Li were present. Ms. Minnick served as Chair for the evening. Also in attendance were Assistant Township Manager Paul Donnelly and Township Supervisor Gary Neights.

1. Approval of Minutes: Mr. White motioned, seconded by Ms. Winslow, to approve the December meeting minutes, which passed 5-0.

## 2. Old Business.

2b. Paige Menton, representing the organization Journey Work, gave a presentation on their programs which are dedicated to replacing traditional grass lawns with ecologically appropriate plantings in southeastern Pennsylvania. Journey Work provides technical assistance, volunteer labor, and grants to residential properties, non-profit organizations and municipal entities in this endeavor.

- Simple and accessible techniques are used such as sheet mulching overwinter to kill existing lawn, followed by bulk plant purchases distributed in spring.
- Not-a-lawn-parties are used to teach neighbors and passersby about work being done.
- Concepts based on those developed by West Vincent Township EAC

More information is available at journeywork.org.
Mr. Zollers stated his intention to work on implementing similar programs in Lower Providence either through Journey Work or independently.
$2 a$.

1. Ms. Minnick attended the recent Bird Town Clutch meeting and introduced the new EAC members to the Bird Town Committee's work. Ms. Minnick and Ms. Roeger will present on Bird Town at the February Parks \& Recreation board meeting. Ms. Roeger introduced her proposed Gold Award scavenger hunt project targeting a Lower Providence park. Ms. Minnick advised that Lower Providence purchased six additional Bird Town signs which need to be placed.
2. Ms. Winslow advised the Council of an event at Ursinus College by Perkiomen Watershed Conservancy on Stormwater Management Programs. Ms. Winslow will order trees that can be used for planting or giveaways later this month. Trees can be planted without permission in reparian buffers. Ms. Winslow also asked for another EAC member to take on a greater role in developing the plastic bag ordinance and will provide her research accordingly.
3. No updates
4. No updates

## 3. New Business.

Ms. Minnick noted it will be necessary to add new EAC members to shared Google Docs (work plan, etc). Ms. Minnick noted the regional EAC conference is scheduled for March. Ms. Roeger noted most of the groundwork is in place for an EAC / Bird Town story time at the Lower Providence Community Library and advised we hand out EAC cards and possibly other materials. Ms. Winslow and Ms. Roeger discussed an Earth Day event (April 25) at Eagleville Park (possibly concurrent with library story time and other activities). Mr. White acknowledged Mr. Neights' proposed goals for the EAC Work Plan and requested they be added to the document. Mr. Neights recommends the EAC discuss scheduling regular attendance at other Township board and commission meetings, in particular the Planning Commission which meets on the $3^{\text {rd }}$ Tuesday of the month.
4. Comments and Other Business. None

## 5. Courtesy of the Floor. None

6. Adjournment. Mr. Zollers made a motion to adjourn the meeting, seconded by Ms. Winslow, which passed 5-0

## LOWER PROVIDENCE TOWNSHIP

## PARKS \& RECREATION

January 23, 2024, MEETING MINUTES

1) Call to Order.
A) Amy Johnston-Smith called the meeting to order at 7:04 p.m.
2) Pledge of Allegiance
3) Roll Call:
A) The following Parks \& Recreation board members were in attendance: Amy Johnston-Smith, Beth Ann Mazza, Erin DiPaolo, Ray Lotfi, Kasey Walker, Stephanie Padula and Michelle Brown.
B) Also in attendance: Jane Delaney, Director of Parks \& Recreation, Nick Walker, Program Coordinator, Karen Barron, Minutes Secretary, Dr. Janine Darby, Board Liaison, Thomas MacNeel, Student Representative and Rylie Cox, Parks \& Recreation Intern.
4) Re-Organization Meeting
A) Amy Johnston-Smith was nominated to be Chair by Beth Ann Mazza and seconded by Michelle Brown.
B) Beth Ann Mazza was nominated to be Vice Chair by Stephanie Padula and seconded by Michelle Brown.
C) Adjourn Re-Organization Meeting.
5) Meeting Minutes:
A) The meeting minutes of December 19, 2023, were approved and submitted with correction in the Supervisor Liaison report stating the Encompass Health - Physical Rehab would be coming not opening.
6) Old Business
A) Caring and Sharing Program wrapped up for the 2023 season.
7) New Business
A) New Program Coordinator, Nick Walker was welcomed.
B) Upcoming Events:
8) Easter Egg Hunt scheduled for March $16^{\text {th }}$ with a rain date of March $17^{\text {th }}$.
9) Planning stages of Summer Camp, reaching out to past staff.
10) Revisit Redtail Master Plan and asked the Park Board for their input on Redtail plan.

## Comments from the Board

A) Ray Lotfi mentioned having reached out to orchestras in the area.
B) Beth Ann Mazza - Redtail parking lot, cars in lot overnight. List of events for volunteers and asked if we had anything planned for Earth Day
C) Amy Johnston-Smith asked if business sponsorship letters have gone out.
D) Kasey Walker asked about Park Tour dates.
E) Erin Di Paolo - next meeting if we could go over the 2024 event schedule.

## 7) Supervisor Liaison Report

Dr. Janine Darby let the board know that there is a Municipal Complex study in the next few months. RHD made a presentation to the Board of Supervisors regarding a short-term housing facility. And a new Supervisor will be in place in February.

## 8) Resident Comments N/A

9) Motion to Adjourn.
A) MOTION: Kasey Walker made a motion to adjourn. Ray Lotfi seconded the motion. The motion passed 7-0. The meeting was adjourned at 8:22 p.m.

## REORGANIZATION / REGULAR MEETING

## LOWER PROVIDENCE TOWNSHIP SEWER AUTHORITY MINUTES OF JANUARY 8, 2024

The Reorganization / Regular Meeting of the Lower Providence Township Sewer Authority was held on Monday, January 8, 2024, 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; Ms. Lori Connolly, Office Manager; Mr. Eric Frey, Solicitor; Mr. Ed Woyden, Engineer, Ms. Theresa Funk, Engineer and Mr. Gary Neights, Liaison

## Absent was Authority Member:

Dr. Jason Sorgini, Treasurer

## 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 and personnel issues.

## TEMPORARY CHAIRMAN

The Chairman asked for a motion to turn the meeting over to Mr. Frey.
Upon motion of Mr. Rose, seconded by Mr. McDonough and unanimously carried, Mr. Frey was appointed as temporary Chairman for the election of Chairman.

## APPOINTMENT OF CHAIRMAN

Mr. Frey asked for nominations for the office of Chairman.
Mr. Rose made a motion nominating Fred Walker as Chairman. The motion was seconded by Mr. Tschoepe and unanimously carried.
Mr. Frey turned the meeting back to the Chairman, Mr. Walker.

## APPOINTMENT'S

The Chairman made a motion nominating Mr. Rose as Vice Chairman, Mr. Tschoepe as Secretary, Mr. Sorgini as Treasurer, Mr. McDonough as Assistant Treasurer, Mr. Rubendall as Assistant Secretary and Ms. Connolly as Open Records Officer. The motion was seconded by Mr. McDonough and unanimously carried.

## APPOINTMENT OF SOLICITOR

Mr. McDonough made a motion to reappoint the law firm of Dischell Bartle Dooley, P.C. per the established rate. The nomination was seconded by Mr. Rose and unanimously carried.

## APPOINTMENT OF ENGINEER

Mr. Tschoepe made a motion to reappoint the engineering firm of Gannet Fleming, Inc. per the established rate. The nomination was seconded by Mr. McDonough and unanimously carried.

## APPOINTMENT OF AUDITOR

Mr. Rose made a motion to appoint Bee, Bergvall \& Company as Auditor. The motion was seconded by Mr. Tschoepe and unanimously carried.

## APPOINTMENT OF DEPOSITORS

Mr. Tschoepe made a motion to appoint Trumark Financial Credit Union, The Victory Bank, PNC Bank and Charles Schwab as Depositors. The motion was seconded by Mr. Rose and unanimously carried.

## APPOINTMENT OF COMMITTEES

The Chairman made a motion to appoint the following committees:
Personnel \& Pension - Mr. Tschoepe; Equipment \& Building - Mr. McDonough; Rates \& Budget Mr. Sorgini and Capital Projects - Mr. Rose. The motion was seconded by Mr. Tschoepe and unanimously carried.

## MEETING DATES \& TIMES

A motion was made by Mr. Rose, seconded by Mr. McDonough and unanimously carried, to approve the meeting dates for their regular monthly meetings for 2024/2025, held on the second Monday of every month at 4:30P.M. unless otherwise noted, and for said dates and times to be advertised in the local newspaper.
The meeting dates are as follows:
FEBRUARY 12
MARCH 11
APRIL 8
MAY 13
JUNE 10
JULY 8
AUGUST 12
SEPTEMBER 9
OCTOBER 14
NOVEMBER 12 - TUESDAY
DECEMBER 9
JANUARY 13, 2025 - REORGANIZATION / REGULAR MEETING

## MINUTES

The minutes of the December 11, 2023, meeting was presented. Upon motion of Mr. Rose seconded by Mr. McDonough and unanimously carried, the reading of the minutes was waived and approved.

## TREASURER'S REPORT - EXHIBIT 'A'

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

## EQUIPMENT \& BUILDING

Mr. McDonough stated to the Board that an overhang was built at the shop to permanently store the plow outside. Two new additional cellular callers were installed, and our maintenance crew worked with the Township Road crew to clean a storm pipe on Buckwalter Road.
Mr. Rubendall added that the backflow preventor at the garage was inspected.

## CAPITAL PROJECTS

2021 Sanitary Sewer Line Replacement
Mr. Rose stated to the Board that an email was sent to Anrich on December 7, 2023 requesting a status update on closing the Contract. Anrich stated the submission requesting extras will be made by the end of January 2024.

## 2023 Sanitary Sewer Line Replacement

Notice to Proceed sent to JOAO \& Bradley December 15, 2023. The starting date for this Contract is January 8, 2024. The Contractor secured a staging area with the Lower Providence Fire Department and will begin having materials delivered starting Monday January 8, 2024. As of January 8, 2024, they are still on schedule to begin work Monday January 15, 2024 with the Rogers Road portion as the planned starting area.

## ENGINEER'S REPORT - EXHIBIT 'B'

There were no questions on the Engineer's Report.

## Sewer Line at Trooper Road

The Chairman asked if the sewer line on Trooper Road could be rerouted to the gravity line on Clearfield Avenue. The Engineer will investigate it.

## Force Main at Audubon Road

Mr. Rubendall stated to the Board that the spot to repair the force main is estimated to be between $\$ 7,000-\$ 10,000$. The Chairman asked the Engineer to get a cost to replace the entire Force Main.

## SYSTEM SUPERINTENDENT'S REPORT - EXHIBIT 'C'

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

## 2972 Second Street

Mr. Rubendall stated to the Board that since the ground water issue was fixed at 2976 Second Street, the owner of 2972 Second Street has been getting ground water in the basement when it rains. The owner sent pictures.
After discussion, the Board directed Mr. Rubendall to work with the Engineer to see if there is something that can be done to resolve the ground water issue.

## ATTORNEY REPORT

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

## OLD BUSINESS

Collection Update on Delinquent Accounts
Ms. Connolly stated that a new AR Aging will be run after the billing quarter, and she will get together with the Attorney.

Ordinance for Sewer Lateral Inspection Prior to Sale of Property
Mr. Frey reported to the Board that he reached out to the Township Solicitor and is still waiting to hear back from her regarding the prior discussions with the staff and solicitor. The next step is to receive comments from the Township and then, hopefully, for the Township to adopt the ordinance.

## Ridge Pike \& Germantown Pike Realignment Project Invoice Repayment

Mr. Woyden stated to the Board that they are working with consultants on the Agreements.

## NEW BUSINESS

1429 Pawlings Road
After discussion, a motion was made by Mr. McDonough, seconded by Mr. Tschoepe and unanimously carried authorizing the Solicitor to negotiate a minimum of $\$ 8000.00$ plus attorney fees.

## Grant Money

Mr. McDonough stated to the Board that he read about some Grant opportunities.
After discussion, Mr. McDonough, Mr. Rose and Mr. Rubendall will meet with Gannet Fleming to discuss further.

## ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 5:17 PM by motion of Mr. Rose seconded by Mr. McDonough and unanimously carried.


Mr . Alan Rubendall, Assistant Secretary

## LOWER PROVIDENCE COMMUNITY DEVELOPMENT DEPARTMENT MONTHLY REPORT - JANUARY 2024

The Township Planning Commission met on February 28, 2024, to discuss a proposed zoning ordinance text amendment permitting supportive short-term housing in the Institutional Overlay District. While there was considerable comment by the Commission members and the public in attendance, no recommendation on the text amendment was offered.

There will be no Planning Commission meeting on March 27, 2024.
The ZHB did not meet on February $22^{\text {nd }}$.
The ZHB will meet on March 28th. for three appeals: Hengemihle-1153 Pawlings Road requesting relief to permit a tract size of approximately 60,000 square feet; The applicant is proposing to create a building lot. Duffy-100 Regency Drive requesting time extension from a previous ZHB decision to allow for building permitting; and UMH PA Sunnyside-40 Clara Street requesting setback relief.

Construction is wrapping up at Whitetail Ridge on Brimfield and Woodland. and at Bella Rosy, 3801 Germantown. Work is completed at Globus Medical, 1111 Adams.

Staff and consultants are working with a potential carwash project at Ridge and S. Park, and a potential two lot subdivision at 1153 Pawlings. Also, we are working with applicants to refine plans at 960 Rittenhouse and Encompass Health, 2660 Audubon. A new Mechanical contractor is moving into 2650 Eisenhower.

Members of the Zoning Ordinance Working Group are working with Greg Heleniak from the Solicitor's Office on the new zoning ordinance. We are drafting ways to incorporate the Comprehensive Plan and other visions into the revised ordinance.

Recently, staff have been working with property owners and tenants on alleviating property maintenance concerns in the 2900 block of Fourth Street and in the 3900 block of Ridge Pike, along with some recurring stormwater issues.

We issued 43 building permits, 25 zoning permits, 3 new business licenses, 16 resale U\&Os, and handled 45 service requests in February. As always, please contact us with any questions or concerns.

# Lower Providence Township <br> Community Relations Department <br> Monthly Report <br> February 2024 

## Highlights

## Communications / Community Outreach

Website, social media, and digital sign messages of note:

- Perkiomen Watershed Spring Clean-up
- PECO gas main work - Evansburg Road
- Baba's Hot Chicken and Brews ribbon cutting
- Redtail Park Community Survey reminder
- Bird Town signs
- Employment Opportunity: Accreditation and Grants Coordinator
- Share of Police post - New officers
- FEMA Youth Preparedness Council opportunity
- Office closures - inclement weather, Presidents' Day
- PECO notice: Bill update to affect customer account numbers
- Share of Methacton School District post - Campus Planning Survey
- Parks and Recreation programs and events
- Board/commission/council meetings/cancellations
- Good Morning Lower Providence posts

Continued to send emails to those signed up to receive updates on the Park Avenue/Eagleville Road/Crawford Road intersection improvement project. To date, there are 148 contacts on the list.

## Right-to-Know Office

During the month, requests for information under the Right-to-Know Law were logged and processed, totaling 12 police and 15 non-police. (Copies of reports prepared as a result of an accident investigation conducted by the Lower Providence Township Police Department are obtained through Carfax.)

## ON-GOING RESPONSIBILITIES

## Communications

- Website posts, updates
- Facebook, X and Instagram posts
- Digital sign messages
- Press releases
- Constant Contact emails
- Trash \& recycling service issues


## Administration

- Legal advertisements as needed
- Scheduling, correspondence and miscellaneous tasks as needed
- Preparation and distribution of Board of Supervisors' agenda packets
- Weekly email to Board of Supervisors with informational items


# Lower Providence Township <br> Community Relations Department <br> Monthly Report 

February 2024

- 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 (prepared minutes) - Feb. 1, 15
- Staff Meeting - Feb. 6, 29
- DVHT Wellness Webinar - Feb. 21
- HRA Plan Overview virtual session - Feb. 26
- Mascaro monthly meeting - Feb. 29

Respectfully submitted,
Nenise Walsh
Denise Walsh
Community Relations Coordinator

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

## LOWER PROVIDENCE TOWNSHIP INTER-OFFICE CORRESPONDENCE

TO: Board of Supervisors
FROM: Finance Department
DATE: March 1,2024
SUBJECT: February 2024 Finance Department Monthly Report

## Payroll

- Reconciled benefit time for various employees
- Processed Payroll for February $9^{\text {th }}$ and February $23^{\text {rd. }}$
- Worked with Paychex to set up withholdings for employee H.S.A contributions. Software Conversion
- Setup journal approvals in Accounting Software
- Began to import history from previous accounting software
- Added Caselle Advantage (Budgeting/Reporting Module) Audit
- Audited field work began on 2/26/2024 and concluded on 2/29/2024
- Supplied requested receipts and invoices to Auditors
- Calculated compensated absences
- Provided bank reconciliations, payroll entries, MS965, escrow reconciliation, 457 participant statements, etc. to Appointed Auditors Miscellaneous
- Met with Delco Solutions regarding IT upgrades to Municipal Building
- Worked with Help Now LLC regarding various I.T. issues including e-mail migration
- Completed Survey of Financial Condition and submitted to DCED
- Funding Townships portion of employee H.S.A deductible
- Calculated retiree/library employee's new insurance rates
- Setup ACH and Positive Pay on American Relief Fund bank account
- Prepared year end projection memo to Township Manager
- Supplied Police Department with various documents for grant reporting
- Submitted reimbursements request for the Body Worn Camera Grant
- Filed AG-385
- Worked with Delaware Valley Regional Finance Authority, TD Bank and Stifel for borrowing estimates for new Municipal Building
Ongoing tasks
- Reinvest matured Certificate of Deposit (C.D.) to continue the maturity schedule that has Certificate of Deposits maturing approximately every 30 days
- Complete Cash Flow, Revenue and Expenditure, Treasurer's, and Revenue Trends reports
- Contact Freedom Accounting Software to address numerous issues
- 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 to the Township
- Review all entries to the General Ledger
- Reconcile all bank accounts
- Reconcile escrow account balances
- Transfer funds to the library


# Fire Marshal \& Emergency Management Coordinator 

## February 2024 Report

During the month of February 2024:

- Lower Providence Fire Department responded to 27 emergency incidents within the Township
- Bette McMorrow and Bill Hine achieved certification through Pennsylvania Emergency Management Agency in emergency planning
- Investigated one building fire
- Village Way, Lower Frederick
- Business license inspections resumed
- Performed numerous fire alarm acceptance tests
- All Township building fire extinguishers have been inspected
- Met with regional Fire Investigators to discuss best practices
- Developed evidence collection procedures
- Taught CPR to four new hires
- Bill Hine, Andrew Getka and I completed the Cambria County Leadership Academy
- A nine evening program consisting of presenters discussing leadership trends in the fire service.
- Attended Township meeting to request adoption of The Compliance Engine
- Participated in electric vehicle webinar discussing the challenges and solutions to fire incidents involving electric vehicles.

Notes: Special thanks to Denise Walsh for her continued assistance with the Fire Marshal webpage.

# LOWER PROVIDENCE TOWNSHIP <br> PARKS AND RECREATION 

## MONTHLY REPORT

February 2024

## 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 the Park and Recreation staff to prepare for Summer Camp registrations. Camp registrations began February $26^{\text {th }}$.
- Sent out second reminder letters to the past summer camp staff to see if they plan on returning this year.
- Worked on preparing for the Annual Easter Egg Hunt event with Karen Barron, Nick Walker, and Rylie Cox (intern)- ordered supplies, prepared flier and working on secure volunteers.
- Prepare for and led the Park Board Meeting February $20^{\text {th }}$. We had two presentations at this month's meeting, Amber Minnick, from the EAC, presented on Bird Town and Madison Roeger, Gold Award candidate. Both presentations were very informative.
- Worked with Paul on creating a survey for Redtail Park. It was sent out to over 800 residents to get their feedback. Surveys were sent out on Friday, February $2^{\text {nd }}$ and run until March $1^{\text {st }}$.
- Nick and I attended the District III meeting at Whitemarsh Township.
- Attended a monthly meeting for Montgomery County Senior Games on Thursday, February 15th. We will continue to meet as a committee monthly to prepare for the games. The Senior Games will be played May $6^{\text {th }}$-May $10^{\text {th }}$.
- I took Nick Walker around to a few of the parks in the township. We will continue to visit all other parks as the weather permits.
- Continued to work with Nick on daily tasks and I have him researching and securing food trucks for our special events.
- I am still working on securing another band for our summer concert series.
- Met with Mike Nester to discuss the opening of the bathrooms in March.
- Mike Nester placed the Bird Town signs around the township.
- Coordinated a "Big Day of Service", with Victory Church, on Saturday, April $27^{\text {th }}$. We will spruce up Eagleville and Eskie Parks from 9 am -1pm.
- Met the new supervisor, Terri Neufeglise.
- I have been having open communication with the County and MARA about building a pole barn on County property. Now, I am waiting to hear from MARA and what their next step will be.
- Mike installed an AED box at Eskie Park at the pavilion.
- Mike Nester prepared and cleaned Hoy Park for Joe Webster's event on February $16^{\text {th }}$.
- Nick Walker completed Cybersecurity training on February $27^{\text {th }}$.
- Working with Nick daily to secure programs for spring and summer
- We sold 4 discounted Regal Movie tickets. Movie tickets are sold at a discounted price of $\$ 10.50$ per ticket year- round.
- We sold 34 discounted Movie Tavern tickets in February. Movie Tavern tickets are sold for $\$ 9.00$ year -round.
- We continue to offer the 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 sold 1 brick in February.
- 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 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.
- Mike, Zach, and John are inspecting the memorial flags and making sure they are secure.
- Prepare a cleaning schedule for John Simons for the Schoolhouse as we have programs running Monday -Friday and rentals on the weekends.


## Programs in session:

- Firebirds Theatre Acting Class Session


## Upcoming Programs:

- East Egg Hunt
- Senior Bingo
- Community Yard Sale
- Adult \& Kids Pottery Class
- Creative Cartooning with Mr. David
- Babysitting Class
- Medicare Workshop
- Pickleball for Beginners


## Daily Tasks:

- Return calls and emails daily.
- Respond to requests from the residents.
- Multiple meetings with Nick Walker, 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

Social Services Liaison Monthly Report - February 2024


Strategies for Coordinating Overdose Prevention Efforts
Motivational Interviewing Masterclass

> Incidents with SSL Involvement


Michael Jackson, Chief of Police

Submitted By: Michael Jackson, Chief of Police

| POLICE FLEET | Jan-24 | Feb-24 | Total |
| :--- | :---: | :---: | :---: |
| Miles Traveled | 25,109 | 25,348 | 50,457 |


| INCIDENTS | Jan-24 | Feb-24 | Total |
| :--- | :---: | :---: | :---: |
| Police Activity $(C A D)$ | 2,144 | 2,275 | 4,419 |


| ENFORCEMENT ACTIVITY | Jan-24 | Feb-24 | Total |
| :--- | :---: | :---: | :---: |
| Traffic Stops | 503 | 565 | 1,068 |
| Traffic Citations | 121 | 258 | 379 |
| Non-Traffic Citations | 7 | 4 | 11 |
| Criminal Arrests | 28 | 33 | 61 |
| Foot and Bike Patrols | 218 | 210 | 428 |
| Traffic Details | 166 | 152 | 318 |
| Public Contacts (Minimum) | 914 | 1035 | 1,949 |
| Formal Personnel Complaints | 0 | 10 | 10 |
| Personnel Compliments | 4 | 4 | 8 |


| JUVENILE CONTACTS | Jan-24 | Feb-24 | Total |
| :--- | :---: | :---: | :---: |
| Juvenile Contacts | 48 | 49 | 97 |
| Juveniles Petitioned | 0 | 0 | 0 |
| Warnings Issued | 11 | 9 | 20 |
| Citations Issued | 1 | 5 | 6 |
| Referral to Other Agencies | 2 | 1 | 3 |


| ACCIDENTS | Jan-24 | Feb-24 | Total |
| :--- | :---: | :---: | :---: |
| Total Number of Accidents | 51 | 46 | 97 |
| Reportable Accidents | 15 | 17 | 32 |
| Non-Reportable Accidents | 36 | 29 | 65 |

## 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

| ALARM RESPONSES | Jan-24 | Feb-24 | Total |
| :--- | :---: | :---: | :---: |
| Total Alarms | 72 | 44 | 116 |
| Security Alarms | 50 | 28 | 78 |
| Fire Alarms | 22 | 16 | 38 |


| DETECTIVE DIVISION | Jan-24 | Feb-24 | Total |
| :--- | :---: | :---: | :---: |
| Investigations | 30 | 32 | 62 |


| SUBPOENAS FOR COURT | Jan-24 | Feb-24 | Total |
| :--- | :---: | :---: | :---: |
| District Court 38-1-20 | 54 | 60 | 114 |
| Montgomery County | 3 | 6 | 9 |
| All Others | 0 | 0 | 0 |


| DUI TASK FORCE | Jan-24 | Feb-24 | Total |
| :--- | :---: | :---: | :---: |
| Reimbursed Overtime Hours | 0 | 44 | 44 |


| AGGRESSIVE DRIVING | Jan-24 | Feb-24 | Total |
| :--- | :---: | :---: | :---: |
| Reimbursed Overtime Hours | 0 | 0 | 0 |


| DRUG TASK FORCE | Jan-24 | Feb-24 | Total |
| :--- | :---: | :---: | :---: |
| Reimbursed Overtime Hours | 8 | 24 | 32 |


| PA LIQUOR CONTROL BOARD | Jan-24 | Feb-24 | Total |
| :--- | :---: | :---: | :---: |
| Reimbursed Overtime Hours | 0 | 0 | 0 |

Personnel complaints from February were related to the same incident and involving the same officer.

## Michael Jackson, Chief of Police

## The following is a list of Community Relations details for February 2024:

On Monday, February 12, members of the Community Policing Unit participated in a presentation at Methacton High School regarding the dangers of fentanyl poisoning.

On Tuesday, February 20, members of the police department assisted Methacton High School administration and staff with their lockdown drill.

On Wednesday, February 21, Sgt. Stead and Cpl. Heim presented to a group of preschool students at the St. Andrews Nursery School regarding police officer's role in the community.

On Friday, February 23, Sgt. Stead presented alcohol and the law lessons to several eighth-grade classes at the Arcola Intermediate School.

On Friday, February 23, members of the Community Policing Unit participated in a presentation at Methacton High School regarding the dangers of fentanyl poisoning.

On Monday, February 26, members of the Community Policing Unit participated in a presentation at Methacton High School regarding the dangers of fentanyl poisoning.

On Tuesday, February 27, members of the Community Policing Unit participated in a presentation at Methacton High School regarding the dangers of fentanyl poisoning.

On Wednesday, February 28, Sgt. Stead provided a ride to school for a Woodland Elementary School student recognized for being the top book reader in the school.

## The following is a list of notable TSU activity for February 2024:

There was one traffic complaint made by a resident during the month.
The traffic radar recorder was deployed on Redtail Road near Osprey Drive after a complaint was made about speeding vehicles. The seven-day study indicated there was not an issue and no additional enforcement was necessary.

During the month, one hundred forty (140) Bus Patrol violations were submitted for review, resulting in eighty-five (85) civil citations being issued to drivers.


## Youth Aid Panel:

The police department submitted one (1) juvenile to the Montgomery County District Attorney's Office Youth Aid Panel Program in January 2024.

## Curfew:

There was one (1) violation of the Lower Providence Township curfew ordinance during the month.

# LOWER PROVIDENCE TOWNSHIP 

## PUBLIC WORKS DEPARTMENT

## MONTHLY REPORT

February 2024
Below is a list of some items that the Public Works Department accomplished during the month of February.

- 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, PW Crew Leader and 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
- Janitor cleans multiple Parks restrooms and stocks paper products
- 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 constantly working on our storm sewer system
- Traffic signals and streetlights were repaired during the month
- Parks members inspected all playground equipment during the month
- Emphasis on pothole patching during the month
- Crews removed two fallen trees from the roadways
- I worked on the 2024 budget during the month
- PW Dept. prepared all vehicles and equipment for the upcoming winter
- We continued cleaning up the naturalized basins, removing dead trees, vines and plant invasive species
- Roadways were brined as needed in anticipation of winter storms
- We had two winter storms during the month and crews were called in each time to plow and salt roadways
- Received and stockpiled road salt
- The Sewer Authority's new project started and PA Water's project continues. Even though theses aren't Twp projects we are still involved as the work takes place along our roadways and impacts our residents
- I met with a pipe lining contractor and will be receiving quotes for the work we looked at together
- New storm sewer pipes were installed along Rogers Rd
- Worked on the 2024 Rd Reconstruction project which will be out for bid in March
- Crew members cut up and removed a fallen light pole from Evansburg Point Park
- All staff members attended a storm sewer outfall screening training which was held at our Twp building
- Fallen trees were removed from Parklane Drive
- PW members repaired asphalt curbing along Alden Rd
- Continued with interviews for the open PW position

Respectfully submitted,
Joseph R. Chillano

PLANT ROOTS. GROW FUTURES.
March 12, 2024

## BOARD of SUPERVISORS <br> SUMMARY

## Preliminary/Final Plan Major Land Development: LD-23-01 - 960 Rittenhouse Road Associates-960 Rittenhouse Road

Requested Action: Consideration of preliminary/final plan approval. Extension granted until March 29, 2024

Plan Summary: For your consideration is a plan from 960 Rittenhouse Road Associates, are proposing the demolition 25,000 square foot manufacturing facility and the construction of a new one-story 65,700 square foot warehouse facility at 960 Rittenhouse Road

## Requested Waivers:

1. §123-31.D - A partial waiver is required from offering the additional required Ultimate Right-of-Way for Rittenhouse Road.

The proposed half width cartway widening and drainage system is fully within the existing 50' Right-of-Way. Alternatively, the developer requests a modification/waiver to permit a "15' wide/variable width multi-purpose trail/public right-of-way easement".
2. $\S 123-32 . \mathrm{A}$ - a waiver is required from providing curb along Rittenhouse Road.

A meandering landscaped $\mathbf{8 '}^{\prime}$ wide multi-use asphalt path is proposed in lieu of traditional curb and sidewalk.
3. $\S 123-33$ - a partial waiver is required from providing sidewalk along Rittenhouse Road.

A meandering landscaped $8^{\prime}$ wide multi-use asphalt path is proposed in lieu of sidewalk.
4. §123-36.B.(1) - a waiver is required from providing driveway accesses at least 200 feet apart.

A waiver is requested for the Driveways at Rittenhouse Road and Van Buren Avenue. Minimal traffic is anticipated for the $\mathbf{2 3}$-space parking lot and 24 -space parking lot accessing Rittenhouse Road and Van Buren Avenue, respectively. Sight Distance requirements are met for the proposed driveway location accessing Rittenhouse Road and Van Buren Avenue. The existing driveway access to Van Buren Avenue is less than 200' from the adjacent driveway to the south.
5. §123-36.F - a partial waiver is required from a maximum driveway paving width of 28 feet. Truck Entrance into/out of Van Bueren Avenue is 35 ' wide for trucks. Separate passenger vehicle entrance into/out of Rittenhouse Road is proposed at 24 ' to minimize impervious surface.
6. $\S 123-50 . \mathrm{B}$ - a partial waiver is required from each nonresidential development shall be screened as a necessary safeguard to the character of an adjacent area.

Duplicate requirement to street trees and depth of buffer does not allow for installation of overlapping requirements.
7. §123-143 (Valley Forge Corporate Center Land Use and Design Manual) - a partial waiver is required from landscape buffers.

Depth of buffer does not allow for installation of overlapping requirements.
8. §129-19.C.(2) - a waiver is required from all storm sewer piping being Class III reinforced concrete pipe.

Watertight HDPE piping is proposed instead of RCP, except for the basin outlet pipes.
9. §129-19.C.(6) - a waiver is required from pipe slope of terminal sections having a minimum slope of $1 \%$ ( $0.01 \mathrm{ft} / \mathrm{ft}$ ).

A pipe slope of $0.5 \%(0.005 \mathrm{ft} / \mathrm{ft})$ is proposed for new stormwater piping to provide positive discharge to the existing shallow inlet boxes.
10. §129-19.C.(16) - a waiver is required from stormwater pipes being oriented at right angles to electric, water, sanitary sewer and gas utilities when crossing above or beneath same.

An angle of 45 degrees was used for the proposed sanitary sewer crossing so that the same alignment of the existing sanitary sewer could be utilized.
11. §129-19.G.(4) - a waiver is required from no excavation being made with a cut face steeper in slope than four horizontal to one vertical ( $4: 1=25 \%)$.

A 3:1 (33\%) slope was used for the side slopes of the diversion swale along the northeastern property line to respect the existing PECO easement limits.
12. $\S 129-19 . H .(9)$ - a waiver is required from all detention or retention basins having slopes of four horizontal to one vertical ( $4: 1=25 \%$ ) or flatter on the basin's outer berm and five horizontal to one vertical or less on the basin's inner berm.

The small MRC Rain Garden Basins were designed with a flat 0\% slope to allow for infiltration through the soil media, in accordance with PADEP guidance.
13. $\S 129-19$. H.(10) - a waiver is required from all portions of a detention basin bottom having a minimum slope of $2 \%$.

The basins were designed with a flat $0 \%$ slope to allow for infiltration through the soil media, in accordance with PADEP guidance.
14. §129-19.H.(12) - a waiver is required from emergency spillways discharging over embankments shall be constructed of reinforced concrete checker-blocks to protect the berm against erosion.

A permanent erosion control matting is proposed for the Rain Garden MRC Basins. Erosion control matting specified is appropriate for calculated design outflows.
15. §129-19.H.(15) - a waiver is required from the minimum freeboard through the emergency spillway of one foot.

Considering the shallow depth of the MRC Rain Gardens ( 2.5 feet), a freeboard of $6^{\prime \prime}$ was utilized.
16. §129-19.H.(19) - a waiver is required from the grate of the basin outlet structure of at least six inches lower than the elevation of the earthen emergency spillway. Six inches, minimum, is also required between the routed one-hundred-year water surface elevation and top of the outlet structure.

Considering the shallow depth of the MRC Rain Gardens ( 2.5 feet), the basin outlet structure grate is designed 3 inches lower than the emergency spillway for Basin 2A and 4 inches for Basin 2B.
17. §129-19.H.(24) - a waiver is required from perimeter berms and embankments of retention/detention basins being designed to create a natural appearance and reduce future maintenance requirements.

Proximity of basin areas to other required landscape does not allow for planting of all required detention basin landscape.

## Current review letters: *see attached of the review letters

- REL Design, Waiver Request Letter, revised November 3, 2023
- REL Design, Responses to Review Letters, November 3, 2023
- Conditional Use Decision, Resolution 2023-23
- Woodrow and Associates, October 11, 2023
- McMahon Associates-Bowman Company, October 10, 2023
- Montgomery County Planning Commission, November 20, 2023
- Police Chief, October 2, 2023
- LP Fire Marshal, January 5, 2024


## Review Comment Summary

1. The project has received conditional use approval from the Board of Supervisors. The applicant is seeking amendment of conditions.
2. Truck traffic is to be directed through Park Pointe and will be prohibited from Rittenhouse Road. Of specific concern is the intersection of Van Buren and S . Trooper and an appropriate design is being developed.
3. The existing environmental contamination is being remediated by the applicant under the direction of US EPA and PA DEP
4. On-site stormwater management is being added, including rain gardens, that will improve overall stormwater conditions in the area.
5. An eight feet wide asphalt trail with post and rail fence is to be constructed.
6. The northbound travel lane of Rittenhouse Road is to be widened to fifteen feet.
7. Wiring conduits for EV charger wiring are to be provided.

September 22, 2023
Revised November 3, 2023
Mr. Michael Mrozinski
Director of Community Development
Lower Providence Township
100 Parklane Drive
Eagleville, PA 19403

RE: 960 Rittenhouse Road Warehouse
960 Rittenhouse Road Associates
TMP 43-00-12256-00-4
Preliminary/Final Land Development Application

Dear Mike,
In conjunction with the Plan submission for the above referenced project, and as part of the Application Requirements, the following is a list of waiver requests:

1. §123-31.D - A partial waiver is required from offering the additional required Ultimate Right-of-Way for Rittenhouse Road.

The proposed half width cartway widening and drainage system is fully within the existing $50^{\prime}$ Right-of-Way. Alternatively, the developer requests a modification/waiver to permit a "15" wide/variable width multi-purpose trail/public right-of-way easement".
2. §123-32.A - a waiver is required from providing curb along Rittenhouse Road.

A meandering landscaped $8^{\prime}$ wide multi-use asphalt path is proposed in lieu of traditional curb and sidewalk.
3. $\S 123-33$ - a partial waiver is required from providing sidewalk along Rittenhouse Road.

A meandering landscaped $8^{\prime}$ wide multi-use asphalt path is proposed in lieu of sidewalk.
4. §123-36. B.(1) - a waiver is required from providing driveway accesses at least 200 feet apart.

A waiver is requested for the Driveways at Rittenhouse Road and Van Buren Avenue. Minimal traffic is anticipated for the $\mathbf{2 3}$-space parking lot and 24 -space parking lot accessing Rittenhouse Road and Van Buren Avenue, respectively. Sight Distance requirements are met for the proposed driveway location accessing Rittenhouse Road and Van Buren Avenue. The existing driveway access to Van Buren Avenue is less than 200' from the adjacent driveway to the south.
5. $\S 123-36 . \mathrm{F}$ - a partial waiver is required from a maximum driveway paving width of 28 feet.

Truck Entrance into/out of Van Bueren Avenue is $35^{\prime}$ wide for trucks. Separate passenger vehicle entrance into/out of Rittenhouse Road is proposed at $24^{\prime}$ to minimize impervious surface.
6. $\$ 123-50 . \mathrm{B}$ - a partial waiver is required from each nonresidential development shall be screened as a necessary safeguard to the character of an adjacent area.

Duplicate requirement to street trees and depth of buffer does not allow for installation of overlapping requirements.
7. §123-143 (Valley Forge Corporate Center Land Use and Design Manual) - a partial waiver is required from landscape buffers.

Depth of buffer does not allow for installation of overlapping requirements.
8. §129-19.C.(2) - a waiver is required from all storm sewer piping being Class III reinforced concrete pipe. Watertight HDPE piping is proposed instead of RCP, except for the basin outlet pipes.
9. $\$ 129-19 . C .(6)$ - a waiver is required from pipe slope of terminal sections having a minimum slope of $1 \%$ ( $0.01 \mathrm{ft} / \mathrm{ft}$ ).

A pipe slope of $0.5 \%(0.005 \mathrm{ft} / \mathrm{ft})$ is proposed for new stormwater piping to provide positive discharge to the existing shallow inlet boxes.
10. §129-19.C.(16) - a waiver is required from stormwater pipes being oriented at right angles to electric, water, sanitary sewer and gas utilities when crossing above or beneath same.

An angle of 45 degrees was used for the proposed sanitary sewer crossing so that the same alignment of the existing sanitary sewer could be utilized.
11. $\S 129-19 . \mathrm{G} .(4)$ - a waiver is required from no excavation being made with a cut face steeper in slope than four horizontal to one vertical ( $4: 1=25 \%$ ).

A 3:1 (33\%) slope was used for the side slopes of the diversion swale along the northeastern property line to respect the existing PECO easement limits.
12. §129-19.H.(9) - a waiver is required from all detention or retention basins having slopes of four horizontal to one vertical ( $4: 1=25 \%$ ) or flatter on the basin's outer berm and five horizontal to one vertical or less on the basin's inner berm.

The small MRC Rain Garden Basins were designed with a flat 0\% slope to allow for infiltration through the soil media, in accordance with PADEP guidance.
13. §129-19.H.(10) - a waiver is required from all portions of a detention basin bottom having a minimum slope of $2 \%$.

The basins were designed with a flat $0 \%$ slope to allow for infiltration through the soil media, in accordance with PADEP guidance.
14. §129-19.H.(12) - a waiver is required from emergency spillways discharging over embankments shall be constructed of reinforced concrete checker-blocks to protect the berm against erosion.

A permanent erosion control matting is proposed for the Rain Garden MRC Basins. Erosion control matting specified is appropriate for calculated design outflows.
15. §129-19.H.(15) - a waiver is required from the minimum freeboard through the emergency spillway of one foot.

Considering the shallow depth of the MRC Rain Gardens ( 2.5 feet), a freeboard of 6 " was utilized.
16. §129-19.H.(19) - a waiver is required from the grate of the basin outlet structure of at least six inches lower than the elevation of the earthen emergency spillway. Six inches, minimum, is also required between the routed one-hundred-year water surface elevation and top of the outlet structure.

Considering the shallow depth of the MRC Rain Gardens ( 2.5 feet), the basin outlet structure grate is designed 3 inches lower than the emergency spillway for Basin 2A and 4 inches for Basin 2B.
17. §129-19.H.(24) - a waiver is required from perimeter berms and embankments of retention/detention basins being designed to create a natural appearance and reduce future maintenance requirements.

Proximity of basin areas to other required landscape does not allow for planting of all required detention basin landscape.

Sincerely,


Civil Project Engineer

Cc: File

November 3, 2023

Mr. Michael Mrozinski
Director of Community Development
Lower Providence Township
100 Parklane Drive
Eagleville, PA 19403
VIA E-Mail: mmrozinski@lowerprovidence.org

RE: $\quad 960$ Rittenhouse Road Warehouse
960 Rittenhouse Road Associates, LLC
TMP 43-00-12256-00-4
Preliminary/Final Land Development Application: Response Letter to Twp. Comments
REL Job \#2234

Dear Mike,
Please see the following document resubmission in support of the above referenced project:

1. Twelve (12) sets of Preliminary/Final Land Development Plans, dated last revised November 3, 2023.
2. Two (2) copies of Storm Sewer Addendum Report, dated November 3, 2023.
3. Two (2) Revised Traffic Impact Study Dated November 3, 2023, prepared by Traffic, Planning \& Design
4. One (1) copy of the Landcore Response letter dated April 4, 2023
5. One (1) copy of Cs-4401 Forms dated $10 / 27 / 2023$, prepared by Traffic, Planning \& Design
6. One (1) copy of the August 7, 2023 EPA approval of the environmental cleanup plan ("Work Plan") for the property
7. One (1) copy of the September 18, 2023 PA DEP approval of the Prospective Purchaser Agreement for the environmental
8. One (1) set of photos of Van Buren Road existing curbing.
9. Updated Waiver Request Letter dated November 3, 2023

Please find the following responses to comments contained in the below referenced review letters:
Original comments from the below referenced review letters are included, with responses to each respective comment noted in italicized text afterwards.

## Woodrow \& Associates, Inc. review letter dated October 11, 2023

## Conditional Use Approval Obligations

1. Applicant shall comply with all the objective criteria set forth in the ordinance satisfying all criteria before the issuance of any certificate of occupancy.

This is to be confirmed with the Township's Director of Planning and Zoning.

## Acknowledged. Township's Director of Planning and Zoning to confirm.

2. The proposed development shall be consistent with the exhibits and evidence introduced at the conditional use hearing; if there is a substantial change to the same, including but not limited to, a high cube fulfillment warehouse use, the architectural renderings, landscaping plan, access, etc., additional conditional use approvals will be required.

The plan does not currently propose any significant divergence from the approved documents.

## Acknowledged.

3. The applicant shall implement the restrictive truck movement depicted on the plans, including but not limited to a prohibition of truck traffic on Rittenhouse Road.

We look to McMahon and Associates to confirmation of restriction.
See responses to McMahon Letter.
4. Applicant shall be subject to payment of a traffic impact fee based upon post development conditions six months after warehouse occupancy.

Open Item

## Will comply.

5. The applicant shall re-stripe the intersection of Trooper Road and Van Buren Avenue to make sure there is a clear right turn lane on Van Buren Avenue onto Trooper Road.

We look to McMahon and Associates for confirmation of compliance with this condition.

## See responses to McMahon Letter.

6. The applicant shall work with the Township for increased signage in the area to indicate where truck traffic should go coming in and out of facility and shall educate the tenant and drivers regarding the restrictions, particularly with respect to the prohibition of truck traffic on Rittenhouse Road.

Open Issue
The signage is included on the plans. See sheet C-101 and C-902 for "No Right Turn for Trucks" sign at driveway exit to Van Buren Ave.
7. The soil remediation will be undertaken by the applicant without any involvement from the Township. The applicant will obtain any and all necessary approvals from the EPA and DEP, and copies of all such approvals shall be provided to the Township prior to construction beginning on the site.

Open Issue
On September 18, 2023, PA DEP approved the Prospective Purchaser Agreement for the environmental clean up of the property. On August 7, 2023, the EPA approved the environmental cleanup plan ("Work Plan") for the property. Copies of the Work Plan, the August 7, 2023 EPA letter and the September 18, 2023 letter are attached.
8. The applicant will work with the Township engineer to design appropriate stormwater improvements to support the development.

Completed

## Acknowledged.

9. The applicant shall use his/her best efforts to ensure that noise coming from the property or from trucks coming and going from the property has as little impact on the neighboring and surrounding properties as reasonably practicable, particularly within the hours of 10 PM and 7 AM.

Open Issue
The proposed use will comply with the Township's noise ordinance under Chapter 103 of the Township Code.
10. The applicant will comply with any requirements of the sewer authority for sanitary sewer.

Open Issue
Will comply. Sewer Planning Module and Utility Plans submitted to the Township. Awaiting correspondence from Lower Providence Township Sewer Authority.
11. The applicant will comply with any requirements of any agency having jurisdiction over the property or project.

Open Issue
Will comply. Approval process is underway with agencies having jurisdiction over the project.
12. Compliance with all conditions of approval shall be the applicant's sole cost and expense, with no cost or expense borne by the Township.

Applicant has acknowledged.

## Acknowledged.

## Approvals/Permits/Reviews

1. Fire and potable water supply certification from the appropriate authority. Application Process Underway with serving water authority. See responses contained herein to Fire Marshal review letter.
2. Lower Providence Township Sewer Authority. Application Process Underway (Through Lower Providence Twp.)
3. PA DEP - Waiver of or exemption from sewage facilities planning. Application Process to begin after LPTSA review)
4. PA DEP - NPDES permit approval. Application Process Underway
5. PA DEP - Resolution of any environmental contamination restrictions from earlier uses on the property. See enclosed letter
6. Execution of land development and financial security agreements. Will Comply
7. Execution of stormwater operation and maintenance agreement. Will Comply

## Zoning Ordinance

Armed with the Conditional Use approval and resolution, it appears the project is now in compliance with specific obligations found within our zoning code. We will defer to Mr. Mrozinski for confirmation of this opinion.

## Comment noted. Township Zoning Officer to Confirm.

Subdivision Land Development Ordinance Review

1. Section 123-22 - This ordinance citation defines the obligation to provide the various agreements that bind the applicant and the Township through the development process.

## will comply.

2. Section 123-29 - This ordinance citation speaks to the obligation to acknowledge the potential for future improvements to the road frontages by suggesting appropriate ultimate right-of-way width and cartway width. Again, will defer to McMahon and Associates to assure they are comfortable with the configuration of rights-of-way and frontage improvements.

## See responses to McMahon Letter.

3. Section 123-32.A - Curbs, sidewalk and storm sewers are required for the road frontages.
a. Along Van Buren Avenue - Curbs exist along this frontage; however, the Township will reserve the right to require that damaged or misaligned curbs be replaced in conjunction with a preconstruction view of the property.

Photos of the curb condition enclosed. The developer requests an on-site inspection of the existing curbing with the Township Engineer to specifically identify any portions of the curbing that needs to be replaced.
b. Along Van Buren Avenue - Very limited storm sewer infrastructure exists. We would like the opportunity to walk the site with the designers and our public works director to assure we have captured and managed runoff from this road frontage.

The proposed stormwater system and site grading will reduce the amount of stormwater rate and volume discharging onto Van Buren Ave from the property. Exhibit plans SKC-G and SKC-H have been added to the "Storm Sewer" section of the revised Stormwater Management Report. These exhibits depict the total reduction of area/flow to the north and south directions of Van Buren Avenue.
c. Along Van Buren Avenue - The applicant is proposing a traditional five-foot-wide concrete sidewalk within the right-of-way.

## Acknowledged

d. Along Rittenhouse Road - No curbs exist. The potential for curbing and road widening should be further defined by our traffic engineers; it may be appropriate for waiver or appropriate for further road improvements depending on their final review.

## See responses to McMahon Letter.

e. Along Rittenhouse Road - Storm sewer infrastructure does exist.

## Acknowledged

f. Along Rittenhouse Road - an eight-foot-wide meandering asphalt path is to be constructed. This asphalt path will require certain easements as the path does meander outside of the proposed right-of-way for Rittenhouse Road. The configuration of the path comes as a result of conversations with Township staff allowing for a more interesting and safe pedestrian experience. The ultimate width of the asphalt path should be weighed against the intended future use of a Rittenhouse Road trail.

## Will comply. A trail easement will be provided.

4. Section 123-33 - This is the code citation obligates the installation of sidewalks. It appears the current plan meets the intent of the ordinance section.

## Acknowledged

5. Section 123-41.E(2) - The stormwater management system to the southeast side of the building discharges into an storm sewer system. Additional information is required through title to understand who has ultimate responsibility for maintenance and repair of the downstream infrastructure and to assure the right to make connection to this infrastructure through easement documentation or new easement creation.

The referenced storm sewer has been in place for approximatley 50 years, and ultimately drains to the Township's system in Adams Ave. The Proposed Underground Detention Basin for the project will reduce flows to the upstream inlet of the referenced storm sewer system for all storm events (2yr $100 y r$ ) from between $36 \%$ and $66 \%$.
6. Section 123-43 stormwater management - During the conditional use application process, significant conversation regarding stormwater management obligations were convened. In the intervening months, my office has had several conversations with the design engineers regarding basic premise theory, design management theory and ultimate design detail. I am happy to report that these earlier conversations result in a stormwater management program that we are able to support. In general, the southeast side of the building drains to a significant underground detention basin. The large underground basin is supplemented by two small water quality rain gardens adjacent to the loading dock areas. This basin was designed cognizant of the existing impervious cover that exists on the property taking advantage for only $80 \%$ of that existing surface. The result is a form of payment for sins of the past from a time when stormwater management was not required. Further, the outfall from the system was designed only to meet the capacity of the small-diameter storm sewer the drains the property through the above-mentioned easement discussion. Runoff from the northwest side of the building is managed through a series of stormwater rain gardens. These rain gardens and the plant material that are associated with it become part of an enhanced landscaping package along Rittenhouse Road. The ultimate outfall from these rain garden facilities is into the existing storm sewer system in the bed of Rittenhouse Road.

In my opinion, managing the runoff from this property will result in a significant improvement to the watershed downstream of the project.

## Acknowledged.

7. Section 123 - 50 landscaping - During the conditional use application project a significant conversation regarding project landscaping occurred. The Township's major concern was with regard to massing of the building visible to the motoring public along Rittenhouse Road. I am happy to report that it appears the applicants took this conversation seriously. The Rittenhouse Road frontage is softened by a combination of street trees, foundation landscaping, rain garden infrastructure with basin bottom plant materials as well as the meandering asphalt path. Further, the perimeter landscape material in the form of combinations of deciduous trees, evergreen trees, and shrubs has been provided. We look forward to further discussions regarding implementation of this landscape material as the project appears before our planning commission.

## Acknowledged.

8. Section 123-54 - Concrete survey monuments are required to be placed at each property corner including the new ultimate right-of-way boundaries.

Sheet C-101, Site Plan, has been revised to include concrete monuments and each property corner.

## General Design Comments

9. Environmental Sustainability - The Township has adopted environmental sustainability guidance. We ask the applicant in this design to consider electric vehicle charging stations, the opportunity for solar
panel charging, the opportunity for the implementation of pervious paving and parking lot areas, stormwater capture and reuse, and other green infrastructure to further these Township goals.

While not required, the developer intends to install the necessary conduits to permit multiple parking spaces to be EV "ready" capable of easily accepting EV charging apparatus.

## McManhon, a Bowman Company, review letter dated October 10, 2023

## 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.

## Will Comply

2. This review is specific to the submitted land development plans referenced above only. The applicant has not yet addressed our office's comments pertaining to the transportation impact study (TIS) contained in our March 10, 2023, review \#1 letter as a revised TIS has not been provided to the Township or our office, nor has a response letter to how prior comments were addressed. This item must still be provided and reviewed.

The referenced response letter dated April 4, 2023 has been included with this submission, as well as a revised TIS, as prepared by Traffic, Planning and Design.
3. According to the Township's Roadway Sufficiency Analysis, the proposed development is located in Transportation Service Area One, which currently has a corresponding impact fee of $\$ 413$ 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. According to Township Resolution 2023-23, the applicant will be subject to payment of a traffic impact fee based upon postdevelopment conditions (i.e., trip generation counts during a typical weekday in the PM peak period of commuter traffic) six months after warehouse (full) occupancy. Our office will calculate the transportation impact fee upon review of the actual trip generation counts captured for the site, either conducted by a qualified transportation engineer hired by the applicant or if the Township prefers, by our office, approximately six months after full occupancy of the warehouse.

## Will Comply

## Waivers Requested

4. The applicant is requesting a waiver from Section 123-32 of the Subdivision and Land Development Ordinance, requiring curbing along Rittenhouse Road. The plans do not show any curbing along the Rittenhouse Road site frontage, thereby not satisfying the ordinance requirement. There is currently no curbing along either side of Rittenhouse Road in the vicinity of the site. Our office would support the waiver request if the Board of Supervisors are agreeable to the waiver request to not install curbing along the Rittenhouse Road frontage at this time, and should the Township Engineer also be agreeable that it is not necessary for stormwater management.

## Acknowledged

5. The applicant is requesting a waiver from Section 123-33 of the Subdivision and Land Development Ordinance, requiring sidewalk along Rittenhouse Road. The plans currently show an 8 -foot wide asphalt path along the Rittenhouse Road site frontage, in lieu of sidewalk. Our office would support the waiver request if the Board of Supervisors are agreeable to the waiver request to not install sidewalk along the Rittenhouse Road frontage since the plans show provision of a blacktop path along the Rittenhouse Road site frontage which provides an adequate, meandering pedestrian walkway and would be installed in lieu of sidewalk in this area.

## Acknowledged

6. The applicant is requesting a waiver from Section 123-36.B(1) of the Subdivision and Land Development Ordinance, requiring a minimum of 200 feet between driveways. The plans currently show approximately 70 feet between the proposed site driveway along Van Buren Avenue and the driveway for Parcel No. 43-00-00001-00-1, well as approximately 95 feet between the proposed site driveway along Rittenhouse Road and the driveway for Parcel No. 43-00-12253-00-7, thereby not satisfying the ordinance requirement. Since the location of the Van Buren Avenue driveway appears to be in the best location for the proposed truck routing within the site, and minimal passenger car traffic is expected to use the proposed Rittenhouse Road driveway, our office would support the waiver request if the Board of Supervisors are agreeable to a waiver request to provide less than 200 feet between the proposed site driveways along Van Buren Avenue and Rittenhouse Road and the driveways for the adjacent parcels along each roadway.

## Acknowledged

7. The applicant is requesting a partial waiver from Section 123-36.F of the Subdivision and Land Development Ordinance, requiring a maximum driveway width of 28 feet at the Van Buren Avenue driveway. The plans currently show a 35 -foot width at this driveway, thereby not satisfying the ordinance requirement. The Van Buren Avenue driveway will be used by large trucks, so based on review of the turning templates it appears as though the 35 -foot driveway width is designed to accommodate truck movements at this driveway, and therefore our office would support the waiver request if the Board of Supervisors are agreeable to a waiver request to provide more than a 28 - foot width for the Van Buren Avenue driveway.

## Acknowledged

## Preliminary/Final Land Development Plans

8. According to Township Resolution 2023-23, the applicant will be required to provide the following in conjunction with the proposed development:

- Restripe the eastbound Van Buren Avenue approach to Trooper Road (S.R. 0363) to provide a separate right-turn lane and separate left-turn lane. See below. We have concerns on this item as presented.

There was a mutual mistake or misunderstanding between the applicant/developer and the Township with respect to this condition of conditional use approval. The parties mistakenly
believed there were separate existing right and left turn lanes at the intersection and all that was required was to "restripe" the lanes. After further investigation, the developer cannot simply "restripe" the right turn lane because no right turn lane exists. The developer's traffic engineer and the Township traffic engineer have discussed the existing conditions at the intersection and the proposed development's minimal impact to the intersection. They agree the proposed development does not warrant the widening of Van Buren Ave to create a separate right turn lane together or the required traffic signal modifications to accommodate the separate right turn lane. As such, the developer requests the Board of Supervisors amend the conditional use approval to remove this as a condition of approval.

- Work with the Township to provide increased signage along area roadways to indicate truck access to the proposed warehouse. In addition, the applicant shall educate the tenant and the tenant's drivers regarding truck routes that should be used to access the facility, particularly noting the restriction of truck traffic for this site on Rittenhouse Road.


## See sheet C-101 and C-902 for "No Right Turn for Trucks" sign at driveway exit to Van Buren Ave.

Important: Van Buren Avenue currently provides only a 30 to 32 -foot cartway width (curb to curb) as it approaches Trooper Road (S.R. 0363) which would likely not allow for sufficient lane widths for the separate right-turn egress lane, separate left-turn egress lane on Van Buren Avenue and ingress lane on Van Buren Avenue from Trooper Road (S.R.0363) only by restriping. More likely is that the applicant will be required to provide widening on the Van Buren Avenue approach to Trooper Road (S.R. 0363) in order to accommodate movements of all types of traffic into and out of Van Buren Avenue within their lanes at Trooper Road (S.R.0363) without encroachment. The applicant's traffic engineer must provide supporting documentation (i.e., concept plan, truck turning plan, etc.) to support provision of a separate right-turn lane and left-turn lane on Van Buren Avenue without providing widening on the Van Buren Avenue approach. Two tractor trailers exiting Van Buren Avenue at the signal in each lane, as well as a tractor trailer truck entering from Trooper Road (S.R. 0363) turning left-in and right-in must be illustrated and shown to work in the design.
9. A modified signal permit plan and potentially also a PennDOT Highway Occupancy Permit (HOP) plan must be prepared for the intersection improvements at Van Buren Avenue and Trooper Road (S.R. 0363) to address the item above to provide two Van Buren Avenue approach lanes to Trooper Road (S.R. 0363). Plans must be provided for Township and PennDOT review and approvals.

See response to Comment \#8 above.
10. According to the Township Street Map, Rittenhouse Road is classified as a collector road and should have an 80 -foot ultimate right-of-way width and a minimum 30 -foot cartway width as required in Section 123-31.D of the Subdivision and Land Development Ordinance. The plans currently show a 50 -foot ultimate right-of-way width and approximate 22 -foot cartway width along the site frontage of Rittenhouse Road, thereby not satisfying the ordinance requirement. We continue to recommend that the edge of the northbound travel lane of Rittenhouse Road on the site side of the road be widened to be 15 feet wide from centerline from Van Buren Avenue to the northern property line to incorporate the entire frontage. We prefer this be done in lieu of granting any waiver requested from this SALDO
requirement. The meandering trail will need to be moved, but we note that the utility poles already appear to be set back along the site frontage of Rittenhouse Road.

The plans have been revised to widen the Rittenhouse Road northbound travel lane to 15' from the centerline. Additionally, the meandering trail was shifted into the site and a split rail fence was added between the road/trail where the trail is within 8 ' of Rittenhouse Road.

See updated waiver request letter waiver \#1, requesting a modification/waiver to permit a "15' wide /variable width multi-purpose trail/public right-of-way easement" to the Township instead of a 15' conveyance of land for right of way purposes.
11. As a measure of better access management, we recommend that the existing driveway for 970 Rittenhouse Road and the proposed Rittenhouse Road driveway for 960 Rittenhouse Road (unless gated) be considered to become a single access for both properties to utilize, which will require cooperation and agreements between the property owners. This will eliminate the closely spaced access points. We request that this be investigated and the feasibilitydiscussed.

The developer does not have any property right or control over the 970 Rittenhouse Road property, and therefore, cannot agree to create a single shared access. The proposed driveway opening has sufficient clear sight distance provided satisfying the intent of the driveway separation requirements.
12. 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 must 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.

See updated waiver request letter waiver \#1, requesting a modification/waiver to permit a "15' wide /variable width multi-purpose trail/public right-of-way easement" to the Township instead of a 15' conveyance of land for right of way purposes. General Note \#16 has been added to sheet C-101.
13. Sight distance measurements looking to the right at the Rittenhouse Road driveway must be shown on future land development plans 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 for both passenger cars. At least the minimum safe stopping sight distances must be achievable looking to the right at the proposed Rittenhouse Road driveway and must be sufficient for the speed and conditions of this section of the roadway.

Sheet C-311, Rittenhouse Road Site Distance Profile, has been added to the plan set. This sheet includes ground survey information from the project surveyor along Rittenhouse Road to the east of the property. Using the survey information, sight distance profiles have been added confirming available sight distance exceeds the desireable sight distance to the right for drivers existing the proposed driveway location.
14. The plans currently show a 75 -foot clear sight triangle at the Van Buren Avenue and Rittenhouse Road driveways. Since Van Buren Avenue is classified as a feeder road and Rittenhouse Road is classified as a collector road, the plans should be revised to show a 100 -foot clear sight triangle at both driveway locations as required in Section 123-36.H of the Subdivision and Land Development Ordinance.

Sheet C-101, Site Plan, has been revised to show a 100-foot clear sight triangle at both driveway locations.
15. According to Section 143-71.G of the Zoning Ordinance, 47 parking spaces are required for the proposed development. The plans show 48 parking spaces, thereby satisfying the ordinance requirement.

The plans have been revised to show 47 parking spaces, in order to provide provisions for vehicle turn around. 47 proposed spaces satisfies the requirement, as noted above.
16. The plans currently show two (2) ADA parking spaces for the proposed development. Based on the total number of proposed parking spaces with the development, the proposed number of ADA parking spaces meets requirements in Section 123-37.Q of the Subdivision and Land Development Ordinance.

## Acknowledged

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

The Fire Marshal comments (Plan Review Memorandum dated 9/27/2023) and responses are contained within this letter below.
18. The turning template should also demonstrate the ability of a WB- 67 to make a left-turn out of the driveway along Van Buren Avenue.

Sheet C-102, Truck Turning Plan, has been revised to include a template for a WB-67 making a leftturn onto Van Buren Avenue.
19. It is noted that there is dead-end parking within both proposed parking areas. Since this is a low parking turnover use, there at least must be sufficient space for a vehicle to maneuver from the last space of each lot and turnaround for the vehicle or a vehicle that is unsuccessful finding parking in the row. As such, please provide passenger vehicle turning templates that demonstrate that the area provided is adequate or how it should be modified. For the northern lot, the applicant and their engineer should consider adding pavers to the plan to connect an emergency access to the eastern concrete truck parking area in case of an emergency situation.

Sheet C-102, Truck Turning Plan, has been revised to include a passenger vehicle template that shows a turnaround maneuver, for the parking lot on the west side of the building. For the parking lot on the east side of the building, a stripped parking space, with a no parking sign, has been added for a capable turnaround maneuver. Also, grass pavers have been added to connect the parking lot and truck loading area for emergency access use.
20. The details for the proposed pavement sections shown on Sheet 33 of 38 should be revised to comply with Township standards. In addition, while the plans should specify where each pavement type (i.e. light duty, heavy duty) are proposed on the plan, the details shown on Sheet 33 provide a heavy duty
concrete pavement and a heavy duty concrete plans. The design should clarify which pavement section is proposed.

The pavement sections on sheet C-901, Construction Details 1, have been revised to Township standards. Additionally, sheet C-101, Site Plan, shows where each pavement type is proposed.
21. The existing roadway grades should be added to the driveway profiles provided on Sheet 11 of 38 .

Sheet C-310, Driveway Profiles, has been revised to include the cross slope of the existing roadways.
22. Retaining wall design documents, including reports, specifications, and/or details, must be submitted to the Township Engineer for review and concurrence.

Sheet C-905, Construction Details 5, has been revised to include retaining wall details. Detailed retaining wall design will be required during shop drawing phase.
23. The designer must evaluate the need for fencing along the proposed asphalt path, particularly in areas where the path meets the edges of the proposed basins.

Sheet C-101, Site Plan, has been revised to include a 3-rail split rail fence where the path is directly adjacent to the basin and exceeds a slope of 3:1 at a height greater than 3', as well as within 8' of Rittenhouse Road. Additionally, a detail has been added to sheet C-905, Construction Details 5.
24. Drainage calculations, including pipe capacity calculations and spread of flow calculations, must be provided for review.

Pre and post drainage calculations for Van Buren Avenue have been included within the Post Construction Stormwater Management Report. The total flow in post conditions has been reduced in both directions on Van Buren Avenue. Rittenhouse Road storm sewer calculations have been included within the storm sewer report and spread of flow calculations have also been provided. All calculations can be found under the "Storm Sewer Reports" section of the report.
25. It is unclear as to where the proposed curb ramp at the corner of Rittenhouse Road and Van Buren Avenue is directing pedestrian traffic to. In today's design standards, newly-designed ADA pedestrian ramps do not come off the middle of the radius of an intersection, but are designed for a crossing on each road tying to it and closer to 90 degrees. The design should be revised appropriately. There also appear to be no receiving ramps and no cross-walk pavement markings proposed across either Van Buren Avenue or Rittenhouse Road, that the designer should explain, and at a minimum design the ramps on the site-controlled corner to be prepared to accept crossings in the future.

Sheet C-303 has been revised to provide two (2) separate curb ramps at close to 90 degrees, prepared to accept crossings in the future.
26. ADA Design forms (i.e. CS-4401) for all ramps located within the Township Right-of-Way should be included for review. Non-compliant values must be reviewed and modified to meet or be as close as possible, with sufficient justification, to the requirements. A Technically Infeasible Form should be
prepared for any non-compliant ramp component for review and concurrence by the Township. Any non-compliant ramp must include documentation for the non-compliance and be as close to compliant as possible prior to being considered for approval.

CS-4401 forms have been included with this submission.
27. The detailed ADA curb ramp plans on Sheet 10 of 38 should be revised as follows:

- The flare widths should be labeled on the plans.

Will comply. Sheet C-303, Grading Plan 3 (Curb Ramps), has been revised to include the widths of the flares.

- The length of the triangular landing areas must be labeled on the plans.

Will comply. Sheet C-303, Grading Plan 3 (Curb Ramps), has been revised to include the dimensions of the triangular landings.

- The northern ramp for the Van Buren Avenue driveway appears to have a cross-slope that exceeds $2 \%$; the designer should evaluate and revise as necessary.
Will comply. Sheet C-303, Grading Plan 3 (Curb Ramps), has been revised to show a 2.0\% cross slope.
- The western ramp for the Rittenhouse Road driveway should be revised to provide a minimum $0.50 \%$ slope for the DWS towards the driveway so as not to allow stormwater runoff onto the proposed path.
Will comply. Sheet C-303, Grading Plan 3 (Curb Ramps), has been revised to provide a minimum slope of $0.50 \%$.
- Additional spot grades should be provided on the DWS for the Rittenhouse Road driveway ramps to ensure that the rigid DWS can be installed properly.
Will comply. Sheet C-303, Grading Plan 3 (Curb Ramps), has been revised to include additional spot elevations on the DWS.

28. All curb ramps and pedestrian routes (i.e., sidewalks, crosswalks, etc.) are to be constructed in accordance with the current Federal and PennDOT ADA standards. Our office will not review any ramps internal to the site, as the applicant's engineer will be responsible for their design satisfying the required ADA standards.

## Acknowledged.

29. The 4 " single white line pavement markings located on the left side of the egress lane at both the Van Buren Avenue and Rittenhouse Road driveways should be replaced with double yellow line pavement markings.

Will comply. Sheet C-101, site Plan, has been revised to show a double yellow line instead of a single white line.
30. A "Stop" sign and stop bar should be shown on the plans on the eastbound approach of the drive aisle to the south of the building at its intersection with the drive aisle leading to/from Van Buren

Avenue and the truck loading docks.

Will comply. Sheet C-101, Site Plan, has been revised to show a stop sign and stop bar at the intersection of the parking aisle and truck loading dock aisle.
31. "Authorized Personnel Only" or similar signs should be shown on the plans on both sides of the southern end of the drive aisle leading to/from the truck loading docks to deter passenger vehicles from traveling in this portion of the site.

Will comply. Sheet C-101, Site Plan, has been revised to show the requested signage on both sides of the drive aisle leading to the truck loading docks. Additionally, a detail of the sign has been added to sheet C-902, Construction Details 2.

## Lower Providence Township Fire Marshal, review letter dated September 27, 2023

## General

1. Water supply, including fire suppression water supply, for building must be compliant with the 2015 International Fire Code, including all appendices.

Acknowledged.
2. Fire flow for the building must be provided.

Fire flow for the building will be provided once building design is complete.
3. Truck turning plan to be submitted using the attached information sheet. Must show the truck reaching three sides.

Sheet C-102, Truck Turning Plan, has been revised to show a fire truck, per the provided information, reaching all three sides of the building.
4. First responder radio coverage test required prior to Use and Occupancy.

## Acknowledged.

5. Fire hydrants to be highlighted on plan.

Fire hydrants have been highlighted on sheet C-401, Utility Plan.

If you have any questions, please do not hesitate to contact our office.


Encl:

Cc: Gregg I. Adelman, Esquire - Kaplan and Stewart
Timothy P. Woodrow, P.E., Township Engineer - Woodrow \& Associates, Inc.
Casey A. Moore, P.E., Executive Vice President - McMahon (a Bowman Company)
Matt Hammond, P.E., Traffic Planning \& Design, Inc.
E.J. Mentry, Township Manger, Lower Providence Township Michael Hagen - 960 Rittenhouse Road Associates
Greydon Sargent - 960 Rittenhouse Road Associates
Chip McAteer - 960 Rittenhouse Road Associates
Robert O'Donnell, P.E., Vice President - REL Design, Inc.
File

## LOWER PROVIDENCE TOWNSHIP

 MONTGOMERY COUNTY, PENNSYLVANIARESOLUTION No. 2023-23

WHEREAS, 960 Rittenhouse Road Associates, LLC (hereinafter referred to as "Applicant") has submitted a request for conditional use approval related to property located at 960 Rittenhouse Road, Lower Providence Township, Montgomery County, Pennsylvania, further identified as Tax Map Parcel Number 43-00-12256-00-4 (the "Property"); and

WHEREAS, the Property is located in the Mixed Use Overlay Sector of the Industrial Park Zoning District; and

WHEREAS, the Lower Providence Zoning Ordinance ("Ordinance") permits various uses by conditional use; and

WHEREAS, Applicant has submitted a request for conditional use approval to utilize the property for a warehouse use, pursuant to §143-136.A of the Ordinance.

WHEREAS, Township staff and the Township Engineer have reviewed the Application; and

WHEREAS, the Board of Supervisors of Lower Providence Township (hereinafter referred to as "Board") is prepared to GRANT approval of Applicant's request for conditional use approval, subject to certain conditions; and

WHEREAS, the Board is prepared to authorize the Township Manager to execute the written decision of the Township, pursuant to Section 913.2(b)(1) of the Pennsylvania Municipalities Planning Code.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Board of Supervisors of Lower Providence Township this $1^{\text {st }}$ day of June, 2023, that said request for conditional \{01628598;V2\}1
use approval is GRANTED, subject to the following conditions:

1. Rlans: Applicant shall submit any and all plans reasonably required by the Township to review the Project and issue all required permits.
2. Conditions of Conditional Use Approval. Applicant shall comply with any and all conditions of approval as documented in the written decision of the Township, which are as follows:
i. Applicant shall comply with all objective criteria set forth in the Ordinance at §143-80.E(2)(b) and shall demonstrate such compliance to the satisfaction of the Township prior to issuance of any Certificate of Occupancy.
ii. The proposed development shall be consistent with the exhibits and evidence introduced at the conditional use hearing. If there is a substantial change to same, including, but not limited to, a high-cube fulfillment warehouse use, the architectural renderings, landscaping plan, access, etc., additional conditional use approval will be required.
iii. Applicant shall implement the restrictive truck movements depicted on the plans, including but not limited to a prohibition of truck traffic on Rittenhouse Road.
iv. Applicant shall be subject to payment of a traffic impact fee based upon post development conditions 6 months after warehouse occupancy.
v. Applicant shall re-stripe the intersection of Trooper Road and Van Buren Avenue and make sure that there is a clear right turn lane on Van Buren Avenue onto Trooper Road.
vi. Applicant shall work with the Township for increased signage in the area to indicate where truck traffic should go coming in and out of the facility, and shall educate the tenant and drivers regarding the restrictions, particularly with respect to the prohibition of truck traffic on Rittenhouse Road.
vii. The soil remediation will be undertaken by the Applicant without any involvement from the Township. Applicant will obtain any and all necessary approvals from the EPA and DEP, and copies of all such approvals shall be provided to the Township prior to construction beginning on the site.
viii. Applicant shall ensure that soil remediation will be done in a managed process, so that stormwater will not further disturb the area during the remediation process, and Applicant will utilize proper soil sediment and erosion control
measures.
ix. Applicant will work with the Township Engineer to design appropriate stormwater improvements to support development.
x. Applicant shall use best efforts to ensure that noise coming from the property or from trucks coming and going from the property has a little impact on the neighboring and surrounding properties as is reasonably practicable, particularly between the hours of 10:00 p.m. and 7:00 a.m.
xi. Applicant will comply with any requirements of the sewer authority for any sanitary sewer flow.
xii. Applicant will comply with any requirements of any agency having jurisdiction over the property or the project.
xiii. Compliance with all conditions of approval shall be at Applicant's sole cost and expense, with no cost or expense borne by the Township.
3. Applicant shall comply with all applicable statutes, codes or ordinances during the permitting and construction of the Project.
4. The Township Manager is authorized to sign the aforementioned written decision on behalf of the Board of Supervisors.
5. This approval shall expire six (6) months from the date of this Decision.

RESOLVED and APPROVED this $1^{\text {st }}$ day of June, 2023.



October 11, 2023

Michael Mrozinski, Director of Community Development
Lower Providence Township
100 Parklane Drive
Eagleville, PA 19403
Reference: $\quad 960$ Rittenhouse Road - Warehouse Land Development Application

## Dear Mike:

My office is in receipt of a 38 -sheet set of plans prepared by REL Design Inc. The plan is dated September 22, 2023, and calls for the demolition of the existing building and infrastructure on the property and replacing it with a 70,000 square-foot warehouse building, $69,174 \mathrm{Sq}$. ft . to be more precise. The property contains approximately 5.23 acres of land measured to the existing legal right-of-way. The property is accessed by Van Buren Avenue and Rittenhouse Road. The layout is consistent with earlier conversations in that employee traffic has two opportunities for access. The first opportunity occurs from Rittenhouse Road; the second opportunity occurs from Van Buren Aveue. All truck traffic and loading dock areas are accessed from Van Buren Avenue. The application was the subject of a conditional use application hearing and decision regarding the use of the property as a warehouse facility. The conditional use approval obligated certain improvements including traffic patterns, stormwater management, pedestrian connections, and landscape enhancements. More specifically, the conditions of approval include the following:

1. Applicant shall comply with all the objective criteria set forth in the ordinance satisfying all criteria before the issuance of any certificate of occupancy.

This is to be confirmed with the Township's director of planning and zoning.
2. The proposed development shall be consistent with the exhibits and evidence introduced at the conditional use hearing; if there is a substantial change to the same, including but not limited to, a high cube fulfillment warehouse use, the architectural renderings, landscaping plan, access, etc., additional conditional use approvals will be required.

The plan does not currently propose any significant divergence from the approved documents.

October 11, 2023
Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: 960 Rittenhouse Road - Warehouse Land Development Application
3. The applicant shall implement the restrictive truck movement depicted on the plans, including but not limited to a prohibition of truck traffic on Rittenhouse Road.

We look to McMahon and Associates for confirmation of restriction.
4. Applicant shall be subject to payment of a traffic impact fee based upon post development conditions six months after warehouse occupancy.

Open item
5. The applicant shall re-stripe the intersection of Trooper Road and Van Buren Avenue to make sure there is a clear right turn lane on Van Buren Avenue onto Trooper Road.

We look to McMahon and Associates for confirmation of compliance with this condition.
6. The applicant shall work with the Township for increased signage in the area to indicate where truck traffic should go coming in and out of facility and shall educate the tenant and drivers regarding the restrictions, particularly with respect to the prohibition of truck traffic on Rittenhouse Road.

Open issue
7. The soil remediation will be undertaken by the applicant without any involvement from the Township. The applicant will obtain any and all necessary approvals from the EPA and DEP, and copies of all such approvals shall be provided to the Township prior to construction beginning on the site.

Open issue
8. The applicant will work with the Township engineer to design appropriate stormwater improvements to support the development.

Completed
9. The applicant shall use his/her best efforts to ensure that noise coming from the property or from trucks coming and going from the property has as little impact on the neighboring and surrounding properties as reasonably practicable, particularly within the hours of 10 PM and 7 AM .

Open issue
10. The applicant will comply with any requirements of the sewer authority for sanitary sewer flow.

Open issue

October 11, 2023
Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: $\quad 960$ Rittenhouse Road - Warehouse Land Development Application
11. The applicant will comply with any requirements of any agency having jurisdiction over the property or project.

Open issue
12. Compliance with all conditions of approval shall be the applicant's sole cost and expense, with no cost or expense borne by the Township.

Applicant has acknowledged.
Approvals/Permits/Reviews - My office is looking for the applicant to secure the following approvals/permits/reviews in conjunction with the land development plan application.

1. Fire and potable water supply certification from the appropriate authority.
2. Lower Providence Township Sewer Authority.
3. PA DEP - Waiver of or exemption from sewage facilities planning.
4. PA DEP - NPDES permit approval.
5. PA DEP - Resolution of any environmental contamination restrictions from earlier uses on the property.
6. Execution of land development and financial security agreements.
7. Execution of stormwater operation and maintenance agreement.

## Zoning Ordinance Review:

Armed with the conditional use approval and resolution, it appears the project is now in compliance with specific obligations found within our zoning code. We will defer to Mr. Mrozinski for confirmation of this opinion.

## Subdivision Land Development Ordinance Review:

1. Section 123-22 - This ordinance citation defines the obligation to provide the various agreements that bind the applicant and the Township through the development process.
2. Section 123-29 - This ordinance citation speaks to the obligation to acknowledge the potential for future improvements to the road frontages by suggesting appropriate ultimate right-of-way width and cartway width. Again, will defer to McMahon and Associates to assure they are comfortable with the configuration of rights-of-way and frontage improvements.
3. Section 123-32.A - Curbs, sidewalk and storm sewers are required for the road frontages.
a. Along Van Buren Avenue - Curbs exist along this frontage; however, the Township will reserve the right to require that damaged or misaligned curbs be replaced in conjunction with a preconstruction view of the property.

October 11, 2023
Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: 960 Rittenhouse Road - Warehouse Land Development Application
b. Along Van Buren Avenue - Very limited storm sewer infrastructure exists. We would like the opportunity to walk the site with the designers and our public works director to assure we have captured and managed runoff from this road frontage.
c. Along Van Buren Avenue - The applicant is proposing a traditional five-foot-wide concrete sidewalk within the right-of-way.
d. Along Rittenhouse Road - No curbs exist. The potential for curbing and road widening should be further defined by our traffic engineers; it may be appropriate for waiver or appropriate for further road improvements depending on their final review.
e. Along Rittenhouse Road - Storm sewer infrastructure does exist.
f. Along Rittenhouse Road - an eight-foot-wide meandering asphalt path is to be constructed. This asphalt path will require certain easements as the path does meander outside of the proposed right-of-way for Rittenhouse Road. The configuration of the path comes as a result of conversations with Township staff allowing for a more interesting and safe pedestrian experience. The ultimate width of the asphalt path should be weighed against the intended future use of a Rittenhouse Road trail.
4. Section 123-33-This is the code citation obligates the installation of sidewalks. It appears the current pian meets the intent of the store section.
5. Section 123-41.E(2) - The stormwater management system to the southeast side of the building discharges into an storm sewer system. Additional information is required through title to understand who has ultimate responsibility for maintenance and repair of the downstream infrastructure and to assure the right to make connection to this infrastructure through easement documentation or new easement creation.
6. Section 123-43 stormwater management - During the conditional use application process, significant conversation regarding stormwater management obligations were convened. In the intervening months, my office has had several conversations with the design engineers regarding basic premise theory, design management theory and ultimate design detail. I am happy to report that these earlier conversations result in a stormwater management program that we are able to support. In general, the southeast side of the building drains to a significant underground detention basin. The large underground basin is supplemented by two small water quality rain gardens adjacent to the loading dock areas. This basin was designed cognizant of the existing impervious cover that exists on the property taking advantage for only $80 \%$ of that existing surface. The result is a form of payment for sins of the past from a time when stormwater management was not required. Further, the outfall from the system was designed only to meet the capacity of the small-diameter storm sewer the drains the property through the above-mentioned easement discussion. Runoff from the northwest side of the building is managed through a series of stormwater rain gardens. These rain gardens and the plant material that are associated with it become part of an enhanced landscaping package along Rittenhouse Road. The ultimate outfall from these rain garden facilities is into the existing storm sewer system in the bed of Rittenhouse Road.

October 11, 2023
Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: 960 Rittenhouse Road - Warehouse Land Development Application

In my opinion, managing the runoff from this property will result in a significant improvement to the watershed downstream of the project.
7. Section 123-50 landscaping - During the conditional use application project a significant conversation regarding project landscaping occurred. The Township's major concern was with regard to massing of the building visible to the motoring public along Rittenhouse Road. I am happy to report that it appears the applicants took this conversation seriously. The Rittenhouse Road frontage is softened by a combination of street trees, foundation landscaping, rain garden infrastructure with basin bottom plant materials as well as the meandering asphalt path. Further, the perimeter landscape material in the form of combinations of deciduous trees, evergreen trees, and shrubs has been provided. We look forward to further discussions regarding implementation of this landscape material as the project appears before our planning commission.
8. Section 123-54 - Concrete survey monuments are required to be placed at each property corner including the new ultimate right-of-way boundaries.

## General design comments:

1. Environmental Sustainability - The Township has adopted environmental sustainability guidance. We ask the applicant in this design to consider electric vehicle charging stations, the opportunity for solar panel charging, the opportunity for the implementation of pervious pay/ng and parking lot areas, stormwater capture and reuse, and other green infrastructure Please fel free lo confact me with any questions you may have regarding this matter.

Timo hy Poodrow, P.E.
Towfs 1 , Engineer
Wooffow \& 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
Casey Moore, P.E., McMahon Associates
Alan M. Rubendall, System Superintendent - L. Prov. Sewer Authority
Ed Woyden, P.E. - Gannett Fleming Engineers
William R. McNaney, P.E. - Robert E. Lamb, Inc.
960 Rittenhouse Road Associates - Applicant

October 10, 2023

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

## RE: Traffic Review \#2 - Preliminary/Final Land Development Plans

Proposed Warehouse Development - 960 Rittenhouse Road
Lower Providence Township, Montgomery County, PA
Project No. 311389-01-001 (formerly 823176.11)
Dear Mike:
Per the Township's request, McMahon, a Bowman company (herein will refer as Bowman) has completed our second ( $\left.2^{\text {nd }}\right)$ review of the proposed warehouse development to be located at 960 Rittenhouse Road in Lower Providence Township, Montgomery County, PA. Previously we completed a review of the Conditional Use limited plan submission. According to the submitted materials, the proposed redevelopment of this property will consist of demolishing an approximate 25,000 square-foot building and constructing a 69,174 square-foot warehouse. Access to the proposed development will be provided via a full-movement unsignalized driveway to Van Buren Avenue east of Rittenhouse Road, and a full-movement unsignalized driveway to Rittenhouse Road north of Van Buren Avenue.

The following documents were received and reviewed in preparation of our comments:

- Preliminary/Final Land Development Plans - 960 Rittenhouse Road Warehouse, prepared by REL Design, Inc., last revised September 22, 2023.
- Lower Providence Township Resolution 2023-23, resolved and approved on June 1, 2023.

Based on our review of the documents listed above, Bowman offers the following comments for consideration by the Township and action by the applicant.

## 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. This review is specific to the submitted land development plans referenced above only. The applicant has not yet addressed our office's comments pertaining to the transportation impact study (TIS) contained in our Mach 10, 2023, review \#1 letter as a revised TIS has not been provided to the Township or our office, nor has a response letter to how prior comments were addressed. This item must still be provided and reviewed.
3. According to the Township's Roadway Sufficiency Analysis, the proposed development is located in Transportation Service Area One, which currently has a corresponding impact fee of $\$ 413$ 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. According to Township Resolution 2023-23, the applicant will be subject to payment of a traffic impact fee based upon post-development conditions (i.e., trip generation counts during a typical weekday in the PM peak period of commuter traffic) six months after warehouse (full) occupancy. Our office will calculate the transportation impact fee upon review of the actual trip generation counts captured for the site, either conducted by a qualified transportation engineer hired by the applicant or if the Township prefers, by our office, approximately six months after full occupancy of the warehouse.

## Waiver Requests

The project contains numerous waiver requests. Below are a few specific to transportation-related elements that were part of our review. The applicant's engineer must provide a formal waiver request letter listing all requested waivers on Sheet 2 and the justification for these waiver requests, for consideration by the Township Planning Commission and recommendations made by them to the Board of Supervisors who will take formal action on each.
4. The applicant is requesting a waiver from Section 123-32 of the Subdivision and Land Development Ordinance, requiring curbing along Rittenhouse Road. The plans do not show any curbing along the Rittenhouse Road site frontage, thereby not satisfying the ordinance requirement. There is currently no curbing along either side of Rittenhouse Road in the vicinity of the site. Our office would support the waiver request if the Board of Supervisors are agreeable to the waiver request to not instal! curbing along the Rittenhouse Road frontage at this time, and should the Township Engineer also be agreeable that it is not necessary for stormwater management
5. The applicant is requesting a waiver from Section 123-33 of the Subdivision and Land Development Ordinance, requiring sidewalk along Rittenhouse Road. The plans currently show an 8 -foot wide asphalt path along the Rittenhouse Road site frontage, in lieu of sidewalk. Our office would support the waiver request if the Board of Supervisors are agreeable to the waiver request to not install sidewalk along the Rittenhouse Road frontage since the plans show provision of a blacktop path along the Rittenhouse Road site frontage which provides an adequate, meandering pedestrian walkway and would be installed in lieu of sidewalk in this area.
6. The applicant is requesting a waiver from Section $123-36 . B(1)$ of the Subdivision and Land Development Ordinance, requiring a minimum of 200 feet between driveways. The plans currently show approximately 70 feet between the proposed site driveway along Van Buren Avenue and the driveway for Parcel No. 43-00-00001-00-1, well as approximately 95 feet between the proposed site driveway along Rittenhouse Road and the driveway for Parcel No. 43-00-12253-00-7, thereby not satisfying the ordinance requirement. Since the location of the Van Buren Avenue driveway appears to be in the best location for the proposed truck routing within the site, and minimal passenger car traffic is expected to use the proposed Rittenhouse Road driveway, our office would support the waiver request if the Board of Supervisors are agreeable to a waiver request to provide less than 200 feet between the proposed site driveways along Van Buren Avenue and Rittenhouse Road and the driveways for the adjacent parcels along each roadway.
7. The applicant is requesting a partial waiver from Section 123-36.F of the Subdivision and Land Development Ordinance, requiring a maximum driveway width of 28 feet at the Van Buren Avenue driveway. The plans currently show a 35 -foot width at this driveway, thereby not satisfying the ordinance requirement. The Van Buren Avenue driveway will be used by large trucks, so based on review of the turning templates it appears as though the 35 -foot driveway width is designed to accommodate truck movements at this driveway, and therefore our office would support the waiver request if the Board of Supervisors are agreeable to a waiver request to provide more than a 28 foot width for the Van Buren Avenue driveway.

## Preliminary/Final Land Development Plans

8. According to Township Resolution 2023-23, the applicant will be required to provide the following in conjunction with the proposed development:

- Restripe the eastbound Van Buren Avenue approach to Trooper Road (S.R. 0363) to provide a separate right-turn lane and separate left-turn lane. See below. We have concerns on this item as presented.
- Work with the Township to provide increased signage along area roadways to indicate truck access to the proposed warehouse. In addition, the applicant shall educate the tenant and the tenant's drivers regarding truck routes that should be used to access the facility, particularly noting the restriction of truck traffic for this site on Rittenhouse Road.

Important: Van Buren Avenue currently provides only a 30 to 32 -foot cartway width (curb to curb) as it approaches Trooper Road (S.R. 0363) which would likely not allow for sufficient lane widths for the separate right-turn egress lane, separate left-turn egress lane on Van Buren Avenue and ingress lane on Van Buren Avenue from Trooper Road (S.R. 0363) only by restriping. More likely is that the applicant will be required to provide widening on the Van Buren Avenue approach to Trooper Road (S.R. 0363) in order to accommodate movements of all types of traffic into and out of Van Buren Avenue within their lanes at Trooper Road (S.R. 0363) without encroachment. The applicant's traffic engineer must provide supporting documentation (i.e., concept plan, truck turning plan, etc.) to support provision of a separate right-turn lane and left-turn lane on Van Buren Avenue without providing widening on the Van Buren Avenue approach. Two tractor trailers exiting Van Buren Avenue at the signal in each lane, as well as a tractor trailer truck entering from Trooper Road (S.R. 0363) turning left-in and right-in must be illustrated and shown to work in the design.
9. A modified signal permit plan and potentially also a PennDOT Highway Occupancy Permit (HOP) plan must be prepared for the intersection improvements at Van Buren Avenue and Trooper Road (S.R. O363) to address the item above to provide two Van Buren Avenue approach lanes to Trooper Road (S.R. 0363). Plans must be provided for Township and PennDOT review and approvals.
10. According to the Township Street Map, Rittenhouse Road is classified as a collector road and should have an 80 -foot ultimate right-of-way width and a minimum 30 -foot cartway width as required in Section 123-31.D of the Subdivision and Land Development Ordinance. The plans currently show a 50 -foot ultimate right-of-way width and approximate 22 -foot cartway width along the site frontage of Rittenhouse Road, thereby not satisfying the ordinance requirement. We continue to recommend that the edge of the northbound travel lane of Rittenhouse Road on the site side of the road be widened to be 15 feet wide from centerline from Van Buren Avenue to the northern property line to incorporate the entire frontage. We prefer this be done in lieu of granting any
waiver requested from this SALDO requirement. The meandering trail will need to be moved, but we note that the utility poles already appear to be set back along the site frontage of Rittenhouse Road.
11. As a measure of better access management, we recommend that the existing driveway for 970 Rittenhouse Road and the proposed Rittenhouse Road driveway for 960 Rittenhouse Road (unless gated) be considered to become a single access for both properties to utilize, which will require cooperation and agreements between the property owners. This will eliminate the closely spaced access points. We request that this be investigated and the feasibility discussed.
12. 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 must 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.
13. Sight distance measurements looking to the right at the Rittenhouse Road driveway must be shown on future land development plans 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 for both passenger cars. At least the minimum safe stopping sight distances must be achievable looking to the right at the proposed Rittenhouse Road driveway and must be sufficient for the speed and conditions of this section of the roadway.
14. The plans currently show a 75 -foot clear sight triangle at the Van Buren Avenue and Rittenhouse Road driveways. Since Van Buren Avenue is classified as a feeder road and Rittenhouse Road is classified as a collector road, the plans should be revised to show a 100 -foot clear sight triangle at both driveway locations as required in Section 123-36. H of the Subdivision and Land Development Ordinance.
15. According to Section 143-71.G of the Zoning Ordinance, 47 parking spaces are required for the proposed development. The plans show 48 parking spaces, thereby satisfying the ordinance requirement.
16. The plans currently show two (2) ADA parking spaces for the proposed development. Based on the total number of proposed parking spaces with the development, the proposed number of ADA parking spaces meets requirements in in Section 123-37.Q of the Subdivision and Land Development Ordinance.
17. The Township Fire Marshal should review the emergency vehicle turning templates for accessibility and the circulation needs of Township emergency apparatus. Ensure that any correspondence, including any review comments and/or approvals, is included in subsequent submissions.
18. The turning template should also demonstrate the ability of a WB-67 to make a left-turn out of the driveway along Van Buren Avenue.
19. It is noted that there is dead-end parking within both proposed parking areas. Since this is a low parking turnover use, there at least must be sufficient space for a vehicle to maneuver from the last
space of each lot and turnaround for the vehicle or a vehicle that is unsuccessful finding parking in the row. As such, please provide passenger vehicle turning templates that demonstrate that the area provided is adequate or how it should be modified. For the northern lot, the applicant and their engineer should consider adding pavers to the plan to connect an emergency access to the eastern concrete truck parking area in case of an emergency situation.
20. The details for the proposed pavement sections shown on Sheet 33 of 38 should be revised to comply with Township standards. In addition, while the plans should specify where each pavement type (i.e. light duty, heavy duty) are proposed on the plan, the details shown on Sheet 33 provide a heavy duty concrete pavement and a heavy duty concrete plans. The design should clarify which pavement section is proposed.
21. The existing roadway grades should be added to the driveway profiles provided on Sheet 11 of 38 .
22. Retaining wall design documents, including reports, specifications, and/or details, must be submitted to the Township Engineer for review and concurrence.
23. The designer must evaluate the need for fencing along the proposed asphalt path, particularly in areas where the path meets the edges of the proposed basins.
24. Drainage calculations, including pipe capacity calculations and spread of flow calculations, must be provided for review.
25. It is unclear as to where the proposed curb ramp at the corner of Rittenhouse Road and Van Buren Avenue is directing pedestrian traffic to. In today's design standards, newly-designed ADA pedestrian ramps do not come off the middle of the radius of an intersection, but are designed for a crossing on each road tying to it and closer to 90 degrees. The design should be revised appropriately. There also appear to be no receiving ramps and no cross-walk pavement markings proposed across either Van Buren Avenue or Rittenhouse Road, that the designer should explain, and at a minimum design the ramps on the site-controlled corner to be prepared to accept crossings in the future.
26. ADA Design forms (i.e. CS-4401) for all ramps located within the Township Right-of-Way should be included for review. Non-compliant values must be reviewed and modified to meet or be as close as possible, with sufficient justification, to the requirements. A Technically Infeasible Form should be prepared for any non-compliant ramp component for review and concurrence by the Township. Any non-compliant ramp must include documentation for the non-compliance and be as close to compliant as possible prior to being considered for approval.
27. The detailed ADA curb ramp plans on Sheet 10 of 38 should be revised as follows:

- The flare widths should be labeled on the plans.
- The length of the triangular landing areas must be labeled on the plans.
- The northern ramp for the Van Buren Avenue driveway appears to have a cross-slope that exceeds $2 \%$; the designer should evaluate and revise as necessary.
- The western ramp for the Rittenhouse Road driveway should be revised to provide a minimum $0.50 \%$ slope for the DWS towards the driveway so as not to allow stormwater runoff onto the proposed path.
- Additional spot grades should be provided on the DWS for the Rittenhouse Road driveway ramps to ensure that the rigid DWS can be installed properly.

28. All curb ramps and pedestrian routes (ie., sidewalks, crosswalks, etc.) are to be constructed in accordance with the current Federal and PennDOT ADA standards. Our office will not review any ramps internal to the site, as the applicant's engineer will be responsible for their design satisfying the required ADA standards.
29. The $4^{\prime \prime}$ single white line pavement markings located on the left side of the egress lane at both the Van Buren Avenue and Rittenhouse Road driveways should be replaced with double yellow line pavement markings.
30. A "Stop" sign and stop bar should be shown on the plans on the eastbound approach of the drive aisle to the south of the building at its intersection with the drive aisle leading to/from Van Buran Avenue and the truck loading docks.
31. "Authorized Personnel Only" or similar signs should be shown on the plans on both sides of the southern end of the drive aisle leading to/from the truck loading docks to deter passenger vehicles from traveling in this portion of the site

We trust that this review letter responds to the Township's request and addresses our review of the materials for traffic operations and issues related to the proposed development apparent to us at this time. Please contact me, or Michelle Eve, P.E, should you have any questions.

Sincerely,


Casey A. Moore, P.E.
Executive Vice President

## CAM/BM

> 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 Matt Hammond, P.E., Traffic Planning and Design, Inc. (Applicant's Traffic Engineer) William McNaney, P.E., REL Design, Inc. (Applicant's Engineer)

# LOWER PROVIDENCE TOWNSHIP POLICE DEPARTMENT 

Inter Office Communications Memo
UCT 0 \& RECU

DATE: $\quad$ October 2, 2023

To: Mike Mrozinski
From: Chief Michael Jackson
SUbJECT: LD-23-01 960 Rittenhouse Road

I have reviewed the plans relating to this project 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: January 5, 2024
$\begin{array}{ll}\text { To: } & \text { Mike Mrozinski } \\ & \text { Director of Community Development }\end{array}$
From: $\quad$ Michael Rohlfing Fire Marshal

Subject: Plan Review for 960 Rittenhouse Road Warehouse

After reviewing the plans provided, there are no outstanding issues. Please see the information below regarding requirements prior to a Use and Occupancy being issued.

1. Fire flow for building must be provided prior to Use and Occupancy
2. First responder radio coverage test required prior to Use and Occupancy.

Please contact me should you have any questions.

$\qquad$








SURVEY NOTES
䢒









 Sctill







四






## 




 13． 14.



| An smant |  | ${ }_{5}^{\text {frsing }} 5$ |  |
| :---: | :---: | :---: | :---: |
|  |  |  |  |
|  |  | ${ }^{378}$ | ${ }_{6648}$ |
|  |  |  |  |
|  | ${ }_{\substack{250 \\ 30 \\ \text { FTT }}}$ |  | ${ }_{7788 \mathrm{PrT}}$ |
|  |  | cost |  |

$\qquad$


## parking requirements



oral proposse：$\quad$ as speces

MPERVIOUS SURFACE



Lot Area


general notes






 and










## WAIVERS REQuired

nou provong cure along ritemulus
解


and


And
䢒




为
期



REFERENCE PLANS













Sen ind


为










包路






解隹




## REL DESIGN，INC．，
















PRELIMINARY | NOT FOR |
| :--- |
| NGTRUCTION | CONSTRUCTION









TRST CLASS BEDDING AND INITAL BACKFILL

PPPE BEDDING






## NDARD E\&S PLAN NOTES



























䢒






neral mantenance notes

 and
nock ousmurnow wrume mionss sum





, oss unce













PROJECT CONSTRUCTION WASTES


 Nomely



EDIMENT DISPOSAL FOR PCSM BMP




E\&S PLAN PLANNING \& DESGGN NOTES
为





IIPOSAL OF WASTE NOTE


Iment basin/trap conversion seouence


 Nome


utluty line trench excavaton








EEMPORARY SEEDING SPECIFICATIONS

ermanent seeding specifications



## SUBSURFACE DEIENTION BASIN MAINIENANCE PROCEDURES









Non




1.

 Nom

Anaged release concept construction seouence






anaged release concept maintenance notes


 Mel





## SUBSURFACE DETENTIN BASIN CONSTRUCTON SEQUENCE



 Noll



## onstruction sequence



 and










INTTAL PHASE




Non





TERREDATE PHASE




and



NAL PhASE





mstun emme soem
Ses.

 Sole
Constructed fllters maintenance notes




NOT FOR










COMPOST FLLTER SOCK (ABACT BMP)





ORANGE CONStruccton fince detall



(8)

800-242-1776


Nole



Morss


 VEGETATED CHANNEL


 TOPSOLL STOCKKILE AREA





 and






$\underset{\substack{\text { TREE PROTECTION DETAL } \\ \text { (NOT To ScAEA) }}}{ }$







 Erosion control slope stablization detall
(Not To scale)






fller bag inlet protection - tupe m inlet (abact bmp)








 (Not To scale)







XIITING Conoltions－uses

OUNERSHIP，OPERATIONS AND MAINTENANCE PROCEDURES： AINENACE PROCEURESSSRSPONSIBLITES
Cin





So RTITEMOUSES ROAD ASSOCARES．LC


Sposil of Msir vit
四

## NAMAN Euvfrsi







为









## an fureurewnis




| SERAL NO． 20222781727 |
| :---: |
| CALL |
| BEFORE YOU DiG！ |







## 




 Numben cose
Nome





## есsu caveal wotss




 Nomill ，ind










vers efemit ofsen／conssructron prace
 and








## pcss mep ealues nvo rsourons



 and为


MANAGED RLLEASE CONCEPT CONSTRUCTION SEQUENC






managed release concept malntenance notes MANGED RELEASE CONCEP MANTENACE NOTES 2

Nomen


 a

SUBSURFACE DETENTON BASIN CONSTRUCTION SEQUENCE



 Misk







Subsurface detenton basin mantenance procedure





## CONSIRUCTED FLLIERS CONsIRUCTION SEQUENCE


为






## CONSTRUCTION SEQUENC

ation为




 M－

 Nond

tial pase




Nom





NTERMEDATE PHASE

I5 Roved exaid


12.


${ }_{25}^{25}$ FNLL PHASE





cisin



CONSTRUCTED FLLTERS MAIITENANCE NOTES





 Cown

 Perranent basin berw and ker detall


CONSTRUCTED FLLTER INLET DETATAL




${ }^{1-800-242-1776}$

##  <br> top nex




mRC basin 2a outiti structure detall (0.s. \#23)




Liner basin 2 B OUTLET Structure detall (o.s. \#30)







 2 .





[^0]100 Parklane Drive • Eagleville, PA 19403 • www.lowerprovidence.org

## LOWER PROVIDENCE TOWNSHIP CONDITIONAL USE APPEAL APPLICATION

| 960 Rittenhouse Road Associates, LLC <br> Applicant's(s) Name <br> 338 Sun Valley Drive <br> Street Address <br> Ambler, PA 19002 <br> City, State \& Zip Code <br> 215-840-3938 <br> Advertised Dates <br> Phone Number <br> Appeal Number <br> Application Fee/Ck\# <br> IAR 42024 <br> Date Received <br> (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.)

## Equitable owner

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

## Gregg I. Adelman, Esquire - Kaplin Stewart, 910 Harvest Drive, Blue Bell, PA 19422

Phone \#610-941-2552
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.

Marital Trust Under the Will of Frank Facciolo, 2024 Sproul Road, Broomall, PA 19008
4. Please provide the requested information about the property involved in this Conditional Use Hearing appeal as described below:

Location:
960 Rittenhouse Road
(Street Address)
Tax Map ID\#: 43-00-12256-00-4
Lot Size: 5.86 acres

## Zoning District:IP-Industrial Park- Mixed Use Overlay Sector

Present Use:
Manufacturing/Warehousing
Date of when Present Use began: $\sim 1960$ 's
Date of acquisition of this property by the owner: $3 / 29 / 2013$ $\qquad$
Please list each structure and it's use currently located on this property:
One-story 25,000 s.f. manufacturing building
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 water and public sewer
6. Are there any outstanding state or federal violations cited on this property at the time of this application?

N/A If yes, please explain these violations:
7. Has any previous zoning appeal been filed in connection with this property?

> | Yes |
| :--- |
| 960 Rittenhouse Road Associates, LLC submitted a Conditional Use Application which |
| was approved per Resolution $2023-23$ dated $6 / 1 / 2023$. |

(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)

N/A - Amendment to modify Condition 2.v of Resolution 2023-23.
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.

## Applicant proposes to amend/modify Condition 2.v of Resolution 2023-23 which states:

"Applicant shall re-stripe the intersection of Trooper Rd \& Van Buren Ave and make sure that there is a clear right turn lane on Van Buren Avenue onto Trooper Rd."
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.)

Warehouse use pursuant to Section 143-136.A
11. Are any additional state, federal or other permits required to operate the proposed use or construct the structure? Yes If yes, please provide the list of permits (and their status) required to operate the proposed use or structure.

NPDES Permit, DEP sewage planning and/or DEP/EPA environmental clearance (Act 2)
12. Describe the landscaping proposed for this property is planned, if any. Please indicate the type of landscape buffering proposed, if any.

N/A
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.)

Manufacturing/Industrial
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.)

N/A - only seeking to modify condition $2 . v$
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?

N/A - stormwater management per pending preliminary/final land development application
16. What type of new and or existing improvements are being proposed for this use?
N/A - improvements per pending preliminary/final land development application
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.

## N/A - evidence was discussed/provided/approved at 4/20/23 Conditional Use hearing

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.)

N/A - any waivers are detailed as part of pending/preliminary final land development application
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.)
There was a mutual mistake between the applicant \& the Township with respect to Condition 2.v. Both entities thought a simple restriping of an existing faded right turn lane at the intersection was feasible, which is not correct. There is no existing right turn lane at the intersection. As such, the condition requires modification based upon an impossibility.
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.


## COMMONWEALTH OF PENNSYLVANIA COUNTY OF MONTGOMERY

As subscribed and sworn to before me this $\qquad$ day of February , ,200 2024

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year aforesaid.
(SEAL)
Kathleen a seliott

## NOTARY PUBLIC

Commonwealth of Pennsylvania - Notary Seal KATHLEEN A. ELLOTT, Notary Public Montgomery County
My Commission Expires February 18, 2025
Commission Number 1247732

# LOWER PROVIDENCE TOWNSHIP MONTGOMERY COUNTY, PENNSYLVANIA <br> RESOLUTION No. 2023-23 

WHEREAS, 960 Rittenhouse Road Associates, LLC (hereinafter referred to as "Applicant") has submitted a request for conditional use approval related to property located at 960 Rittenhouse Road, Lower Providence Township, Montgomery County, Pennsylvania, further identified as Tax Map Parcel Number 43-00-12256-00-4 (the "Property"); and

WHEREAS, the Property is located in the Mixed Use Overlay Sector of the Industrial Park Zoning District; and

WHEREAS, the Lower Providence Zoning Ordinance ("Ordinance") permits various uses by conditional use; and

WHEREAS, Applicant has submitted a request for conditional use approval to utilize the property for a warehouse use, pursuant to $\S 143$-136.A of the Ordinance.

WHEREAS, Township staff and the Township Engineer have reviewed the Application; and

WHEREAS, the Board of Supervisors of Lower Providence Township (hereinafter referred to as "Board") is prepared to GRANT approval of Applicant's request for conditional use approval, subject to certain conditions; and

WHEREAS, the Board is prepared to authorize the Township Manager to execute the written decision of the Township, pursuant to Section $913.2(\mathrm{~b})(1)$ of the Pennsylvania Municipalities Planning Code.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Board of Supervisors of Lower Providence Township this $1^{\text {st }}$ day of June, 2023, that said request for conditional \{01628598;V2\}1
use approval 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 Conditional Use Approval. Applicant shall comply with any and all conditions of approval as documented in the written decision of the Township, which are as follows:
i. Applicant shall comply with all objective criteria set forth in the Ordinance at §143-80.E(2)(b) and shall demonstrate such compliance to the satisfaction of the Township prior to issuance of any Certificate of Occupancy.
ii. The proposed development shall be consistent with the exhibits and evidence introduced at the conditional use hearing. If there is a substantial change to same, including, but not limited to, a high-cube fulfillment warehouse use, the architectural renderings, landscaping plan, access, etc., additional conditional use approval will be required.
iii. Applicant shall implement the restrictive truck movements depicted on the plans, including but not limited to a prohibition of truck traffic on Rittenhouse Road.
iv. Applicant shall be subject to payment of a traffic impact fee based upon post development conditions 6 months after warehouse occupancy.
v. Applicant shall re-stripe the intersection of Trooper Road and Van Buren Avenue and make sure that there is a clear right turn lane on Van Buren Avenue onto Trooper Road.
vi. Applicant shall work with the Township for increased signage in the area to indicate where truck traffic should go coming in and out of the facility, and shall educate the tenant and drivers regarding the restrictions, particularly with respect to the prohibition of truck traffic on Rittenhouse Road.
vii. The soil remediation will be undertaken by the Applicant without any involvement from the Township. Applicant will obtain any and all necessary approvals from the EPA and DEP, and copies of all such approvals shall be provided to the Township prior to construction beginning on the site.
viii. Applicant shall ensure that soil remediation will be done in a managed process, so that stormwater will not further disturb the area during the remediation process, and Applicant will utilize proper soil sediment and erosion control
measures.
ix. Applicant will work with the Township Engineer to design appropriate stormwater improvements to support development.
x. Applicant shall use best efforts to ensure that noise coming from the property or from trucks coming and going from the property has a little impact on the neighboring and surrounding properties as is reasonably practicable, particularly between the hours of 10:00 p.m. and 7:00 a.m.
xi. Applicant will comply with any requirements of the sewer authority for any sanitary sewer flow.
xii. Applicant will comply with any requirements of any agency having jurisdiction over the property or the project.
xiii. Compliance with all conditions of approval shall be at Applicant's sole cost and expense, with no cost or expense borne by the Township.
3. Applicant shall comply with all applicable statutes, codes or ordinances during the permitting and construction of the Project.
4. The Township Manager is authorized to sign the aforementioned written decision on behalf of the Board of Supervisors.
5. This approval shall expire six (6) months from the date of this Decision.

RESOLVED and APPROVED this $1^{\text {st }}$ day of June, 2023.


## Exhibit

## ${ }^{66} \mathrm{~A}^{99}$

$\{01627502 ; \mathrm{V} 4\} 1$

## Findings of Fact

1. Applicant is 960 Rittenhouse Road Associates, LLC ("Applicant"), equitable owner of certain real property located at 960 Rittenhouse Road, Lower Providence Township, Montgomery County, further identified as Montgomery County Tax Parcel Number 43-00-12256-00-4 ("Property").
2. The Property is approximately 5.86 acres, and is within the Mixed Use Overlay Sector ("MUO") of the Industrial Park Zoning District ("IP").
3. Uses permitted by conditional use in the IP District include warehouse uses, though such uses are not permitted in the MUO, Permitted uses in the IP are as set forth at §143136.A of the Lower Providence Code of Ordinances ("Code").
4. The Property is currently occupied by a 25,000 square foot manufacturing building.
5. Applicant proposes to construct a new one-story 65,700 square foot warehouse facility together with associated parking, buffering, landscaping, utilities, stormwater management and other development-related aspects.
6. On or about February 15, 2023, Applicant submitted an application for Conditional Use approval requesting the following relief:
A. §143-136.A - to permit the Property to be used for a warehouse use.
7. A public hearing was scheduled for April 20, 2023 with the Agreement of the Applicant. Notice of the hearing was advertised consistent with the Municipalities Planning Code. Prior to the April 20, 2023 hearing, the Applicant granted an extension for the Township's consideration of the hearing. The Property was posted with notice of the April 20, 2023 hearing consistent with the Municipalities Planning Code and notice of the hearing was mailed to neighboring property owners as required by the Code.
8. The following exhibits were admitted at the April 20, 2023 hearing:

B-1 - Proof of Publication
B-2 - Proof of Posting
A-1 - Conditional Use Application
A-2 - Ryan Whitmore, CV
A-3 - Conditional Use Plan dated 4/4/23
A-4 - Conditional Use Stormwater Narrative dated 4/4/23
A-5 - Viewshed Plan dated 4/4/23
A-6-Elevation/Rendering of proposed warehouse building
A-7 Township Engineer review letter dated 3/13/23
A-8 - Landcore Engineering response letter dated 4/4/23
A-9 - Matthew Hammond, CV

A-10 - Traffic Impact Study dated 3/31/23
A-11 - Township Traffic Engineer review letter dated 3/10/23
A-12 - Michael Gonshor, CV
A-13 - Environmental Contamination Summary memo
9. The Applicant was represented at the conditional use hearing by Gregg Adelman, Esquire, who offered the following summary of the Application:
A. Applicant proposes to demolish the existing manufacturing facility and redevelop the site with a warehouse use. Applicant does not know who the tenant will be. N.T., at 11 .
B. Applicant is agreeable to a condition of approval that the proposed development will be consistent with the exhibits and evidence introduced at the conditional use hearing. If there is a substantial change to same, including the architectural renderings, landscaping plan, access, etc., additional conditional use approval would be required. N.T., at 37 .
C. Applicant is agreeable to a condition of approval being added that would require implementation of the restrictive truck movements depicted on the plans, including but not limited to a prohibition of truck traffic on Rittenhouse Road. N.T., at 62.
D. Applicant is agreeable to payment of a traffic impact fee based upon post development conditions 6 months after warehouse occupancy. N.T., at 51-52, 62 .
E. Applicant is agreeable to a condition of approval that the intersection of Trooper Road and Van Buren Avenue be re-striped and making sure that there is a clear right turn lane on Van Buren Avenue onto Trooper Road. N.T., at 61.
F. Applicant is agreeable to a condition of approval that Applicant shall work with the Township for increased signage in the area to indicate where truck traffic should go coming in and out of the facility. N.T., at 61 .
G. The soil remediation will be undertaken by the Application without any involvement from the Township. Applicant will obtain any and all necessary approvals from the EPA and DEP, and copies of all such approvals shall be provided to the Township prior to construction beginning on the site. N.T., at 81 .
10. Ryan Whitmore, P.E., testified as follows:
A. The property is located on the eastern intersection of Van Buren Avenue and Rittenhouse Road and was developed for industrial purposes with appropriate parking and loading facilities. There are no environmentally sensitive features, such as woodlands, wetlands, floodplains. There is some known site
contamination on the property. N.T., at 14-15.
B. Applicant proposes the construction of a roughly 66,000 square foot warehouse building, with primary access directly from Van Buren Avenue. That will function as a full movement driveway, except that truck traffic will be restricted from using Rittenhouse Road. Parking will consist of approximately 54 spaces on the Van Buren side. There will be 22 loading docks. N.T., at 15-16.
C. The plan is in conformity with all coverage, setback, and impervious requirements. N.T., at 16 .
D. Applicant proposes a combination of stormwater management consisting of two aboveground rain gardens and an underground stormwater basin. Infiltration is not proposed due to the known site contamination. Each of the rain garden and underground basins will be lined with an impermeable liner to prevent any potential groundwater being moved through the infiltration process. The stormwater will drain in the same pattern and pipe location as currently exists on the site, which ultimately discharges to the Schuylkill River. N.T., at 17, 28-30, 74-75.
E. From a stormwater perspective, consideration must be given to properties downhill from the site. Applicant will work with the Township Engineer to design appropriate stormwater improvements to support development. N.T., at 75-76.
F. Trucks can adequately maneuver within the site. N.T., at 18.
G. The landscaping plan includes street trees and ornamental trees on both frontages. In the parking fields, there will be shade trees and ornamental trees in parking islands. Applicant will install plantings to buffer the parking areas. Street trees will be planted along the street. N.T., at 19-21.
H. Adjacent uses are also industrial in nature. N.T., at 21.
I. Sidewalks would be provided as required in the subdivision and land development ordinance. N.T., at 21.
J. The proposed building is 52 feet tall, where 90 feet is permitted in the ordinance. N.T., at 24.
K. Mr. Whitmore reviewed the conditional use standards of the ordinance. The current use of the property is warehouse, and the proposed use is warehouse, which is permitted by conditional use. The proposed plan and redevelopment complies with the zoning ordinance requirements. Mr. Whitmore has reached out to the water and sewer providers for the property, and is awaiting certifications, but the property is currently served by public water and sewer so he does not
foresee any issues. N.T., at 26-27.
L. Applicant proposes to construct a building that is not a typical industrial building, but rather one that is broken up visually as depicted on A-6. The building will be LEED certified. The architectural rendering could change during land development. N.T., at 31-33, 35.
M. No trailer storage spaces are proposed. N.T., at 34.
N. It is possible that the number of loading bay doors installed would be less than the 22 shown on the plans, but 22 would be the maximum. N.T., at 35 .
11. Matthew Hammond, P.E., testified to the following:
A. Mr. Hammond conducted a traffic impact study related to the proposed use of the property. N.T., at 42.
B. The traffic study looks at six specific intersections: Rittenhouse and Audubon, Adams and Audubon, Adams and Van Buren, Van Buren and Trooper, Rittenhouse and Van Buren and Egypt and Rittenhouse. Mr. Hammond conducted traffic counts and did counts beyond just the typical peak hours to account for the traffic generated by a warehouse use. N.T., at 43.
C. The traffic study took into account future developments proposed for Shannondell and another nearby parcel, as well as Norris Hall Road extension. N.T., at 44.
D. The traffic study looked at the amount of traffic that would be generated by the use and superimposed it over the cited intersections. The study found that the site would have a minimal impact on the roadway network during all four peak times analyzed. N.T., at 44.
E. Mr. Hammond recommended restricting truck traffic from utilizing Rittenhouse Road, so any truck exiting the facility would have to make a left turn and travel eastbound on Van Buren to Trooper Road. Applicant will work with Township staff to determine where appropriate signage should be and will educate the tenant and drivers regarding the restrictions. N.T., at 45, 56.
F. The study also proposes minor widening for Rittenhouse Road in order to meet Township requirements along with re-striping further down on Van Buren near Trooper Road. N.T., at 46.
G. The trip generation for the proposed use is similar to other similarly sized facilities. Over the course of the day, it is anticipated that the facility would generate 143 trips, 43 of which would be truck traffic. N.T., at 46-48.
H. A high-cube ${ }^{1}$ fulfillment center would generate significantly more traffic than a general warehouse, up to 425 trips per day. The size of the proposed building would not be likely to accommodate that type of use. N.T., at 49-51.
I. If the recommendations of the study are implemented, the proposed use complies with the requirements of the Township's ordinance that require that the proposed use provides for adequate access to public roads without crating hazardous conditions at intersection or areas of poor road alignment and without creating undue congestion. N.T., at 54.
12. Michael Gonshor testified as follows:
A. Mr. Gonshor is a geologist with extensive experience in environmental contamination and remediation. N.T., at 65 .
B. Mr. Gonshor conducted an environmental study on the property. This included an environmental review of all other reports related to the property. In 2013, an EPA contractor found contaminated soils during a soil gas survey of the property. The report identified a neighboring property as a potential contaminator. N.T., at 66-67.
C. In 2019, Storb Environmental took soil samples and sampled monitoring wells, and confirmed the presence of volatile organic compounds, primarily trichloroethylene, known as TCE, which is an industrial degreaser. N.T., at 68.
D. In 2022, the EPA returned to the site for re-testing, and again confirmed the presence of TCE in the soil. N.T., at 67-68.
E. The prospective purchaser of the property, Applicant, agreed to remediate the soil, but other entities were responsible for groundwater remediation. N.T., at 69.
F. Mr. Gonshor identified an area of about 6,000 square feet near the currently existing loading dock that contains the contaminated soil and has prepared a draft work plan, which has been submitted to the DEP and the EPA. Once approved, Applicant would remediate the soil consistent with that plan. N.T., at 69-70.
G. Prior to remediation, Applicant will collect additional samples to attempt to refine the area requiring remediation. N.T., at 70 .
H. Soil remediation will be done in a managed process, so that stormwater will not further disturb the area during the remediation process, and Applicant will utilize

[^1]$\{01627502 ;$ V4\}6
proper soil sediment and erosion control measures. N.T., at 79-80.
13. The Board of Supervisors found the testimony and statements of the Applicant's witnesses and the neighboring property owners to be credible and persuasive based upon their demeanor.

## CONCLUSIONS OF LAW

1. Applicant seeks conditional use approval pursuant to §143-136.A - to permit the Property to be used as a warehouse use, which is permitted by conditional use approval in the Industrial Park Zoning District.

## 2. Legal Authority

"A conditional use is nothing more than a special exception which falls within the jurisdiction of the municipal governing body rather than the zoning hearing board." Williams Holding Group, LLC v. Bd. of Supervisors of W. Hanover Twp., 101 A.3d 1202 (Pa.Cmwlth 2014).

Pennsylvania law is well settled with respect to the burden of proof that the Board of Supervisors must apply when addressing conditional use applications. Northampton Area School District v. E. Allen Township Bd. Of Supervisors, 824 A. 2 d 372 (Pa. Cmwlth. 2003). The initial burdens of production and persuasion are placed upon the applicant to demonstrate that he or she meets all of the specific objective requirements for the conditional use as set forth in the zoning ordinance. In re Land Use Appeal of Gresko, 2009 Pa . Dist. \& Cnty. Dec. LEXIS 419 (citing Appeal of George Baker, Jr., 19 Pa. Commw. 163, 339 A.2d 131 (Pa. Cmwlth. 1975)). The Commonwealth Court has explained that "[a]n applicant who satisfies this prima facie burden is entitled to approval..." Williams Holding Group, LLC v. Bd. of Supervisors of W. Hanover Twp., 101 A.3d 1202 (Pa.Cmwlth. 2014). However, failure to sustain this burden of proof constitutes substantial evidence to reject or deny an application for conditional use approval. In re AMA/American Marketing Ass'n, Inc., 2016 WL 3258103 (Pa.Cmwlth. 2016).

In considering a conditional use application, a local governing body is free to reject even uncontradicted testimony if it finds it lacking in credibility, including testimony offered by an expert witness. Taliaferro v. Darby Twp. Zoning Hearing Bd., 873 A.2d 807 (Pa.Cmwlth.2005).

An applicant for special exception or conditional use must demonstrate that his proposed use meets the applicable requirements of the zoning ordinance when the application is submitted.
"An applicant is entitled to a conditional use as a matter of right, unless the governing body determines that the use does not satisfy the specific, objective criteria in the zoning ordinance for that conditional use. The applicant bears the initial burden of showing that the proposed conditional use satisfies the objective standards set forth in the zoning ordinance, and a proposed use that does so is presumptively deemed to be consistent with
the health, safety and welfare of the community. Once the applicant satisfies these specific standards, the burden shifts to the objectors to prove that the impact of the proposed use is such that it would violate the other general requirements for land use that are set forth in the zoning ordinance, i.e., that the proposed use would be injurious to the public health, safety and welfare." EQT Production Company v. Borough of Jefferson Hills, 652 Pa .508 (2019).

Further, a promise to comply or conditions compelling future compliance cannot cure an otherwise noncompliant application. The Commonwealth Court has rejected arguments that assurances of future compliance should be sufficient, stating "[i]f we were to adopt a rule that to obtain a special exception all that would be required is for an applicant to promise to come into compliance at some future date, it would make the approval process meaningless because once an applicant promises it would be entitled to receive the special exception." In re Thompson, 896 A.2d 659, 680 (Pa.Cmwlth. 2006 ) (emphasis supplied) (citations omitted).

## 3. Objective Ordinance Criteria.

The objective criteria for conditional use approval are set forth at $\S 143-80 . \mathrm{E}(2)$ (b), as follows:
"[1] That the propose use is appropriate to the tract in question and will not adversely effect the character of the surrounding land uses and general neighborhood.
[2] That the proposed use provides for adequate access to public roads without creating hazardous conditions at intersections or areas of poor road alignment and without creating undue congestion. All applications shall be accompanied by a traffic impact analysis which meets the requirements of the Township's Subdivision and Land Development Ordinance, as last amended.
[3] That the proposed use conforms to all applicable requirements of this article.
[4] That the proposed use's water supply and sanitation systems are adequate and able to prevent disease, contamination and unsanitary conditions. Where applicable, a certificate of adequacy of sewage and water facilities shall be provided.
[5] That the proposed use will result in an appropriate use of land, the conservation of the value of buildings, safety from fire, panic and other dangers, adequacy of light and air, the prevention of overcrowding of land and congestion of population and the adequacy of public and community services."

There are no further objective criteria that are applicable to warehouse uses.
4. Applicant's Requests for Relief
A. As noted above, the Board found the testimony of Applicant's witnesses to be credible and persuasive. Applicant's witnesses testified regarding Applicant's compliance with each of the criteria set forth above.
B. Conditions of Approval. The Board of Supervisors imposes the following
conditions of approval on the Application:
i. Applicant shall comply with all objective criteria set forth in the Ordinance at §143-80.E(2)(b) and shall demonstrate such compliance to the satisfaction of the Township prior to issuance of any Certificate of Occupancy.
ii. The proposed development shall be consistent with the exhibits and evidence introduced at the conditional use hearing. If there is a substantial change to same, including, but not limited to, a high-cube fulfillment warehouse use, the architectural renderings, landscaping plan, access, etc., additional conditional use approval will be required.
iii. Applicant shall implement the restrictive truck movements depicted on the plans, including but not limited to a prohibition of truck traffic on Rittenhouse Road.
iv. Applicant shall be subject to payment of a traffic impact fee based upon post development conditions 6 months after warehouse occupancy.
v. Applicant shall re-stripe the intersection of Trooper Road and Van Buren Avenue and make sure that there is a clear right turn lane on Van Buren Avenue onto Trooper Road.
vi. Applicant shall work with the Township for increased signage in the area to indicate where truck traffic should go coming in and out of the facility, and shall educate the tenant and drivers regarding the restrictions, particularly with respect to the prohibition of truck traffic on Rittenhouse Road.
vii. The soil remediation will be undertaken by the Applicant without any involvement from the Township. Applicant will obtain any and all necessary approvals from the EPA and DEP, and copies of all such approvals shall be provided to the Township prior to construction beginning on the site.
viii. Applicant shall ensure that soil remediation will be done in a managed process, so that stormwater will not further disturb the area during the remediation process, and Applicant will utilize proper soil sediment and erosion control measures.
ix. Applicant will work with the Township Engineer to design appropriate stormwater improvements to support development.
x. Applicant shall use best efforts to ensure that noise coming from the property or from trucks coming and going from the property has as little
impact on the neighboring and surrounding properties as is reasonably practicable, particularly between the hours of 10:00 p.m. and 7:00 a.m.
xi. Applicant will comply with any requirements of the sewer authority for any sanitary sewer flow.
xii. Applicant will comply with any requirements of any agency having jurisdiction over the property or the project.
xiii. Compliance with all conditions of approval shall be at Applicant's sole cost and expense, with no cost or expense borne by the Township.

## 5. Conclusion

For the reasons set forth above in more particular detail, the Board of Supervisors found that Applicant sustained its burden of proof for the conditional use application, and GRANTED the application, subject to the conditions of approval set forth herein.

Gregg I. Adelman, Esquire Direct Dial: (610) 941-2552

March 4, 2024

# VIA HAND DELIVERY \& EMAIL (MMROZINSKI@LOWERPROVIDENCE.ORG) 

Mike Mrozinski, Director of Planning \& Development
Lower Providence Township
100 Parklane Drive
Eagleville, PA 19403

## RE: 960 Rittenhouse Road Associates, LLC -Conditional Use Application

Dear Mike:
As you are aware, I represent 960 Rittenhouse Road Associates, LLC ("Applicant"). Applicant previously submitted an application for conditional use approval for the use of a warehouse facility on property located at 960 Rittenhouse Road in Lower Providence Township. The application was heard and approved at the Board of Supervisors' June 1, 2023, subject to the conditions outlined in Resolution \#2023-23 ("Resolution"). Applicant proposes to amend and/or modify Condition 2.v of the Resolution. Therefore, I am enclosing the following:

1. An original and fifteen (15) copies of a completed and notarized Conditional Use Application Amending Condition 2.v of the Resolution;
2. Sixteen (16) copies of the Resolution; and
3. A check made payable to Lower Providence Township in the amount of $\$ 2,000.00$ representing the application fee.

Kindly time-stamp the extra copy of the Conditional Use Application and return it to the courier.
Please inform me of when this matter will be placed on the Board of Supervisors' agenda.

Mike Mrozinski
March 4, 2024
Page 2
Please feel free to contact if you have any questions or require anything further.
Sincerely yours,


Gregg I. Adelman, Esquire
GIA/kds
Enclosure
cc (via email): Lauren Gallagher, Esquire (w/ encl.)

November 14, 2023

Michael Mrozinski, Director of Community Development
Lower Providence Township
100 Parklane Drive
Eagleville, PA 19403
Reference: 960 Rittenhouse Road - Warehouse Land Development Application
Dear Mike:
My office is in receipt of a revised set of plans prepared by REL Design, Inc. of Audubon, Pennsylvania. The plans have an original date of September 22, 2023, and have been most recently revised on November 3, 2023. Please recall that on October 11, of 2023, my office issued a review of the application measuring the plan against the conditional use approval as well as the subdivision land development ordinance. This plan revision is intended to address those earlier comments. This resubmission leaves the following items to be addressed by the applicant and the approval process:

1. Applicant shall comply with all the objective criteria set forth in the ordinance satisfying all criteria before the issuance of any certificate of occupancy.

This is to be confirmed with the Township's director of planning and zoning.
2. The applicant shall implement the restrictive truck movement depicted on the plans, including but not limited to a prohibition of truck traffic on Rittenhouse Road.

We look to McMahon and Associates for confirmation of restriction.
3. Applicant shall be subject to payment of a traffic impact fee based upon post development conditions six months after warehouse occupancy.

Open item - Compliance Acknowledged.

November 14, 2023
Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: 960 Rittenhouse Road - Warehouse Land Development Application

Approvals/Permits/Reviews - My office is looking for the applicant to secure the following approvals/permits/reviews in conjunction with the land development plan application.

1. Fire and potable water supply certification from the appropriate authority.
2. Lower Providence Township Sewer Authority.
3. PA DEP - Waiver of or exemption from sewage facilities planning.
4. PA DEP - NPDES permit approval.
5. PA DEP - Resolution of any environmental contamination restrictions from earlier uses on the property.
6. Execution of land development and financial security agreements.
7. Execution of stormwater operation and maintenance agreement.
8. Execution of a trail easement for Rittenhouse Road

## Subdivision Land Development Ordinance Review:

1. Section 123-32.A - Curbs, sidewalk and storm sewers are required for the road frontages.
a. Along Van Buren Avenue - Curbs exist along this frontage; however, the Township will reserve the right to require that damaged or misaligned curbs be replaced in conjunction with a preconstruction view of the property. A site inspection is to be arranged with public works and engineer.
b. Along Van Buren Avenue - Very limited storm sewer infrastructure exists. We would like the opportunity to walk the site with the designers and our public works director to assure we have captured and managed runoff from this road frontage.
2. Section 123-41.E(2) - The stormwater management system to the southeast side of the building discharges into an storm sewer system. Additional information is required through title to understand who has ultimate responsibility for maintenance and repair of the downstream infrastructure and to assure the right to make connection to this infrastructure through easement documentation or new easement creation. This office has been in contact with the adjacent owner. A follow up meeting is to convene with all parties.

## General design comments:

1. Environmental Sustainability - The Township has adopted environmental sustainability guidance. We ask the applicant in this design to consider electric vehicle charging stations, the opportunity for solar panel charging, the opportunity for the implementation of pervious paving and parking lot areas, stormwater capture and reuse, and other green infrastructure to further these Township goals.

Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: 960 Rittenhouse Road - Warehouse Land Development Application

The developer, while accepting that these requests are not required, acknowledges their intent to install the necessary conduit to permit multiple parking spaces to be "EV" ready and capable of easily accepting EV charging apparatus. A note to this effect must be added to the plans and a land of the conduits shown.

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

## Pimothy P. Woodrow, P.E. <br> Township Engineer <br> 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 Casey Moore, P.E., McMahon Associates
Alan M. Rubendall, System Superintendent - L. Prov. Sewer Authority
Ed Woyden, P.E. - Gannett Fleming Engineers
William R. McNaney, P.E. - Robert E. Lamb, Inc.
960 Rittenhouse Road Associates - Applicant
Greg Adelman, Esq - Kapling|Stewart

# TOWNSHIP OF LOWER PROVIDENCE 

ORDINANCE NO. 680

AN ORDINANCE OF THE TOWNSHIP OF LOWER PROVIDENCE, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING PROVISIONS OF THE LOWER PROVIDENCE TOWNSHIP RESTATED POLICE PENSION PLAN TO INCORPORATE CHANGES AGREED TO THROUGH COLLECTIVE BARGAINING

## CERTIFICATION

I, E.J. MENTRY, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE TOWNSHIP MANAGER IN LOWER PROVIDENCE TOWNSHIP, MONTGOMERY COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE NO. 680.
E.J. Mentry, Township Manager
$\qquad$ , 202 $\qquad$

ENACTED: $\qquad$

# TOWNSHIP OF LOWER PROVIDENCE 

ORDINANCE NO. 680


#### Abstract

AN ORDINANCE OF THE TOWNSHIP OF LOWER PROVIDENCE, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING PROVISIONS OF THE LOWER PROVIDENCE TOWNSHIP RESTATED POLICE PENSION PLAN TO INCORPORATE CHANGES AGREED TO THROUGH COLLECTIVE BARGAINING


WHEREAS, the Township of Lower Providence (the "Township") has previously enacted an Ordinance establishing the Lower Providence Township Police Pension Plan (the "Plan"); and

WHEREAS, the Plan was totally amended and restated, effective April 17, 2002, and amended further in 2016; and

WHEREAS, following the most recent round of collective bargaining with the labor organization which represents the Township's Police Officers, as well as following the receipt and review of an actuarial study, the Township and the Union agreed to certain pension-related changes involving non-intervening military time purchase; and

WHEREAS, it is in the best interest of the Plan to incorporate the above changes into the Plan document to remain in compliance with applicable law.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Lower Providence Township, as follows:

SECTION 1. Service. Section 1.10(e) of the Police Pension Plan is hereby amended to provide as follows:
(e). Credit for Military Service - Any employee employed as a member of the police force who has been a regularly appointed employee for a period of at least six months and who thereafter enters into the military service of the United States shall receive credit for all such military service, if he returns to employment with the employer within six months after his separation from military service.

In addition, an Officer may purchase service credit for up to five (5) years of active military service with the United States armed forces provided that such service occurred prior to the individuals employment as a Township Police Officer,
provided that the Officer is not entitled or eligible to receive and is not currently receiving, retirement benefits for such service from any retirement system administered and wholly or partially paid for by any other governmental agency. The amount due for the purchase of credit for military service other than intervening military service shall be computed in accordance with Section 4 of Act 600, 53 P.S. § 770. The amount due shall be calculated by applying the average normal cost rate for borough, town, township and regional police pension plans as certified by the Public Employee Retirement Commission or its successor, but not to exceed ten percent (10\%), to the Officer's average annual rate of compensation over the first three (3) years of Township service and multiplying the result by the number of years and factional part of a year of creditable non-intervening military service being purchased together with interest at the rate of four and three-quarters (4.75\%) compounded annually from the date of the initial entry into Township service to the date of payment.

Notwithstanding the preceding, effective December 12, 1994, contributions, benefits, and service credit with respect to qualified military service will be provided in accordance with IRC section 414(u).

## SECTION 2. REPEALER.

All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

## SECTION 3. EFFECTIVE DATE.

The terms of this Ordinance shall take effect immediately.
ENACTED AND ORDAINED this $\qquad$ day of $\qquad$ , 2024 by the Board of Supervisors of the Township of Lower Providence.

# TOWNSHIP OF LOWER PROVIDENCE BOARD OF SUPERVISORS 

Dr. Janine Darby, Chair
Attested by:

[^2]
## MEMORANDUM

TO: Board of Supervisors
FROM: E.J. Mentry, Township Manager
SUBJECT: 2024 Road Improvements Project Bid Award (Agenda Item 4.c.)
DATE: March 12, 2024

Please recall that at the 2/15/24 meeting, the Board of Supervisors authorized advertisement of the 2024 Road Reconstruction bid ("road program"). The road program was duly advertised, and a mandatory pre-bid meeting was held on March 5, 2024. A total of six contractors attended. Please find attached the minutes from the pre-bid meeting.

The road program bid opening is scheduled for Wednesday, March 20 at 10:00 AM, the day before the Supervisors meeting. Unless there are significant issues with the bid opening, we anticipate having the bids reviewed, tabulated, and ready for an award recommendation for the Supervisors meeting on Thursday, March 21. Because of the timing of the bid opening, currently we do not have any updated materials for the BOS meeting packets. We will have printouts of the bid tabulation and award recommendation letter for each Supervisor Thursday night. If possible, we will send to the BOS in advance of the meeting.

Please let me know if you have any questions in advance of the meeting. I am happy to discuss in more detail with any of you individually.

## Addendum No. 1

 MEMORANDUMTo:

From:
All Attendees
Rodney Hagenbuch, Public Works - Lower Providence Township

Cc: $\quad$ E.J. Mentry, Township Manager - Lower Providence Township
Date: March 5, 2024
Reference: Lower Providence Township 2024 Road Improvement Project Pre-bid Meeting Minutes

On the morning of March 5, 2024, a meeting was convened at the offices of the lower Providence Township administration. The meeting was attended by the following attendees:

| Meeting Attendees |  |  |  |  |  |  |
| :--- | :--- | :---: | :--- | :---: | :---: | :---: |
| Name | Company/Affiliation |  |  |  | Phone | E-Mail |
| Ed Rodenberger | Gorecon, Inc. | $484-522-8729$ | estimating@goreconinc.com |  |  |  |
| Jason Saylor | H\&K Group | $610-222-3086$ | jsaylor@HKGroup.com |  |  |  |
| Steve Clapper | Sacks and Sons | $610-287-7393$ | steve@sacksandsons.com |  |  |  |
| Nathan Miller | Allan Myers | $304-257-0340$ | nathan.miller@allanmyers.com |  |  |  |
| Mike Kossa | Allan Myers | $804-314-5258$ | mike.kozza@allanmyers.com |  |  |  |
| Rich Somors | Innovative Con | $610-470-8000$ | r.somers@inncon.com |  |  |  |
| Matt Uliasz | Glasgow Co., Inc. | $215-884-8800$ | matt.uliasz@glasgowinc.com |  |  |  |
| Alan Rubendall | LPTSA | $610-476-9104$ | arubendall@lptsa.org |  |  |  |
| Joe Chillano | L.P. Public Works Director | $610-539-6347$ | jchillano@lowerprovidence.org |  |  |  |
| Tim Woodrow | Township Engineer | $215-542-5648$ | twoodrow@woodrowinc.com |  |  |  |
| Ed Slaw | Woodrow \& Assoc. | $215-542-5648$ | eslawl950@hotmail.com |  |  |  |

Mr. Woodrow opened the meeting by introducing himself as the Township engineer as well as the balance of the Township team including Joe Chillano, LP Public Works Director; Rodney Hagenbuch, LP Public Works Dept.; Ed Slaw, Woodrow and Associates; Paul Donnelly, LP Assistant Manager and Alan Rubendall, L. Prov. Sewer Authority.

1. Mr. Woodrow reminded all that sealed bids are due on Wednesday, March 20, by 10:00 a.m., at which time they will be open and read aloud.
2. It is the expectation that the Lower Providence Board of Supervisors will authorize execution of contract documents at their meeting on Thursday Night, March 21, 2024.
3. Mr. Woodrow reminded that this was a mandatory pre-bid meeting; therefore, competition for the work sits in this room.
4. Mr. Chillano reviewed several points within the bid documents that include the possibility that the Lower Providence Township Sewer Authority may take on the responsibility of resetting sanitary sewer manhole castings.
5. It was made clear that the bid form will be evaluated based upon the total value of the base contract plus the alternates to achieve a lowest qualified bidder.
6. There is no road line striping included in this contract.
7. The limits of the work on the various highways have been painted in white as of Monday, March 4, 2024 - All contractors are invited to visit the roads to get a better sense of the task ahead.
8. Mr. Chillano did point out that some of the paving extends through intersections and that intersection work will be part of the expectations of contract performance.
9. It is clear that there will be one award of the total contract requiring only one mobilization from the contractor.
10. Mr. Chillano will be reviewing asphalt mix designs and accepting only mix designs that have a maximum of $15 \%$ RAP.

The Township team would like to thank all contractors for participating in this meeting, and we look forward to accepting and receiving your bids on the 20th.

The meeting was adjourned.

## LOWER PROVIDENCE TOWNSHIP

2024 Fee schedule



## LOWER PROVIDENCE TOWNSHIP ADMINISTRATION \& FINANCE

| Description | Fee | Comments |
| :---: | :---: | :---: |


| Taxes |  |
| :--- | :--- |
| Real Estate Tax (based on $100 \%$ Assessment) | 2.1104 |
| General Fund | 0.345 |
| Library Fund | 0.276 |
| Debt Service Fund | 0.5 |
| Emergency Services Fund | 0.241 |
| Parks \& Recreation | $1.0 \%$ gross earnings (.5\% LPT/.5\% MSD) |
| Earned Income Tax | $\$ 52.00(\$ 47 \mathrm{LPT} / \$ 5 \mathrm{MSD})$ |
| Local Services Tax | $1 \%$ of purchase price $(.5 \% \mathrm{LPT} / .5 \% \mathrm{MSD})$ |
| Real Estate Transfer Tax | $10 \%$ admission sales $(5 \% \mathrm{LPT} / 5 \% \mathrm{MSD})$ |
| Amusement Tax | $\$ 100.00$ annually/ device |
| Mechanical Device Tax |  |


| Sales |  |
| :--- | :--- |
| Maps/Plans | $\$ 2.50$ |
| Color 11x17 | $\$ 1.00$ |
| Black \& White 11x17 | $\$ 10.00$ |
| Zoning Map | Cost of outsourcing plus $\$ 25.00$ courier |
| Plans Copied | $\$ 0.25$ per copy |
| Black and White 8 $1 / 2$ X 11 Copies | $\$ .025 / \mathrm{SF}$ |
| Print (Duplicating) Black and White Oversize | $\$ 1.00 / \mathrm{SF}$ |
| Scan Black and White Oversize | $\$ 8.00 / \mathrm{SF}$ |
| Print (Duplicating) Color Oversize | $\$ 7.00 / \mathrm{SF}$ |
| Scan Color Oversize | $\$ 15.00$ |
| E-Mail Electronic Files | $\$ 25.00$ per box |
| Documents Retrieved From Iron Mountain Storage | Actual cost per USPS |
| Postage | $\$ 25.00$ |
| Comprehensive Plan | Per page as per Fee Schedule |
| Budget Document | $\$ 50.00$ |
| Bid Documents | $\$ 5.00$ (includes tax) |
| Bicentennial Booklet | $\$ 10.00$ (includes tax) |
| History Book |  |

Added to Cover Printing/Scanning/ Copying on New Wide Format Printer/Scanner

| Fees | $1.5 \%$ per month on balance |
| :--- | :--- |
| Late Fee | $\$ 1.50$ per month |
| Administrative Fee | $\$ 25.00$ |
| Real Estate Tax Certification (paid to Michael Deal, TC) | $\$ 25.00$ |
| Zoning Certification | $\$ 90.00$ |
| Lien Fee | $\$ 25.00$ |
| Returned Check Fee | $\$ 60.00$ |
| Copy of Public Meeting Recording | $\$ 125.00$ (1st 3 hrs ) $\$ 15.00$ each add 'l hour |
| Auditorium Rental | $\$ 125.00$ |
| Auditorium Rental Security Deposit |  |

## Amusement Permit

| Annual | $\$ 100.00$ |
| :--- | ---: |
| Temporary | $\$ 25.00$ |
| Replacement | $\$ 5.00$ |

## LOWER PROVIDENCE TOWNSHIP POLICE/PUBLIC SAFETY

| Description | Fee |
| :--- | :--- |
| Police Reports |  |
| Accident Report | $\$ 15.00$ |
| Incident Report (No fee for crime victims) | $\$ 20.00$ |

Alarm Fees

| False Fire Alarm - per calendar year* |  |
| :--- | :--- |
| First | $\$ 100.00$ |
| Second | $\$ 200.00$ |
| Third and Up | $\$ 300.00$ |
| Commercial Burglary/Hold Up | $\$ 100.00$ |
| Residential Burglary/Panic Alarm | $\$ 50.00$ |

*Three false alarms are permitted each calendar year. For every subsequent false alarm the fee schedule applies.

## Charges for Services

|  |  |
| :--- | :--- |
| Police Services - per officer and vehicle | $\$ 130$ per hour |
| Fingerprinting | $\$ 25.00$ |
| Photograph DVD | $\$ 2.00$ per photo |
| Print Photograph $-4 \times 6$ | $\$ 4.00$ |
| Print Photograph $-5 \times 7$ | $\$ 8.00$ |
| Print Photograph $-8 \times 10$ | $\$ 12.00$ |
| Print Proof sheets | $\$ 20.00$ |
| Video | $\$ 150.00$ |
| Disaster or Life Safety Plan Review | $\$ 300.00$ |
| Floor Plan Layout | $\$ 150.00$ Per 1,000 sf or Fraction Thereof |

## Miscellaneous Permits \& Fees

| Solicitors permit | $\$ 30.00$ per day or $\$ 100.00$ per month |
| :--- | :--- |
| Police Requested Tow Service | $\$ 195.00$ per vehicle |
| Debris Clean-Up | $\$ 45.00$ |
| Storage-Per Day | $\$ 55.00$ |

Special tow situations involving heavy equipment or other special circumstances, rates shall be subject to a fee which is reasonable and customary in Montgomery County.

## Fire Marshal

| Fire Marshal Investigation Report (No fee for fire victims) | $\$ 75.00$ |
| :--- | :--- |
| Recreational Fire Permit | $\$ 50.00$ |
| Permanent Outdoor Fireplace Permit | $\$ 100.00$ |
| Bonfire Permit | $\$ 100.00$ |

## LOWER PROVIDENCE TOWNSHIP POLICE/PUBLIC SAFETY

| Description | Fee |
| :---: | :---: |
| Criminal History Record Information Act Fees |  |
| Initial Processing Fee | \$250.00 |
| Electronic storage devices such as DVDs, flash drives, and external hard drives | Township Cost |
| Retrieval | \$6.25/fifteen minutes |
| Photocopying | \$0.25/page for black \& white |
|  | \$0.50/page for color |
| Postage | Township Cost |
| Legal work, including but not limited to necessary redactions | Solicitor's hourly rate for litigation matters as imposed by the Lower Providence Township Board of Supervisors from time to time |

## LOWER PROVIDENCE TOWNSHIP <br> Community Development

| Description | Fee |
| :--- | :--- |
|   <br> Submission Type <br> Sketch, Preliminary, Preliminary/Final and Final Submission $\$ 1,500.00$ plus $\$ 100.00$ per dwelling unit <br> Major/Minor Land Development*** <br> Sketch, Preliminary, Preliminary/Final and Final Submission $\$ 1,500.00$ plus $\$ 100.00$ per acre <br> Conditional Use Appeal $\$ 2,000.00$ plus $1 / 2$ Stenographer Fee* <br> Request for Change of Zoning (Text or Map) $\$ 2,500.00$ plus $1 / 2$ Stenographer Fee* <br> De minimis Plan Review $\$ 500.00$ plus engineering review cost <br> Hearing Postponement Only $50 \%$ of Application Fee <br> Professional services not connected with other SALDO or permitted <br> projects, including staff - solicitor meetings As invoiced by the Township |  |

Please note: The maximum fee paid for all new submissions shall be $\mathbf{\$ 1 0 , 0 0 0 . 0 0}$
See Attached Third Party Consultant Fee Schedules.

| Escrows - Subdivisions/Land Development |  |
| :--- | :--- |
| Subdivision | $\$ 2,500 / \mathrm{lot}-\$ 30,000$ MAX |
| Land Development | $\$ 7,500 / \mathrm{lot}-\$ 30,000 \mathrm{MAX}$ |

Please note: The Township will draw down the escrow for all fees associated with the plan review process. Applicant will be required to replenish the escrow upon notice from the Township. See Attached Third Party Consultant Fee Schedules.

| Traffic Impact Fees |  |
| :--- | :--- |
| Transportation Service Area 1 | $\$ 1,822.00 /$ peak hour trip |
| Transportation Service Area 2 | $\$ 413.00 /$ peak hour trip |


| Park and Recreation Fees |  |
| :--- | :--- |
| Dwelling Unit | $\$ 1,160.00 / \mathrm{unit}$ |
| Indoor Commercial Building Floor Area | $\$ 1.10 / \mathrm{sf}$ |
| Indoor Office Building Floor Area | $\$ 1.77 / \mathrm{sf}$ |
| Indoor Industrial Building Floor Area | $\$ 0.76 / \mathrm{sf}$ |

*The applicant must pay ${ }^{1 / 2}$ of the stenographer's invoice beyond the initial meeting
${ }^{* * *}$ All applications for Subdivision and Land Development must be submitted to the Montgomery County Planning Commission (MCPC) for review. Costs associated with the County review are not included in the Township Fees. The County fee can be found on the current MCPC Act 247 Fee Schedule.

| Zoning Hearing Board |  |
| :--- | :--- |
| Variance, Special Exception, Enforcement Notice, and other Types <br> of Zoning Appeals |  |
| Residential | $\$ 800.00$ plus $1 / 2$ Stenographer Fee $*$ |
| Other Uses (Commercial, Industrial \& Institutional) | $\$ 1,700.00$ plus $1 / 2$ Stenographer Fee $*$ |
| Request to Extend Hearing | stenographer fees, legal \& advertising fees as invoiced to LPT |
| Request to Extend Decision | stenographer fees, legal \& advertising fees as invoiced to LPT |

Added to cover

| Specific Types of Zoning Appeals | $\$ 6,500.00$ plus $1 / 2$ Stenographer $\mathrm{Fee}^{*}$ |
| :--- | :--- |
| Challenge to Validity of Ordinance and/or Map | $\$ 7,500.00$ plus $1 / 2$ Stenographer $\mathrm{Fe}^{*}$ |
| Curative Amendment | $50 \%$ of Application Fee |
| Hearing Postponement Only |  |

*The applicant must pay $1 / 2$ of the stenographer's invoice following the initial meeting and for each subsequent meeting until the appeal

## LOWER PROVIDENCE TOWNSHIP Community Development

| Description | Fee |
| :--- | :--- |
| Zoning Permit  <br> $\sim$ Erection, construction, movement, placement, or expansion of a  <br> structure, building or sign  <br> $\sim$ Shed/Accessory Structures <1,ooo sf  <br> $\sim$ Sign - new or change of existing monument sign $\$ 75.00$ <br> $\sim$ Fence  <br> $\sim$ Patio  <br> $\sim$ New, change or expansion of use $\$ 75.00$ plus the cost of External Engineering Fees <br> Grading/Drainage  |  |

See Attached Third Party Consultant Fee Schedules.

| Miscellaneous Permits \& Fees |  |
| :--- | :--- |
| Residential Resale Certificate | $\$ 100.00-$ intial \& one follow-up inspection |
| Residential Resale Re-Inspections | $\$ 50.00-$ all re-inspections beginning with third <br> facility $<10,000$ sf; $\$ 375.00$ for facility $\geq 10,000$ sf |
| Commercial - Resale Certificate <br> $\sim$ Change of Ownership/Change of Tenancy | No Charge |
| Contractor Registration: PA registered HIC | $\$ 100.00-$ annually renewable |
| Contractor Registration: <br> $\sim$ Commercial \& Residential New Construction | $\$ 35.00-$ annually renewable |
| Home-Based Business License | $\$ 150.00-$ annually renewable |
| Business License | $\$ 50.00-$ Starting with Third Inspection |
| Business License Re-Inspection Fee | $\$ 250.00$ |
| Occupant Load Calculation | $\$ 25.00-$ one-time fee |
| Residential Alarm | $\$ 10.00$ per day |
| Yard Sale - Individual Sale | $\$ 15.00$ per day |
| Yard Sale - Group Sale (Multiple sites/houses) | $\$ 125.00$ |
| Special Event (For Profit Only) | $\$ 50.00$ |
| Block Party Permit | $\$ 225.00$ |
| Fireworks Permit | $1.5 \%$ of Job Cost |
| Emergency Responder Radio Coverage Test/Install Permit | $\$ 25.00$ |
| Missed Inspection Fee |  |

## Building Permits

| Residential | $\$ .40$ per sf of area being added or altered; there is a <br> $\$ 99.00$ minimum. Plus PA UCC fee** |
| :--- | :--- |
| Non-Residential | $\$ .67$ per sf of area being added or altered; there is a <br> $\$ 99.00$ minimum. Plus PA UCC fee** |
| Accessibility Permit | $\$ 115.00$ plus $\$ .07$ per sf of floor area (or fraction <br> thereof) |
| Swimming Pool | $\$ 25.00$ per $\$ 1,000.00$ (or fraction thereof) pool <br> construction cost PLUS PA UCC Fee**; plus, <br> engineering \& legal fees as invoiced to LPT |
| Demolition | $\$ 100.00$ PLUS PA UCC Fee** |
| Additional Plan Review | $\sim \$ 200.00$ for $\leq 10,000$ sf being added or altered <br> $\sim \$ 375.00$ for $>10,000$ sf being added or altered |
| Re-Inspections | $\$ 50.00$ for each "Repeat" Inspection beginning with <br> third |
| Working without a Permit | Double the cost of orginal permit |

${ }^{* *}$ An amount assessed per Commonwealth of PA Act 157 of 2006. Amount subject to change without notice, but as of December 2020-\$4.50

## LOWER PROVIDENCE TOWNSHIP Community Development

| Description | Fee |
| :---: | :---: |
| Permits |  |
| MECHANICAL PERMIT <br> ELECTRICAL PERMIT <br> SPRINKLER PERMIT <br> PLUMBLING PERMIT <br> COMMERCIAL ALARM <br> Based on cost of construction (Fair-Market value) |  |
| \$.50-\$1,000.99 | \$99.00 PLUS PA UCC Fee** |
| \$1,001.00-\$2,500.99 | \$132.00 PLUS PA UCC Fee** |
| \$2,501.00-\$5,000.99 | \$171.00 PLUS PA UCC Fee** |
| \$5,001.00-\$7,500.99 | \$259.00 PLUS PA UCC Fee** |
| \$7,501.00 - \$10,000.99 | \$265.00 PLUS PA UCC Fee** |
| >\$10,000.99 | $\$ 265.00$ plus $\$ 19.00$ per additional $\$ 1,000.00$ (or fraction thereof) PLUS PA UCC Fee** |
| Water and Service Lines | \$100.00 PLUS PA UCC Fee** |

## BUILDING CODE HEARING BOARD <br> $\sim$ Building Code Appeals-Variance, Enforcement Notice, <br> Etc.

| Residential | $\$ 500.00$ plus $1 / 2$ stenographer fee* |
| :--- | :--- |
| Other Uses (Commercial \& Industrial) | $\$ 1,750.00$ plus $1 / 2$ stenographer fee* |
| Hearing Postponement Only | $50 \%$ of Application Fee |

*The applicant must pay $1 / 2$ of the stenographer's invoice following the initial meeting and for each subsequent meeting until the appeal of rezoning request is complete.
See Attached Third Party Consultant Fee Schedules.

## LOWER PROVIDENCE TOWNSHIP Public Works

| Description | Fee |
| :--- | :--- |
| Highway Occupancy Permits  <br> Non-Refundable Issuance Fee $\$ 50.00$ <br> Inspections $\$ 50.00$ <br> 5o linear ft. or less $\$ 20.00$ <br> Each additional 10o linear ft. $\$ 50.00$ <br> Street opening for utility (Connection / Repair)  <br> Driveways/Sidewalks $\$ 50.00$ <br> Driveway including curb cut $\$ 50.00$ <br> New curb or sidewalk $\$ 50.00$ <br> Repair existing sidewalk(up to 5 blocks)  <br> Facilities $\$ 75.00$ <br> Utility pole installation up to 4 poles $\$ 20.00$ <br> Each additional pole $\quad$ |  |


| Charges for Services |  |
| :--- | :--- |
|  |  |
| Public Works Services - per employee | \$93.00 per hour |
|  |  |

## Equipment Rental/Sales

| Loader with Operator | $\$ 173.00$ per hour |
| :--- | :--- |
| Backhoe with Operator | $\$ 158.00$ per hour |
| Large Dump Truck with Operator | $\$ 153.00$ per hour |
| Small Truck with Operator | $\$ 120$ per hour |
| Large Tractor Mower with Operator | $\$ 120.00$ per hour |
| Walk Behind Mower with Operator | $\$ 100.00$ per hour |
| Riding Mower -Zero Turn with Operator | $\$ 110$ per hour |
| Trimmer/Weedwhacker with Operator | $\$ 100.00$ per hour |
| Air Compressor with Operator | $\$ 110$ per hour |
| $\# 40$ Bag of Oil Dry | $\$ 20.00$ per bag |

## LOWER PROVIDENCE TOWNSHIP Parks \& Recreation

## Description

Fee

| Lil' Perkiomy |  |  |
| :---: | :---: | :---: |
| Three 2-week sessions (9:00am - 12:oonoon) | Early Registration Savings Before April 1 | After March 31 |
| First Child | \$200.00 | \$220.00 |
| Additional Children in family | \$180.00 | \$200.00 |
| Non-Residents | \$230.00 | \$230.00 |
| Cancellation Fee - (No refunds after June 1st) | \$60.00 | \$60.00 |
| Camp Perkiomy |  |  |
| 6 weeks (8:ooam - 4:0opm) | Early Registration Savings Before April 1 | After March 31 |
| First Child | \$900.00 | \$970.00 |
| Additional Children in family | \$875.00 | \$945.00 |
| Non-Residents | \$1,170.00 | \$1,170.00 |
| Extended Afternoon (Mon - Thurs/4:00pm-5:00pm | \$260.00 | \$285.00 |
| Counselor in Training | \$225.00 | \$225.00 |
| Cancellation Fee - (No refunds after June 1st) | \$60.00 | \$60.00 |
| Perkiomy Trail Blazers |  |  |
| 6 weeks (8:ooam - 4:00pm) | Early Registration Savings Before April 1 | After March 31 |
| First Child | \$1,030.00 | \$1,080.00 |
| Additional Children in family | \$1,005.00 | \$1,055.00 |
| Non-Residents | \$1,320.00 | \$1,320.00 |
| Extended Afternoon (Mon - Thurs / 4:00pm - 5:00pm) | \$260.00 | \$285.00 |
| Cancellation Fee - (No refunds after June 1st) | \$60.00 | \$60.00 |


| Park Facilities* |  |
| :--- | :--- |
| Pavilion Rental - \$100.00 Security Deposit required | Full Day |
| Residents | $\$ 80.00$ |
| Non-Residents | $\$ 160.00$ |
| Rain Dates (If canceled in advance $\$ 10$.00 is refunded) | $\$ 20.00$ |
| Ball Fields - \$500.oo Security Deposit required |  |
| Community Organization *** |  |
| Yearly maintenance Fee for Seasonal Users | $\$ 500 /$ Field/Year |
| Residents** | $\$ 50.00$ |
| One Game/Practice (2 hours) | $\$ 275.00$ |
| Per Season (1 game/practice/week, 13 weeks) | $\$ 400.00$ |
| Per Season (2 games/practice/week, 13 weeks) | $\$ 525.00$ |
| Per Season (3 +games/practice/week, 13 weeks) |  |
| Non-Residents | $\$ 100.00$ |
| One Game/Practice (2 hours) | $\$ 490.00$ |
| Per Season (1 game/practice/week, 13 weeks) | $\$ 880.00$ |
| Per Season (2 games/practice/week, 13 weeks) | $\$ 1,270.00$ |
| Per Season (3 +games/practice/week, 13 weeks) |  |

## LOWER PROVIDENCE TOWNSHIP Parks \& Recreation

| Description | Fee |
| :--- | :--- |
| Park Facilities* cont.  <br> Tennis/Pickleball/Bocce/Basketball  <br> Residents** $\$ 15.00 / 1$ hours per court <br> Non-Residents $\$ 25.00 / 1$ hours per court <br> Level Road Schoolhouse - \$100.00 Security Deposit  <br> Residents** $\$ 210.00$ (4-6 hours) <br> Non-Residents $\$ 260$ (4-6 hours) <br> Recreation Programs***  <br> Programs Vary Per Season See Program Schedule <br> Early Registration Savings See Attached explanation <br> Cancellation Fee - Not to exceed $\$ 60.00$ $50 \%$ of program fee up to 7 days before the <br> start of program. Refunds less than 7 days <br> prior to start of program subject to approval <br> from P \& R Director. |  |


| Sales | $\$ 30.00$ per brick |
| :--- | :--- |
| Walk of Honor | $\$ 10.50$ |
| Regal Movie Tickets | $\$ 9.50$ |
| Movie Tavern Tickets | Additional discount tickets maybe offered <br> throughout the year through PRPS depending <br> on availability. A commison set by PRPS will <br> be paid to the Township for each ticket sold. |
| Additional Discount Tickets |  |


| Tree Donation | $\$ 250.00$ |
| :--- | :--- |
| Eastern Redbud | $\$ 350.00$ |
| Red or White Oak | $\$ 250.00$ |
| Dogwood (Rutgan Stellar Pink Only) | $\$ 300.00$ |
| Sweet Bay Magnolia |  |

## Park Bench Donation

| 6' Park Bench | $\$ 450.00$ per bench |
| :--- | :--- |

## Early Registration Savings (ERS)

To help Lower Providence Township residents save on program offerings and to encourage early registrations, the Park \& Recreation Department has implemented an Early Registration Savings fee. With the reduced fee, you will save an average of $10 \%$ just for registering early! To qualify for the ERS, all you need to do is live in Lower Providence Township and register more than 7 days before the start date of a program. Please note that the Camp Perkiomy ERS deadline is April 1.

## Explanations for * $/{ }^{* *} /^{* * *}$

* Security Deposit is refundable upon completion of Township inspection. Failure to return keys (if applicable) will result in the forfeiture of the security deposit. Allow up to 30 days for refund. Community Organizations exempt.
** To obtain the resident fee, $50 \%$ or more of roster must be Lower Providence Township Residents.
*** To be considered a Community Organization the group must be a non-profit that makes a contribution equal or greater than the fee for each season (e.g.: makes approved repairs and/or improvements to facility, seeds \& fertilizes fields, etc.).


## Recreation Programs*

${ }^{* * * *}$ All fees for Recreation Programs, Trips, and Special Events will be provided in the Parks \& Recreation Program Brochure and on the Parks \& Recreation website.


December 6, 2023

E.J. Mentry, Manager

Lower Providence Township
100 Parklane Drive
Eagleville, PA 19403
Reference: Township Engineering Position
Dear Ms. Walsh:
I would like to thank you and the Township for continuing to allow our firm to serve as the Township Engineers. I have enjoyed working with Lower Providence Township, and it continues to be a pleasure to collaborate with such a supportive group of professionals.

We would welcome the opportunity to serve you again in the upcoming 2024 year. Below is our suggested 2024 fee schedule.

| Principal of firm | $\$ 115.00 / \mathrm{Hr}$. |
| :--- | :--- |
| Landscape/Lighting Review | $\$ 112.50 / \mathrm{Hr}$ |
| Surveyor | $\$ 107.00 / \mathrm{Hr}$ |
| Senior Engineer | $\$ 102.00 / \mathrm{Hr}$ |
| Project Engineer | $\$ 100.00 / \mathrm{Hr}$ |
| Drafts Person Designer | $\$ 90.00 / \mathrm{Hr}$ |
| Field Survey Crew (2 man) | $\$ 190.00 / \mathrm{Hr}$ |
| Administrative Assistant | $\$ 54.00 / \mathrm{Hr}$. |

Please let us know if you have any questions.


President
Woodrow \& Associates, Inc.
TPW/del

Rudolph Clarke, LLC

ATTORNEYSATLAW

Edward Rudolph
Michael P. Clarke
Peter C. Amuso
Michael L. Barbiero*
Lauren A. Gallagher*
Alexander M. Glassman*
Barbara R. Merlie
Leslie Pregel DiNapoli
Kenneth Ferris
Gregory R. Heleniak*
Nicole L.M. Feight
Patrick F. Seymour*
Derek A. Keightly
Samantha L. Newell
Harrison E. Fonteix
Shaina P. Bethala
Ryan C. Thomas
*Member of PA \& NJ Bars
OF COUNSEL:
Matthew D. Bradford
Steven J. Santarsiero
Benjamin V. Sanchez*
Maria Collett
Joseph W. Pizzo
Stephen G. Pollock
Seven Neshaminy Interplex
Suite 200
Trevose, PA 19053
Phone 215-633-1890
Fax 215-633-1830
www.rudolphclarke.com
e-mail: mclarke@rudolphclarke.com
Please respond to: Trevose

December 13, 2023

Montgomery County Office 350 Sentry Parkway East
Building 630, Suite 110A
Blue Bell, PA 19422
Phone 484-368-3808
Fax 215-633-1830
Delaware County Office
10 Beatty Road, Suite 102
Media, PA 19063
By appointment only
Phone 215-633-1890
Fax 215-633-1830
Chester County Office
101 Lindenwood Drive, Ste 225
Malvern, PA 19355
By appointment only
Phone 215-633-1890
Fax 215-633-1830
Burlington County Office
10000 Lincoln Drive East
1 Greentree Center, Ste 201
Marlton, NJ 08053
By appointment only
Phone 215-633-1890
Fax 215-633-1830

Board of Supervisors
Lower Providence Township
100 Parklane Drive
Eagleville, PA 19403

## RE: Solicitorship

## Dear Board Members:

I am writing at this time to request that the Board consider re-appointing our Firm as the Solicitor for Lower Providence Township at the following hourly rates by category, as submitted to the Township on January 12, 2022, effective January 1, 2024:

| Hourly Fee | 2024 |
| :--- | :--- |
| 165 | General Municipal Law |
| 180 | Litigation |
| 190 | Real Estate / Land Use Matter |
| 165 | Research |
| 165 | Right to Know |
| 165 | Admin |
| 165 | Other |

Board of Supervisors
Lower Providence Township
December 13, 2023
Page 2
All work performed by paralegals will be billed at the current rate of $\$ 125.00$ per hour effective January 1, 2024.

We have enjoyed the opportunity to serve the Board and the Township for the past two years and we look forward to continuing our representation of the Township.

If you should have any questions, please do not hesitate to contact me at your convenience.

Thank you for your kind consideration.

Very truly yours,


Michael P. Clarke

MPC/ec
cc: E. J. Mentry, Manager

THOMAS COMITTA AssOCIATES, INC.

The following hourly rates will apply during 2024:
Thomas J. Comitta, AICP, CNU-A, RLA, President
Certified Planner, Town Planner, Registered Landscape Architect \$195.00/hour

Erin L. Gross, AICP, RLA
Certified Planner, Registered Landscape Architect \$150.00/hour

Daniel B. Mallach, RLA, AICP, CPRP
Registered Landscape Architect, Certified Planner, ISA Certified Arborist PD-2782A, Certified Park and Recreation Professional \$155.00/hour

Jennifer Leister Reitz, AICP, LEED AP
Certified Planner
\$160.00/hour
Project Clerk
\$90.00/hour

Notes: In addition to the fees, expenses will be charged at cost for items such as mileage, copies, postage, telephone, telefax, prints, and the like. (Based on 2023 records, the expenses on various assignments were approximately $3 \%$.)
a Bowman company

# McMahon, a Bowman Company <br> Hourly Rates <br> 2024 

## CLASSIFICATION

Principal/Branch Manager/Service Leader
Senior Project Manager
Survey Manager/Senior Technical Lead
Project Manager/Technical Lead II
Assistant Project Manager/Technical Lead I
Senior Project Engineer/Senior Survey Technician
Project Engineer
Survey Party Chief
Staff Engineer/Inspector
Senior Technician/Survey Technician/Drone Pilot
Technician/Admin/Survey Technician
Field Personnel

## HOURLY RATES

\$220.00/HR
\$205.00/HR
\$195.00/HR
\$180.00/HR
\$165.00/HR
\$150.00/HR
\$140.00/HR
\$135.00/HR
\$115.00/HR
\$105.00/HR
\$ 95.00/HR
\$ 65.00/HR

## SERVICES

McMahon, a Bowman Company reserves the right to make adjustments for individuals within these classifications as may be desirable in its opinion by reason of promotion, demotion, or change in wage rates. Such adjustments will be limited to the manner in which charges are computed and billed and will not, unless so stated in writing, affect other terms of an agreement, such as estimated total cost. The following rates will apply to actual time devoted by McMahon, a Bowman Company staff to this project computed to the nearest quarter hour.

## TERMS

1. Invoices - McMahon, a Bowman Company will invoice Client monthly or more frequently based on percentage of completion or actual hours, plus expenses. Payment is due to McMahon, a Bowman Company within 30 days of the invoice date. Unpaid balances beyond 30 days are subject to interest at the rate of $1.5 \%$ per month. This is an annual percentage rate of $18 \%$.
2. Confidentiality - Technical and pricing information in this proposal is the confidential and proprietary property of McMahon, a Bowman Company and is not to be disclosed or made available to third parties without the written consent of McMahon, a Bowman Company.
3. Commitments - Fee and schedule commitments will be subject to renegotiation for delays caused by the client's failure to provide specified facilities or information, or any other unpredictable occurrences.
4. Expenses - Traffic data collection equipment usage will be billed at $\$ 50.00$ per 24 -hour count. Drone equipment usage, inclusive of insurance costs, will be billed at $\$ 250 /$ day, or portion of a day. Incidental expenses are reimbursable at cost. These include reproduction, postage, graphics, reimbursement of automobile usage at the IRSapproved rate, parking and tolls. Expenses which by company policy are not billed as reimbursable expenses to clients and therefore, will not be billed as part of this contract include the following: air travel, rental car, lodging, meals, and long-distance phone charges between McMahon, a Bowman Company offices. If it becomes necessary during the course of this project to travel elsewhere, those travel costs will be treated as reimbursable expenses. These expenses will be reflected in the monthly invoices.
5. Attorney's Fees - In connection with any litigation arising from the terms of this agreement, the prevailing party shall be entitled to all costs including reasonable attorney's fees at both the trial and appellate levels.
6. Ownership and Use of Documents - All original drawings and information are to remain the property of McMahon, a Bowman Company. The client will be provided with copies of final drawings and/or reports for information and reference purposes.
7. Insurance -McMahon, a Bowman Company will maintain at its own expense Workman's Compensation Insurance, Comprehensive General Liability Insurance and Professional Liability Insurance and, upon request, will furnish the client a certificate to verify same.
8. Termination - This agreement may be terminated by the authorized representative effective immediately on receipt of written notice. Payment will be due for services rendered through the date written notice is received.
9. Binding Status - The client and McMahon, a Bowman Company bind themselves, their partners, successors, assigns, heirs, and/or legal representatives to the other party to this Agreement, and to the partners, successors, assigns and legal representatives of such other party with respect to all covenants of this Contract.
$\qquad$ / Client $\qquad$

## 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

# Additional Township Consultants 

## Zoning Hearing Solicitor Services:

## Miller Turetsky Rule \& McLennan:

Hourly Rate - \$150.00
Litigation Rate- \$175.00

## 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

LOWER PROVIDENCE TOWNSHIP MONTGOMERY COUNTY, PENNSYLVANIA RESOLUTION NO. 2024-17

## A RESOLUTION OF THE LOWER PROVIDENCE TOWNHIP BOARD OF SUPERVISORS AUTHORIZING THE APPROPRIATE TOWNSHIP OFFICIALS TO AFFIX SIGNATURES ON CHECKS

WHEREAS, the Board of Supervisors of Lower Providence Township, County of Montgomery, Pennsylvania, has resolved to select TD Bank N.A., TD Ameritrade Institutional, Pennsylvania Local Government Investment Trust as those Institutions to be utilized by the Township for purpose of depositing Township funds;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Lower Providence Township that the Financial Institutions named above, at any one or more of its offices or branches is hereby designated as a Financial Institution of and depository for the funds of this Governmental Entity, which may be withdrawn on checks, drafts, advices of debit, notes or other orders for the payment of monies (including electronic orders) bearing the signature of at least one (1) Township Employee and at least one (1) elected Township Supervisor, or two (2) elected Township Supervisors, who are listed below:

| Name | Title |
| :---: | :---: |
| Dr. Janine Darby | Supervisor |
| Sarah Charles | Supervisor |
| Terri Neufeglise | Supervisor |
| Peter MacFarland | Supervisor |
| Gary Neights | Supervisor |
| E.J. Mentry | Township Manager/Secretary/Treasurer |
| Paul Donnelly | Assistant Township |
| Manager/Secretary/Treasurer |  |

RESOLVED and ADOPTED this $21^{\text {st }}$ day of March 2024.

## Attest:

100 Parklane Drive - Eagleville, PA 19403 - www.lowerprovidence.org<br>Administration: 610 539-8020 • Fax: 610 539-6347

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: | March 13,2024 |

RE: $\quad$ Lauren and Dominic Cerminara-3524 Ridge - Fence Waiver Request
For your consideration is a request from Lauren and Dominic Cerminara-3524 Ridge, for a waiver pursuant to Chapter 81-1.D to permit the installation of a six foot high solid style fence, which extends into the frontage. This is a through lot. Please refer to the attached request letter for other details.



# Februar 26. 2024 

Lauren and Dominic Cerminara
3524 Ridge Pike
Collegeville. PA 19426

Dear Honorable Members of the Zoning Board of Appeals,

## Board of Supervisors

We are reaching out with a heartfelt plea to address a pressing safety concern that affects not only our family's sense of security but also the overall well-being of our community. Residing at 3524 Ridge Pike since September 2022, we have found ourselves in a unique situation that has prompted us to seek an exception to the fencing regulations stipulated under Chapter 143, regarding the height and design of backyard fences on properties with reversed frontage lots.

We respectfully request permission to install a 6-foot, solid vinyl fence around the back perimeter of our property. The current regulation, which limits fences to a maximum height of five feet with openings of no less than four inches, presents a significant safety concem for us, particularly due to the unexpected and frequent passage of unfamiliar individuals through our yard at various times

This unusual foot traffic has not only heightened our anxiety for personal safety but has also raised serious concerns about the well-being of our small, 5 -year-old dog, Remo. The open design of the currently permissible fence offers little deterrent to his wandering and provides inadequate protection from larger animals in the neighborhood, posing a constant threat to his safety.

Our request is driven by a deep commitment to ensuring the safety and security of our family and beloved pet It is not merely a preference for privacy but a fundamental need to create a safe haven where the fear of intrusion or potential harm is significantly mitigated. The proposed 6foot, solid vinyl fence is crucial in achieving this peace of mind, offering a barrier that secures our property against unwelcome access and creates a safe enclosure for Remo

In our efforts to be considerate and communicative neighbors, we have engaged in discussions with our adjoining residents, who have expressed understanding and support for our situation.

Moreover, we have made a special effort to reach out to our deaf neighbor behind us, ensuring that our intentions are clear and that we maintain the harmonious and supportive spirit of our community.

We implore the Board to consider the unique circumstances that compel our appeal, recognizing that our request is not merely for aesthetic or conventional reasons but is deeply rooted in genuine safety concerns. We are fully committed to adhering to all other zoning and aesthetic guidelines to ensure that our fence is both a protective measure for our family and a visually pleasing addition to our neighborhood.

Should there be any further information needed or if a discussion would be beneficial, we are more than willing to provide whatever is necessary. Please feel free to contact us at

We sincerely thank you for considering our appeal and for your commitment to the safety and well-being of our community. We are hopeful for a favorable response that will allow us to secure our home and live with the peace of mind everyone deserves.

With deepest respect,


Lauren and Dominic Cerminara


# GERMANTOWN PIKE \& EVANSBURG ROAD TRAFFIC SIGNAL IMPROVEMENT PROJECT 

# At <br> Germantown Pike and Evansburg Road (S.R. 4008) <br> within <br> Lower Providence Township, Montgomery County, PA 

## PROJECT NARRATIVE

This Montgomery County Transportation Program (CTP) project involves improvements to the existing signalized intersection of Germantown Pike and Evansburg Road (S.R. 4008). Improvements at this location will include the installation of pedestrian crossing restriction signs for the southbound Evansburg Road approach, installation of a westbound left-turn phase for the Germantown Pike approach, new countdown pedestrian signal indications and new ADA-compliant push buttons for existing curb ramp crossings, and installation of radar detection for Germantown Pike approaches and vehicular video detection for Evansburg Road approaches within Lower Providence Township, as detailed below and as summarized on the traffic signal construction plans:

## Base Bid:

1. Germantown Pike and Evansburg Road (S.R. 4008) - Installation of no pedestrian crossing signs, westbound left-turn phase, new pedestrian push buttons, new pedestrian countdown signal indications and vehicular video and radar detection.

Bid documentation includes:

- Traffic Signal permit plan
- Traffic Signal construction plan
along with specifications enclosed herein. Bidding of the project will be done through PennBID.

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: E.J. Mentry, Township Manager
FROM: Rich Lafiata, Finance Director
DATE: $\quad 3 / 12 / 2024$
SUBJECT: Authorization to Advertise an Ordinance

At the March 21, 2024, Board of Supervisors meeting, the Board will be presented with an action item to authorize the advertisement of an Ordinance that amends the Defined Contribution Plan for Full-Time, Non-Uniformed Employees. As a part of the American Federation of State and County Employees (AFSCME) contract negotiations, the Township and AFSCME came to the agreement that the Township would increase current contributions from $9 \%$ of gross wages to:

|  | $2024-2025$ |  | $2026-2027$ |
| :---: | :---: | :---: | :---: |
| Percent of Gross Wages: | $10 \%$ | $10.50 \%$ | $11 \%$ |

The purpose of the Ordinance is to update the current Defined Contribution Plan Document that the Township offers to AFCME employees as well as other non-union employees to reflect the Township's new contribution rates. All plan changes must be amended via an Ordinance. After the advertisement period is complete, the Township Supervisors will then be asked to adopt the Ordinance and also be presented with the Township's revised 2024 Minimum Municipal Obligation (MMO) at the April 18, 2024 Board of Supervisors meeting.

It is important to note that although the Township's MMO has been increased to $10 \%$ of gross wages, the Township's 2024 budget needs no adjustment, as this was accounted for in the 2024 budget.

## ORDINANCE NO. <br> LOWER PROVIDENCE TOWNSHIP MONTGOMERY COUNTY, PENNSYLVANIA

## AN ORDINANCE OF LOWER PROVIDENCE TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA AMENDING ITS EXISTING DEFINED CONTRIBUTION PLAN FOR FULL-TIME, NON-UNIFORMED EMPLOYEES

WHEREAS, Lower Providence Township ("Township") maintains an existing Defined Contribution Plan for full-time non-uniformed employees not participating in the Township's defined benefit pension plan; and

WHEREAS, the Township has agreed to increase the Employer contributions to the Defined Contribution Plan; and

WHEREAS, changes to the Plan must be adopted by Ordinance amendment; and
WHEREAS, the Township now wishes to adopt the necessary amendment.
BE IT ORDAINED AND ENACTED, by the Board of Supervisors of the Lower Providence Township and it is HEREBY ORDAINED AND ENACTED by the authority of the same:

The Plan is hereby amended effective January 1, 2024 (except as otherwise indicated) as follows:

Section VI., A. (Employer Contributions) is replaced with the following provisions:

## A. EMPLOYER CONTRIBUTIONS

The Employer shall contribute on behalf of each Participant 10\% of Earnings for Plan Years 2024 and 2025, 10.5\% of Earnings for Plan Years 2026 and 2027, and $11 \%$ of Earnings for 2028 and later Plan Years.

Mandatory Participant Contributions are not required to be eligible for this Employer Contribution.

ORDAINED AND ENACTED into law this $\qquad$ day of $\qquad$ 2024.

## ATTEST:

LOWER PROVIDENCE TOWNSHIP BOARD OF SUPERVISORS
APPROVED as to form this $\qquad$ day of2024

[^3]
[^0]:    ERAL No. 20222781727
    
    
    (8) $1-800-242-1776$

[^1]:    ${ }^{1}$ The transcript references high "queue" fulfillment centers as an alternative warehouse use. However, ITE's publication, Trip Generation, 11th Edition, which was used for the traffic impact study, references high cube fulfillment centers. Therefore, references to high queue fulfillment centers have been modified to be consistent with the publication.

[^2]:    E.J. Mentry

    Township Manager \& Secretary

[^3]:    Township Solicitor

