

**RESOLUTION NO. 2016-70
LOWER PROVIDENCE TOWNSHIP**

**A RESOLUTION OF THE LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS, MONTGOMERY COUNTY,
PENNSYLVANIA, APPROVING THE PRELIMINARY/FINAL LAND
DEVELOPMENT PLAN OF MIKELEN, LLC FOR THE ROWE
TRACT**

WHEREAS, Mikelen, LLC (“Applicant”) has submitted a Preliminary/Final Land Development Plan to subdivide the property located at 222 Collegeville Road into two lots for the future construction of a new single-family detached dwelling; and

WHEREAS, the Plan has been reviewed by both the Lower Providence Township Planning Commission and the Montgomery County Planning Commission; and

WHEREAS, the Board of Supervisors now intends to approve the Preliminary/Final Plan of Mikelen, LLC.

NOW, THEREFORE, it is hereby **RESOLVED** that the Lower Providence Township Board of Supervisors does hereby approve the Preliminary/Final Land Development Plan submitted by Applicant, said plan prepared by Graf Engineering, LLC, dated May 16, 2016 consisting two (2) sheets, subject to the following conditions:

1. Compliance with the Woodrow & Associates correspondence dated July 6, 2016, a copy of which is attached hereto and incorporated herein as Exhibit “A”.
2. Compliance with the Thomas Comitta Associates, Inc. correspondence dated June 28, 2016, a copy of which is attached hereto and incorporated herein as Exhibit “B”.
3. Compliance with all other Township, County, State and Federal rules, regulations and statutes.
4. Execution of Development and Financial Security Agreements in a form and manner to be approved by the Township Solicitor.
5. Applicant shall pay a traffic impact fee of \$1,822.00 and a park and recreation fee of \$1,160.00 prior to recording of the record plan for the project.
6. In addition to the foregoing conditions of the Preliminary/Final Land Development Plan approval, the following Subdivision and Land Development Ordinance waivers are resolved as follows:
 - a. SLDO Sections 123-31.E and 123-32 and 123-33 as to road widening, curbs, frontage storm sewer improvements and sidewalks conditioned on payment of \$1,980.00 fees in lieu thereof.

Approved

Denied

b. SLDO Section 123-46.B.6.a as to replacement trees to be provided for each tree of 8 inch DBH or greater that is removed conditioned on payment of \$4,950.00 fees in lieu thereof.

_____ Approved _____ Denied

c. SLDO Section 123-52 as to street trees being planted along the property frontage.

_____ Approved _____ Denied

SO RESOLVED, at a duly convened meeting of the Board of Supervisors of Lower Providence Township conducted on this 1st day of September, 2016.

TOWNSHIP

LOWER PROVIDENCE

By: _____
Name: Jason Sorgini
Title: Chairman

ATTEST: _____



July 6, 2016

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

Reference: Rowe Tract

Dear Mike:

I am in receipt of a two sheet set of documents prepared by Graf Engineering. The plan is dated May 16, 2016, and bears no revision date at this time. The proposed plan calls for the creation of a new building lot which would front on Forest Lane in our community. An existing single-family home fronting on Collegeville Road will remain. Therefore, a two lot subdivision is proposed.

My review of the Township's ordinances would suggest the following issues need to be addressed:

Approvals/Permits/Reviews:

PA DEP Sewage Facilities Planning

Lower Providence Township Sewer Authority

Zoning ordinance review:

1. The property is zoned R-2 Residential. This district requires a minimum lot area of 15,000 square feet. Each of the proposed lots is an excess of one acre and therefore substantially exceeds the minimum lot area.
2. Section 143-20 – Access to the public street – Each lot created shall have a frontage a public street for at least 50 feet at the right-of-way line. The plan should clearly show that proposed Lot Number One meets this minimum threshold requirement on Forest Lane. This code citation should be added to the plan notes.

Subdivision land development ordinance review

1. Section 123-9.B – This application qualifies as a minor subdivision plan.

Municipal/Civil Consulting Engineers
Suite 5 • 1108 North Bethlehem Pike • Lower Gwynedd, PA 19002
Phone: 215-542-5648 • Fax 215-542-5679
Established 1996

EXHIBIT

A

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July 6, 2016
Michael Mrozinski, Director of Community Development
Lower Providence Township
Reference: Rowe Tract

2. Section 123-14.C(1) – The plan must show the right-of-way and cartway widths for both Forest Lane and Collegeville Road.
3. Section 123-14C(11) – The plan should delineate soil types present on the property based upon the County soil survey.
4. Section 123-31.E – The subdivision code requires certain roadway improvements to Collegeville Road. The plan should show dimensions for the ultimate right-of-way width for Collegeville Road. Upon viewing the highway it does not appear as if any road improvements are needed at this time as the road is in general conformance with adjacent properties. However, in abundance of caution, the applicant should request a waiver of road widening obligations.
5. Section 123-32 – This subdivision code allows the Board of Supervisors to require curbs and storm sewers be installed for existing road frontages. A waiver may be in order, however and should be formally requested by the applicant.
6. Section 123-33 – The subdivision code allows the Board of Supervisors to require that sidewalk be installed along each road frontage.
7. Section 123-36 – The applicant is proposing a structure to be built upon Lot Number One. The applicant should clearly show driveway grades as they are proposed to access from Forrest Drive.
8. Section 123-43 – The applicant is proposing in-ground seepage beds to provide stormwater management capabilities for the project. It appears that this facility will be appropriate for the project. However, sewer calculation should be submitted for review and concurrence that the design is acceptable. I would request enhancement of the stormwater management plan by further defining how the swales be stabilized and potentially used as a best management practice.
9. Section 123-45 – An erosion and sedimentation control plan is to be prepared for the applicant including stone tire cleaning, erosion control measures, temporary and permanent seeding specifications and particular care of the rather defined swales being created with the project.
10. Section 123-47 – The plan should show the sanitary sewer service to proposed Lot One. The plan should also show trench restoration details and sanitary sewer connection details for the project.
11. Section 123-48 – The plan should show the path of water connection to proposed Lot 1. Again, the plan should show trench location and trench restoration details for this utility connection to the proposed home.
12. Section 123-54 – The plan should describe obligation to install survey monumentation for existing and propose lot corners.

July 6, 2016
Michael Mrozinski, Director of Community Development
Lower Providence Township
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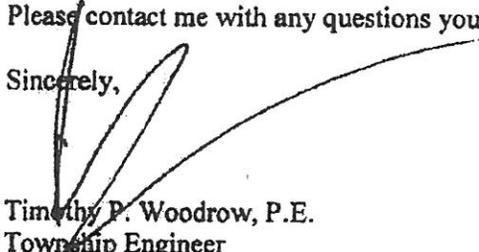
13. Section 123-61 – The plan should acknowledge an obligation to prepare as built plans of the construction to guarantee correct installation of stormwater management facilities.
14. Section 123-112 – The eventual owner of the new home on Lot Number One will be required to provide perpetual maintenance of the stormwater management system. A stormwater management agreement must be completed in conjunction with the subdivision.

General Design Comments:

The plans show in detail of the removal of the existing curb line of Forest Lane to access Lot Number One. Detail should be provided for the new curb depression and driveway apron.

Please contact me with any questions you may have with regard to this matter.

Sincerely,



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

TPW/del

cc: Rolph Graf
Lenny Del Greco



THOMAS COMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

MEMORANDUM

TO: Michael W. Mrozinski, Director of Community Development, Lower Providence Township
Alison Rudolf, Interim Township Manager, Lower Providence Township
Timothy Woodrow, P.E., Township Engineer, Woodrow & Associates, Inc.
John B. Rice, Esq., Township Solicitor, Grim, Biehn & Thatcher

FROM: Daniel B. Mallach, RLA, AICP, ASLA
Thomas J. Comitta, AICP, CNU-A, RLA

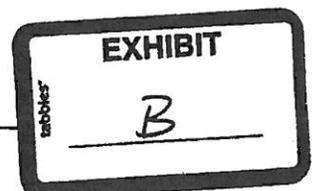
DATE: June 28, 2016

SUBJECT: REVIEW COMMENTS – ROWE TRACT
RECORD PLAN AND GRADING & UTILITIES PLAN DATED 5-16-2016

The enclosed Review Comments pertain to the following documents that we received on June 9, 2016:

- Record Plan dated May 16, 2016, prepared by Graf Engineering, LLC.; and
- Grading & Utilities Plan dated May 16, 2016, prepared by Graf Engineering, LLC.

Please call or email if there are any questions.





THOMAS COMMITTA ASSOCIATES, INC.
Town Planners & Landscape Architects

REVIEW COMMENTS – ROWE TRACT
RECORD PLAN AND GRADING & UTILITIES PLAN DATED 5-16-2016

June 28, 2016

Please note the following Review Comments pertaining to the documents listed in the Cover Memorandum.

1. Tree Removal and Replacement

Grading and construction on Lot 1 will require the removal of numerous trees of (8") diameter-at-breast-height (DBH) or greater.

1.A Ordinance Requirement

Per §123-146.B.6.a of the Lower Providence Township Subdivision and Land Development Ordinance (SLDO), one (1) 2½-inch caliper replacement tree shall be provided for each tree of eight inches (8") DBH or greater that is removed.

Additional replacement trees may be required for any trees indicated to remain on the Plan that are instead removed during construction.

Note: Per §123-145.C.1 (SLDO), although the subject tree removal would be from "a lot containing an existing single-family residence", which would otherwise be exempt from the tree replacement requirement, this tree removal would be "a part of grading activities that impact 5,000 square feet or more of area".

1.B Tree Inventory

We understand that this submission represents a schematic layout. As the Plans are refined, the Applicant should inventory the trees on Lot 1 to determine how many trees of eight inches (8") DBH or greater will require removal in order to facilitate proposed construction.

The Tree Inventory should be represented graphically as part of the Plan submission, noting which trees will require removal, labeled by their respective diameters.

The total quantity of trees of eight inches (8") DBH or greater to be removed should be noted along with the Tree Inventory graphic.

1.C Required Replacement Trees

Replacement trees shall be required at a 1:1 ratio with the quantity of trees of eight inches (8") DBH or greater that are removed.

1.D Fee-in-Lieu Option

If the Applicant wishes to maximize open lawn area, and/or if there is simply not enough on-lot space to reasonably plant the required replacement trees, §123-146.B.6.d.2 (SLDO) permits the payment of a fee-in-lieu to the Township for any or all of the required replacement trees that are not planted on the subject property.



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REVIEW COMMENTS - ROWE TRACT
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June 28, 2016

The fee-in-lieu is calculated based on the wholesale cost of a 2½-inch caliper replacement shade tree, multiplied by 2.2 for installation and related costs. Therefore, if the Applicant wishes to pursue the fee-in-lieu option, we recommend that it be based on a wholesale tree cost of \$150.00, multiplied by 2.2 for a total cost of \$330.00 per tree.

1.E Potential Waiver Request

Given that Lot 1 is entirely wooded, and that any permitted construction would therefore entail significant tree removal, we understand that the Applicant may wish to request a Waiver from the Tree Replacement requirement.

By means of the Tree Replacement requirement, the Township is not faulting a Property Owner simply for developing a site as permitted. Rather, the Tree Replacement requirement represents an overall effort to balance development with environmental stewardship, which is a priority of the Township. The provision for a fee-in-lieu of tree replacement was established accordingly. This money is used by the Township for planting on public lands.

We mention the possibility of a potential Waiver request in the hopes that the Applicant will discuss with the Township how a forthcoming Plan minimizes tree removal, how the Plan may have been generated to be sensitive to all natural features, and what new vegetation would be installed on-site. Based on this discussion, and the information contained in the Tree Inventory, the Township can then fairly evaluate the features and qualities of the proposal along with the specific Ordinance requirements governing tree replacement, and determine whether or not to grant a Waiver.

2. Tree Protection

Tree Protection measures for all trees proposed to be preserved are required per the Subdivision and Land Development Ordinance.

In addition, such measures are recommended to help prevent significant damage to trees that may ultimately result in the need for their removal.

2.A Ordinance Requirement

§123-146.B.3 (SLDO) states that tree protection fencing shall be installed around the root protection zones of all trees to remain.

The root protection zone is defined as the distance from the trunk equivalent to at least one (1) foot for every inch DBH of the tree to remain, or the area under the dripline of the tree. (For instance, a 30-inch DBH tree would require a root protection zone with a radius of at least 30 feet.) The root protection zone is not to be disturbed by grading, or used for the storage of topsoil, machinery, or other construction equipment.



THOMAS COMITTA ASSOCIATES, INC.
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June 28, 2016

2.B Implementation of Tree Protection

To protect the trees proposed for preservation, Tree Protection Fencing should be installed at the Limit of Disturbance. The fencing shall be highly visible (orange), at least four feet (4') high and staked with posts every 10 feet on center. Nothing shall be stored, stockpiled, temporarily placed or otherwise allowed in the root protection zone.

Tree Protection Fencing shall be installed prior to any and all work conducted (e.g., excavation, grading, trenching, cleaning). Any damage to the fencing or encroachment on the protected areas shall be remedied immediately.

The specific location of the Tree Protection Fencing should be illustrated on the Plan graphics (Demolition Plan or Erosion & Sediment Control Plan), along with a Tree Protection Fencing Detail with Notes pertaining to fence installation and maintenance throughout construction.

3. Street Trees

Per §123-52 (SLDO), shade trees shall be planted at an interval of no less than 40 feet and no more than 50 feet. However, per §123-146.B.5 (SLDO), trees preserved in certain locations may be substituted for required trees, at a ratio based on the DBH of the preserved trees.

Given the relatively small amount of cartway frontage along Forest Lane (approximately 40 feet, including the driveway apron), if a future Plan were to indicate a similar quantity of preserved trees at the southeast corner of the lot, we would consider the Street Tree requirement to be satisfied.

4. Conclusion

We recommend that a forthcoming Plan submission address the following:

- 4.A A Tree Inventory should be undertaken to determine the quantity and diameters of trees intended for removal;
- 4.B The Tree Inventory should be represented graphically, with an indication of the trees intended for removal labeled by their respective diameters;
- 4.C Compliance with the Tree Replacement requirement;
- 4.D Tree Protection Fencing should be indicated on the Plan graphics; and
- 4.E Tree Protection Details and Notes should be included with the Plan submission.

Please call or email if there are any questions.