

**TOWNSHIP
OF
LOWER MERION**

MONTGOMERY COUNTY



DEPARTMENT OF BUILDING AND PLANNING

75 E. Lancaster Ave.
Ardmore, PA 19003-2376
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May 5, 2017 - **REVISED**

Rick Sudall, PE
Nolen Properties, LLC
116 Fountain Street
Philadelphia, PA 19127

**RE: AMENDMENT PLAN - 335 Righters Ferry Road, Bala Cynwyd, Ward 9, LD#
3690AA**

Dear Mr. Sudall:

On April 21, 2017, the Lower Merion Township Board of Commissioners considered an Amendment Plan prepared by Momenee & Associates, Inc. dated October 3, 2014, last revised March 8, 2017, showing the construction of a five-story building containing 210 apartments over two levels of parking. The following conditions shall be complied with prior to recording the Amended Final Plan by means of plan revision, completion or financial guarantee, unless specifically exempted. The Board approved the plan subject to the following conditions:

Architectural Elevations/Historic Building:

1. The building shall be constructed substantially as shown on the architectural elevations prepared by Minno & Wasko dated April 12, 2017 except for modifications required by these conditions of approval. (P)(PBP)
2. The applicant shall provide greater articulation of the façades of the building at the ground plane. (P)(PBP)
3. The applicant shall re-purpose stone salvaged from the existing on-site retaining wall along the base of the proposed block stepped retaining wall adjacent to the historic dwelling. (P)(PRFP)
4. Existing wall stone along Righters Ferry Road, not utilized on the project, shall be made available to West Laurel Hill Cemetery for use along the Righters Ferry Road corridor. (P)
5. The applicant shall retain the barn ruins including to the greatest extent feasible the existing door lintels and openings. (P)(PRFP)

6. The existing historic house on the property shall be retained, preserved and used as a caretaker's quarters serving the proposed apartment building. (P)(PBP)

Retaining Walls:

7. Concrete curbing and a guard rail shall be placed along the full length of the upgrade edge of the access driveway at the direction of the Township Engineer. The proposed cartway width shall be maintained and the location of wall no. 4 adjusted as required. (P)(PGP)
8. The applicant shall reduce the bulk and mass of the retaining walls closest to the northeast building elevation through a combination of terracing and landscaping consistent with the exhibit presented at the April 19th Building and Planning Committee meeting. (P)(PRFP)
9. The applicant shall incorporate boulders and stone from the site as practical toward the satisfaction of Condition of Approval no. 5. (P)(PRFP)
10. Walls 1, 2, and 3 shall utilize an irregular stone pattern. (P)(PRFP)
11. The applicant shall work with staff to design the walls between the building and the barn ruin to promote direct passage for residents of the building to on-site recreational amenities and adjoining properties. (P)(PRFP)
12. All fencing placed on top of retaining walls shall be subject to the approval of staff. Fencing shall be compliant with the Building Code and shall be visually integrated into the overall site design. (P)(PRFP)(PBP)

Pedestrian Pathways:

13. The direct pedestrian access from the pedestrian way to the building entrance that is required by Zoning Code 155-217.C.2.a. shall be ADA compliant. (P)(PRFP)(PBP)
14. Details for the "Direct Pedestrian Access Ramp and Steps" shall be submitted. The design shall comply with all applicable Township building codes and requirements. (P)(PRFP)
15. The applicant shall work with staff to ensure that the pedestrian connections and recreation areas are designed to be interconnected with the approved plan for 150 Monument Road. (P)(PRFP)

Landscape Plan:

16. Wooded lot calculations shall be provided and shall be approved by the Township. The total number of trees removed/impacted by the proposed construction shall also be listed. (P)(PRFP)
17. A revised landscape plan complying with the applicable portions of the Natural Features Code Sections 101-9, 101-5B, Zoning Code Section 155-141.7 and conditions herein and

shall be prepared and sealed by a Registered Landscape Architect and submitted with the Amended Final Plan. (P)(PRFP)

Stormwater Management:

18. The applicant shall work with staff to better integrate the surface basin along Righters Ferry Road through grading and planting design. Planting design shall complement grading and shall be subject to staff approval. (P,TE)(PRFP)
19. The applicant shall work with staff to select plantings that will adequately screen the proposed retaining walls without negatively impacting the stormwater management systems. (P)(PRFP)
20. The covenant indicating the description of how the permanent stormwater control facility will be operated and maintained shall be updated to reflect the new design and shall be subject to the approval of the Township Solicitor prior to re-recording. (P,TE)(PRFP)
21. A revised NPDES Permit shall be obtained from the Montgomery County Soil Conservation District prior to issuance of any permit unless otherwise directed by Montgomery County Soil Conservation District. (TE)(PGP)
22. Due to the concentration of runoff into the existing Township storm sewer systems, adequate stabilization/erosion control shall be provided at the existing outfall locations. (TE)(PGP)
23. The proposed raingarden shall be included in the water quality calculations. (TE)(PGP)
24. An adequate number of observation ports shall be provided for all seepage beds and stormwater management systems. The locations shall be clearly shown on the plan view details. (TE)(PGP)
25. The details on the outlet structure for the temporary basins on Page 21 shall be made consistent with the plan views or the information used in the calculations. The riser crest details for temporary basins 1.1 and 6 shall match the calculations. These shall be revised to be consistent with the final calculations and plans. (TE)(PGP)
26. The CMP for the storm line between storm manhole Nos. MH-05 and MH-06 shall be further specified as to material. (TE)(PGP)
27. A detail for the outlet structure for Basin B shall be provided (Inlet No. 13). (TE)(PGP)

Construction Details:

28. A certification by a civil engineer of the condition of any existing retaining walls to remain shall be provided. Any recommended improvements/repairs shall be made a condition of permit issuance. (TE)(PGP)
29. Details of the retaining walls shall be provided with sufficient detail for construction. Calculations shall be provided for all wall heights exceeding four (4) feet. (TE)(PGP)

30. Concrete apron shall be clearly indicated at the new driveway access locations. The sidewalk shall cross the drives at grade with no ADA ramps. (TE)(PGP)
31. The applicant shall utilize appropriate pest control measures to ensure rodents or other pests do not migrate away from the construction site onto the adjacent properties. The types and locations of these solution(s) should be coordinated with 1 & 3 Bala Plaza's ongoing program. (P)(PRFP)

Utilities:

32. All eight (8) inch diameter sanitary lines located outside the building envelope shall contain a manhole structure at changes in direction. The plans and profiles shall be adjusted to include these manholes. The inverts/slopes shall be adjusted to provide a .2 foot drop across the requested manhole structures. The lines within the building envelope shall comply with the Plumbing Code and shall be subject to separate review and approval under the building permit. (TE)(PGP)
33. The lateral from the existing structure shall connect to MH-2 and the easement shall be adjusted to be located fifteen (15') feet from the end of MH-2. (TE)(PGP)
34. Standard Lower Merion Township manhole lids shall be clearly specified for sanitary manhole Nos. MH-1 and MH-2. These structures and lines shall be offered for dedication to the Township. (TE)(PGP)
35. The eight (8) inch diameter sanitary sewer line from the building to MH-2 shall be clearly labeled to remain under private ownership. (TE)(PGP)
36. A minimum distance of ten (10) feet shall be provided between the private sanitary sewer run and the stormwater management system. The distance is also requested to be provided between the sewer and the electric transformer/generator. The minimum distance provided shall be dimensioned on the plan at these locations. (TE)(PGP)
37. The location of the gas main in Righters Ferry Road shall be clarified. The gas service location along the back of the building shall also be clarified. (TE)(PGP)

Standard Plan Conditions:

38. Metes and bounds shall be provided for the thirty (30') foot wide sanitary easement to be dedicated. A deed of dedication shall be prepared and held in escrow until the line has been dedicated. The easement documents shall be subject to the approval of the Township Solicitor prior to recording the Amended Final Plan. (P)(PRFP)
39. An As-Built Plan shall be submitted for the complete sanitary sewer run from the building. (TE)(PCO)
40. The proposed impervious area shall be further itemized on the plan and shall include all proposed walls, the bituminous multipurpose path, concrete pathways, driveways and structures. (P)(PRFP)

Standard Conditions of Approval:

41. All previous conditions of approval shall be incorporated by reference into these conditions with the exception of those specifically determined to be inconsistent with the amended plan. Conditions from all three applications shall be shown on the Final Plan. (P)(PRFP)
42. The applicant shall include the easement area on 347 and 349 Righters Ferry Road into the calculation of the required recreational lands set aside. The final calculation shall be approved by staff. Any required recreational fee in lieu shall be paid prior to issuance of a building permit. (P)(PRFP)
43. An updated outdoor lighting plan, sealed by a responsible design professional, that includes illuminance patterns shall be submitted to and approved by the Director of the Building and Planning Department prior to issuance of any permits. The location, luminaire type, wattage, means of control and pole height shall be indicated. Lighting shall be designed to minimize the off-site transmission of light, to shield the source of illumination and to prevent glare on adjacent properties. Exterior luminaires shall be full cut-off unless it can be demonstrated that cut-off luminaires are more appropriate and will result in less off-site light trespass. (P)(PBP)
44. The lighting plan shall be designed to comply with the 2009 IECC or the 2007 ASHRAE Standard 90.1. (P)(PBP)
45. The Township Engineer's review letter dated April 3, 2017 shall be incorporated by reference into these conditions of approval to the extent the same is not inconsistent with these conditions of approval. (TE)(PGP)
46. A copy of the revised plan shall be submitted with any changes highlighted. A letter shall also be provided with the revised plan indicating how each requested revision has been addressed in the re-submission. (P)
47. Any changes to the approved plans shall require the submission of an as-built plan prior to the issuance of a Certificate of Occupancy. Building and Planning staff can waive this requirement if the changes are determined to be insignificant. (P,B)(PCO)
48. The Amended Final Plan, complying with all applicable conditions of approval, shall be filed with the Department of Building and Planning within twelve (12) months from the date of approval by the Board of Commissioners. (P)
49. The owner shall make payment of fees and expenses of the Township's professional consultants who perform services on behalf of the Township with respect to these plans and the work contemplated thereunder and will establish and maintain with the Township those escrows for the payment of such fees required by Township Code. Owner agrees that any statement from the Township for such fees which remain unpaid for a period of 30 days may be recorded against the property as a municipal lien. (P)

50. The owner shall make payment of the Township Engineer's inspection fees within 30 days of presentation. A penalty of 1.5% per month will be due for late payments from the date of presentation. If any shares are not paid within 60 days of presentation, the Township may elect to suspend any outstanding permits until all pending charges are settled. (P)
51. The property owner(s) shall comply with all applicable federal, state, county, local and Lower Merion Township ordinances and laws regardless of specific mention herein. (P)

The Board approved the following waivers:

- a. Natural Features Code Section 101-5.B.2 to disturb or remove vegetation occupying environmentally sensitive areas including slopes 15% and greater.
- b. Natural Features Code Section 101-5.C.2b to disturb slopes 25% and greater.

The following waivers were previously approved and remain in effect.

- c. Natural Features Code Section 101-9A to allow for substitutions within plant types.
- d. Natural Features Code Section 101-5B to allow a portion of the required compensatory trees to be 8-10' tall evergreen trees.

Please have an Amended Final Plan prepared which should be either 15"x 18", 18"x 30" or 24"x 36" in size to include six (6) rolled paper copies incorporating the required certifications, engineering data and conditions of approval, as well as the date by which all public improvements will be completed. Please see the enclosed memo concerning financial guarantees.

Upon receipt of the Final Plan and satisfactory financial guarantee, the Township Engineer and Secretary will sign the Final Plan and you will be notified to pick up the plan for recording. Prior to recording, the plan must be certified by the Montgomery County Planning Commission.

The Subdivision and Land Development Ordinance requires that each subdivision or development plan be recorded in the office of the Montgomery County Recorder of Deeds within 90 days after final approval. You are also advised that in addition to the conditions of approval, you must comply with all other applicable Township ordinances and other laws governing your application.

Please acknowledge your acceptance of the above conditions by signing and returning this letter within 30 days. Permits will not be issued until revised plans have been received and all conditions have been satisfied. No work shall commence until all applicable permits have been issued.

Sincerely,



Christopher Leswing, AICP, PP
Assistant Director, Planning

cc: Kevin Bowers, P.E., Pennoni Associates, Inc.

Michael Bowker, P.E., Momenee & Associates, Inc.

TO: Township of Lower Merion:

I, Rick Sudall, hereby acknowledge and accept receipt of the Conditions of Approval.

Date

Rick Sudall