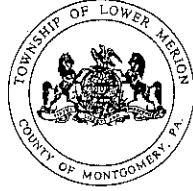


**TOWNSHIP
OF
LOWER MERION**

MONTGOMERY COUNTY



DEPARTMENT OF BUILDING AND PLANNING

75 E. Lancaster Ave.
Ardmore, PA 19003-2376
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November 20, 2018

James Ettelson, Esquire
Royer Cooper Cohen Braunfeld LLC
101 West Elm Street, Suite 400
Conshohocken, PA 19428

**RE: PRELIMINARY LAND DEVELOPMENT PLAN - 9 Presidential Boulevard, Bala
Cynwyd, Ward 9, LD# 3812**

Dear Mr. Ettelson:

On November 19, 2018, the Lower Merion Township Board of Commissioners considered a Preliminary Land Development Plan. The Plan dated November 3, 2017, last revised January 18, 2018 prepared by BL Companies shows the construction of a 173-unit apartment building above a 202-space parking structure and a 27-space surface parking lot. The following conditions shall be complied with prior to recording the Final Plan by means of plan revision, completion or financial guarantee, unless specifically exempted. The Board approved the plan subject to the following conditions:

Township Engineer's Review:

1. The Township Engineer's review letter dated November 2, 2018 shall be incorporated by reference into these conditions of approval with the exception of item B1 and B39. (TE)
2. A traffic impact fee based on the expected average weekday PM peak hour trip generation of the proposed use shall be submitted prior to the issuance of a building permit. The final amount of the fee shall be as determined by the Township Engineer. (TE)(PBP)

Conditional Use Conditions:

3. The applicant shall comply with the conditional use conditions issued on June 20, 2018 which shall be listed on the Final Plan. (P)(PRFP)
4. The final easement language for the shared access to 1 Presidential Boulevard shall be subject to the approval of the Township Engineer. (P)(PRFP)
5. The site plan showing the shared access easement with 1 Presidential Boulevard shall be incorporated into the Final Plan set rather than being a separate document. (P)(PRFP)

Architectural Elevations:

6. Architectural elevations and renderings of all sides of the proposed building shall be submitted with the Final Plan and shall notate all proposed materials. The applicant shall provide a chart to demonstrate compliance with the Architectural Design Standards in Zoning Code Section 155-217.F. (P)(PRFP)
7. A Design Manual complying with Zoning Code Section 155-217.F.3 shall be submitted with the building permit application. (P)(PBP)
8. The proposed building shall be constructed substantially as shown on the architectural renderings prepared by Meyer Design Group dated November 9, 2018 with the exception of any de minimis changes, including those required by these conditions of approval and mutually agreed to with staff. (P)(PBP)
9. The site plan shall be revised to reflect the articulation of the upper stories of the building as shown on the revised renderings dated November 9, 2018. (P)(PRFP)
10. The elevations shall be modified to provide the articulation required in §155-217.F.5.c.1 on the east, west and rear façade of the parking structure. (P)(PBP)
11. The appearance of all mechanical venting shall be visually minimized by matching the color of adjacent exterior walls. (P)(PBP)
12. All roof-top mechanical equipment, including antennas, shall be screened visually and acoustically. Such screening shall be integral to the architectural design of the building per Zoning Code Section 155-217.F.5.b.6. Details of the screening of all proposed mechanical equipment shall be provided on the final elevations and renderings. (P)(PBP)
13. All signage shall be subject to a separate review for compliance with the Zoning Code by the Zoning Officer. (P)(ZO)(PBP)
14. The mean grade of the structure shall be calculated and shown on the Final Plan. The architectural plans shall be coordinated with and shall comply with the grading proposed with this application. (TE)(PGP)

Landscape Plan/Public Gathering Space/Greening Standards:

15. Any required plant material that cannot be reasonably accommodated on-site as determined by staff, shall be provided off-site. (P)(PRFP)
16. Columnar deciduous trees placed 10 feet on center shall be installed along the northern and southern edges of the garage façade to reduce the mass and scale of the building and provide visual articulation. (P)(PRFP)
17. The two proposed Cercis Canadensis on the southern side of the garage shall be replaced with two Rotundiloba. (P)(PRFP)
18. A canopy tree shall be added to the planted island on the west side of the building.(P)(PRFP)

19. The applicant shall coordinate with the Township on the final design of all proposed street furniture including benches, trash receptacles, tree grates and bicycle racks. Any changes made prior to construction shall be subject to the approval of staff. (P)(PRFP)
20. All plant material provided shall meet the minimum size requirements in the Natural Features Code. (P)(PRFP)
21. The minimum required public gathering space of 5,967 sq. ft. shall be provided on sheet C-11.2. (P)(PRFP)
22. The public gathering space and the greening elements shall be maintained by the property owner. The applicant shall provide a maintenance and operations plan for the greening standard and public gathering space plantings, furnishings and other amenities. (P)(PRFP)
23. The amount of the density increase shall be noted on the plan and recorded in the deed. No portion of the public gathering space shall be dedicated towards a specific tenant. (P)(PRFP)
24. All trees to remain shall be devined. (P)(PCO)
25. A revised landscape plan complying with the applicable portions of the Natural Features Code Sections 101-9 and these conditions of approval shall be prepared and sealed by a Registered Landscape Architect. The landscape plan shall be subject to the approval of Township staff. (P)(PRFP)
26. All sheets associated with the landscape plan shall be incorporated into the final plan set. (P)(PRFP)
27. Details of the multi-purpose path shall be provided and labeled. (P)(PRFP)
28. If the code requirements for the location, dimensions, or construction of a multi-use path, sidewalk, or associated hardscaped verge should change before the completion of construction, the applicant shall have the right but not the obligation to meet the revised requirements, subject to the oversight of Township staff. (P)

Traffic, Circulation & Parking:

29. The drive aisles in the parking garage shall be revised to meet the minimum recommended width of twenty-two (22') feet. (TE)(PRFP)
30. The location of the four (4) car share spaces shall be labeled on the parking garage plan. (P,TE)(PRFP)
31. A total of seven (7) ADA parking spaces shall be provided. The number and location of ADA spaces shall be labeled and shall correspond on all sheets of the plan set. (TE,P)(PRFP)
32. The area shown for bicycle storage shall note how many bicycles can be stored in each area. (P,TE)(PRFP)

33. The three-lane configuration of Presidential Boulevard shall be shown on all sheets of the plan set. (TE,P)(PRFP)

34. "No stopping or standing" signs shall be shown on the property frontage. (TE)(PGP)

Stormwater Management:

35. Soil stockpile No. 1 shall be shifted outside the right-of-way of Presidential Boulevard. (TE)(PGP)

36. Geotextile fabric shall be specified to surround seepage bed No. 2. AASHTO No. 1 stone shall be specified for the recharge stone. The pipe shall be perforated to be consistent with the information on the profiles and the intent to recharge stormwater. (TE)(PGP)

Construction Details:

37. A detail of the retaining walls shall be provided and shall include top and bottom of wall elevations with the limits of the wall locations clearly indicated. Calculations shall be provided for wall heights exceeding four (4') feet. (TE)(PGP)

38. Depressed granite curb and concrete apron shall be clearly labeled at the new driveway access location. (TE)(PGP)

39. The construction entrance detail shall be modified to indicate placement of the AASHTO No. 1 stone starting five (5') feet from the cartway of Presidential Boulevard. Crushed stone shall be shown in the area between the start of the entrance and the curb line. (TE)(PGP)

40. A separate building permit shall be obtained for the pool. The pool, equipment, and enclosure shall comply with 2009 IBC, Section 3109. The pool equipment, enclosure, and self-closing gate shall be shown on the plan. (TE)(PBP)

41. Notes shall be added to the full reveal and depressed granite curb detail that include the following: (TE)(PGP)

- The depressed curb height for the driveway shall be ¼ inch for each inch of existing curb reveal.
- Any curb replacement shall meet existing curb reveal height.
- One-foot cut back is needed in the street area where any curb is adjusted and/or replaced. All joints shall be sealed.
- An additional concrete support is needed mid-span of each section of depressed curb in the driveway area.

42. The applicant shall submit a parking plan with the Final Plan detailing where construction vehicles will be parked. The plan shall be subject to the approval of the Township prior to the issuance of any permits. (P,TE)(PGP)

43. All construction-related vehicles shall be parked on site or at a remote site not in the neighborhood. No construction-related vehicles may park on the street. This includes vehicles operated by construction workers, material suppliers, product vendors, and all construction trades engaged in the project. (P,B,TE)(PGP)

Plan Requirements:

44. The impervious surface tabulation shall be further itemized to include listings for proposed parking/driveways, patio, pool, walls, walks, etc. (TE)(PRFP)
45. Dimensions shall be added to the proposed impervious surfaces to more clearly define the limits. (TE)(PRFP)
46. All separate sheets shall be incorporated into the final plan set. (P)(PRFP)

Standard Conditions of Approval:

47. The applicant shall document compliance with the notification requirements of the Federal Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP) and shall submit an Asbestos Abatement and Demolition/Renovation form to the Pennsylvania Department of Environmental Protection and the EPA at least 10 days prior to commencing demolition. Copies of these documents shall be provided to the Township prior to the issuance of a building permit. (P)(PBP)
48. The applicant shall submit a demolition plan with the Final Plan. The demolition plan shall indicate how dust and other air particles will be controlled, the procedure for demolishing the buildings and how the demolished building materials will be removed from the site. If asbestos or any other regulated hazardous material exists within the building, it shall be removed and certifications to that effect shall be filed with the Pennsylvania Department of Environmental Protection. Notice of demolition shall be provided by posting of the site at least seven days in advance of the proposed demolition. (P)(PRFP)
49. During demolition of the existing structures the applicant shall ensure that the contractor takes appropriate measures to minimize dust at all times during active demolition. Multiple hoses and/or a water truck shall be provided on site to continually spray the building during demolition. The demolition plan shall include the specific water measures to be used to reduce the dust during demolition. (P)(PRFP)
50. The applicant shall submit the required recreation fee of \$3,000 per unit prior to the issuance of the building permit. (P)(PBP)
51. All trash dumpsters shall be located within the building. (P)(PRFP)
52. The location of all transformers and utility boxes shall be shown on the Final Plan and shall be adequately screened as determined by staff. Additional utility improvements resulting in material changes to approved plan including but not limited to the loss of required parking, changes to circulation patterns or the alteration of the quantity or location of proposed landscaping shall require an amendment to the approved plan. (P)(PRFP)
53. All existing and proposed transformers shall be shown on the Final Plan and shall be enclosed. A detail of the fence/enclosure shall be provided on the Final Plan. (P)(PRFP)

54. Per Chapter 92 of the Township Code, since the proposed residential building is proposed to have more than 45 units, an on-site manager shall be provided. (P)(PBP)
55. If required by a Township Public Safety Agency, all new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communications systems at the exterior of the building. (P)(PBP)
56. An 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. Lighting shall be designed to shield the source of illumination and to prevent glare on adjacent properties. The location, fixture type, wattage, means of control and pole height shall be indicated. (P)(PBP)
57. The lighting plan shall be designed to comply with the 2009 IECC or the 2007 ASHRAE Standard 90.1. (P)(PBP)
58. The 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)
59. Any changes to the approved plans shall require the submission of an as-built plan prior to the issuance of the Certificate of Occupancy. Building and Planning staff can waive this requirement if the changes are determined to be insignificant. (P)(PCO)
60. New and Existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting on the property. The address numbers shall be a minimum of four (4) inches (102mm) high with a minimum stroke width of 0.5 inch (12.7mm). (P)(PCO)
61. 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)
62. 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)
63. 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)
64. 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 relief :

- A. Partial relief from Natural Features Code Section 101-9.A, to substitute evergreen shrubs for some of the required deciduous shrubs.
- B. Partial relief from Natural Features Code Section 101-9.A, to provide some of the required plant material off-site.
- C. Partial relief from Stormwater Management & Erosion Control Code Section 121-4.A.1.a, to not control the peak rate of runoff from the 5 year post development condition to the two year predevelopment condition.
- D. Partial relief from Stormwater Management & Erosion Control Code Section 121-4.E.2.c, to allow the stormwater management systems to drain within 48 hours instead of the required 24 hours.

Please have a 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 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.

Please contact Andrea Campisi of my staff with any questions at 610-645-6112 or acampisi@lowermerion.org.

Sincerely,



Christopher Leswing
Director

cc: Kevin Bowers, Pennoni Associates, Inc.
Brandywine Operating Partnership

TO: Township of Lower Merion:

I hereby acknowledge and accept receipt of the Conditions of Approval listed above.

James Ettelson

Date