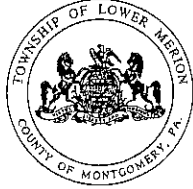


**TOWNSHIP
OF
LOWER MERION**

MONTGOMERY COUNTY



DEPARTMENT OF BUILDING AND PLANNING

75 E. Lancaster Ave.
Ardmore, PA 19003-2376
Telephone: (610) 645-6200
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May 23, 2018

Andrew Bottaro
Federal Realty Investment Trust
50 E. Wynnewood Road
Wynnewood, PA 19096

**RE: PRELIMINARY LAND DEVELOPMENT PLAN - 121 E. City Avenue, Bala
Shopping Center, Bala Cynwyd, LD# 3756, Ward 9**

Dear Mr. Bottaro:

On May 16, 2018, the Lower Merion Township Board of Commissioners considered a Preliminary Land Development Plan. The Plan, dated November 3, 2017, last revised April 23, 2018, prepared by Bohler Engineering shows the construction of an 87-unit apartment building above at-grade parking, associated pathways and the reconfiguration of the existing parking lot and loading areas located in the northwestern portion of the property. 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 March 23, 2018 shall be incorporated by reference into these conditions of approval, except that as to item B.38, applicant may provide an indemnification satisfactory to the Township to allow the Final Plan to be recorded. (TE)
2. A traffic impact fee based on the expected average weekday PM peak hour trip generation of sixty-six trips in the amount of \$101,904 shall be submitted prior to the issuance of a building permit. The final amount of the fee shall be verified and may be adjusted as determined by staff prior to the issuance of a building permit. (TE,P)(PBP)

Conditional Use Conditions:

3. The applicant shall comply with the conditional use conditions issued on November 16, 2016 which shall be listed on the Final Plan. (P)(PRFP)

Architectural Elevations:

4. Architectural elevations and renderings of all sides of the proposed building shall be submitted with the Final Plan and shall include 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)

5. A Design Manual complying with Zoning Code Section 155-217.F.3 shall be submitted with the building permit application. (P)(PBP)
6. The proposed building shall be constructed substantially as shown on the architectural elevations prepared by Dwell Design Group dated February 28, 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)
7. There shall be no exterior downspouts on the proposed building. (P)(PBP)(PCO)
8. The percentage of glazing on all ground floor walls shall be provided on the architectural elevations. (P)(PBP)
9. The percentage of glazing on the second story and above of the primary front façade shall be provided on the architectural elevations. (P)(PBP)
10. All mechanical equipment, including antennas, whether on the roof or at grade shall be screened visually and acoustically. Such screening shall be integral to the architectural design of the building. (P)(PBP)(PCO)
11. All signage shall be subject to a separate review for compliance with the Zoning Code by the Zoning Officer. (P,ZO)(PBP)
12. 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)(PRFP)

Landscape Plan:

13. The applicant shall engage an arborist to evaluate the health of the vegetation in the landscape area along St. Asaphs Road. Dead wood and dead and/or dying vegetation shall be removed and replaced in coordination with the Township. (P)(PRFP)
14. The applicant shall work with staff to revise the landscape plan to reduce the amount of inappropriate species and distribute the Code required plant material in locations as directed by staff. (P)(PRFP)
15. Additional landscaping shall be provided around the northwestern and southern edges of the proposed building. (P)(PRFP)
16. The applicant shall work with staff to install landscaping on the church property. (P)(PRFP)
17. A detail of the proposed benches along the multi-purpose path shall be added to the landscape plan. (P)(PRFP)
18. The applicant shall work with staff on the style of the proposed fence on the church property. (P)(PRFP)

19. The height of the proposed fencing shall be labeled and a detail provided. The fence shall comply with all applicable zoning requirements. The proposed fence along the property boundary with the Church of St. Asaph's shall contain a gate. The fence shall be setback from the multi-purpose path a minimum of 18 inches. (P)(PRFP)(PCO)

20. The applicant shall provide a maintenance and operations plan for the greening standard amenities. (P)(PRFP)

21. The existing privet hedge along St. Asaphs Road shall be trimmed on a regular basis to prevent it from growing into the sidewalk. The proposed sections of privet hedge shall be planted a sufficient distance off the existing sidewalk. The height of the hedge shall be reduced to four to five feet as directed by staff. (P)(PRFP)(PCO)

22. 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)

23. Details of the multi-purpose path shall be provided and labeled. (P)(PRFP)

24. The various sidewalk connections to the multi-purpose path shall be consistent between the landscape plan and the site plan. (P)(PRFP)

25. All plant material along St. Asaphs Road shall be located to not grow into the right of way when fully mature. (P)(PRFP)

Pedestrian Circulation:

26. In order to facilitate the possible future improvement of pedestrian connections in the vicinity of and to the shopping center, including the proposed apartment building, and to further address traffic concerns along St. Asaphs Road, the applicant will, within thirty (30) days after the issuance of the building permit for the apartment building, contribute \$50,000.00 to the Township to be used for the possible addition of sidewalks on other portions of St. Asaphs Road between Belmont Avenue and Conshohocken State Road and/or for traffic-related improvements along St. Asaphs Road. (P,TE)(PCO)

27. The applicant shall work with staff to install low-level security lighting along the multi-purpose path. (P)(PBP)(PCO)

28. The plans shall be updated to show the future extension of the multipurpose path along the St. Asaphs Road frontage to Belmont Avenue. (P)(PRFP)

29. The existing sidewalk along St. Asaphs Road shall be continued the full length of the property frontage. (P)(PRFP)(PCO)

30. The applicant shall consider widening the portion of existing sidewalk that connects the public sidewalk along St. Asaphs Road with the proposed multi-purpose path to five or six feet. (P)(PRFP)

Traffic, Circulation & Parking:

31. A “No Left Turn” sign shall be installed at the egress of the site onto St. Asaphs Road to restrict left turns out of the site during the hours of 4:00 – 6:00 p.m. An analysis of the impact of the “No Left Turn” sign on the other access driveways on the site shall be provided. If the Township Engineer determines that improvements are required to mitigate the impact of the additional traffic to other ingress/egress driveways, the applicant shall install the required improvements. (TE)(PRFP)(PGP)(PCO)
32. Deliveries by larger delivery vehicles (i.e. WB 67) shall be restricted during peak traffic hours as directed by the Township Engineer. (TE)(PRFP)(PGP)
33. Two parking spaces designated for car share services shall be shown on the plan. (P)(PRFP)(PCO)
34. The required bicycle storage shall be labeled on the plan. A minimum of two bike racks shall be provided on the exterior of the building. (P)(PRFP)(PCO)
35. Internal directional signage shall be added to the plans that directs vehicles exiting the parking garage to not turn left onto the internal drive between the proposed apartment building and the shopping center. Such directional signage shall be subject to review and approval by the Township Engineer. (TE)(PGP)(PCO)

Stormwater Management:

36. The applicant shall investigate stormwater best management practices (BMPs) for the reconfigured parking area, such as breaks in the curbing to allow for stormwater infiltration. (TE)(PRFP)(PGP)
37. Geotextile material shall surround the entire seepage bed including the bottom. (TE)(PGP)
38. The reference to a “dewatering device” indicated in the basin outlet structure details shall be clarified. Adequate detail as to design and operation/function of this device shall be provided. The basins must be able to recharge the required volume as dead storage. (TE)(PGP)
39. An elevation point in the stage-storage input shall be provided for the weir invert to remove the error in the analysis caused by the program using an average outflow value. (TE)(PGP)

Construction Details:

40. 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)(PRFP)(PGP)
41. 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,TE,B)

42. Construction related vehicles shall not utilize the Saint Asaphs Road driveway. This includes vehicles operated by construction workers, material suppliers, product vendors, and all construction trades engaged in the project. (P,TE,B)

43. The final design of the stair tread, riser and railings shall comply with the applicable building code. (TE)(PBP)

44. A detail of the retaining wall shall be provided. Calculations shall be provided for wall heights in excess of four (4') feet. Vehicle surcharge loading shall be included in the analysis if the wall is within the influence line of a vehicle travel area. (TE)(PGP)

45. A metes and bounds description for the proposed sidewalk easement shall be created and shown on the plan. The width of the easement shall be dimensioned on the plans. (P)(PRFP)

Utilities:

46. Separate permits and approvals shall be obtained from the Public Works Department for the sanitary lateral construction. (TE)(PGP)

Plan Requirements:

47. 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)(PCO)

Standard Conditions of Approval:

48. The plans submitted with the building permit shall document the required recreation area or the applicant shall pay a fee for any required recreation area not provided. The fee shall be submitted at the time the building permit is submitted. (P)(PBP)

49. 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)(PCO)

50. 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)(PRFP)(PCO)

51. 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)

52. The lighting plan shall be designed to comply with the 2009 IECC or the 2007 ASHRAE Standard 90.1. (P)(PBP)

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)(PCO)

54. All trash dumpsters shall be located within the building. (P)(PRFP)(PCO)

55. 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)

56. 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,B)(PCO)

57. 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,B)(PCO)

58. 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)

59. 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)

60. 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)

61. 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)

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.
George Broseman, Kaplin Stewart
Chris Dinoulis, Bohler Engineering

TO: Township of Lower Merion:

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

Andrew Bottaro

Date