



TOWNSHIP OF ABINGTON

ADMINISTRATIVE CODE AND LAND USE COMMITTEE

*Ben Sanchez, Chair
Ken Brodsky, Vice-Chair
Carol Gillespie
Mike Thompson
Jessica Carswell*

A G E N D A **October 3, 2018** **7:00 P.M.**

1. CALL TO ORDER
2. CONSIDER APPROVAL OF MINUTES
 - a. Motion to approve the minutes of the September 5, 2018 Administrative Code and Land Use Committee Meeting.
3. PRESENTATION
4. UNFINISHED BUSINESS
5. NEW BUSINESS

ADMINISTRATIVE CODE AND LAND USE COMMITTEE *COMMISSIONER BEN SANCHEZ, CHAIR*

- a. **ACL-01-101118** Consider a motion approving the Subdivision Application for a 2-lot subdivision for property located at 2219 Old Welsh Road and Parkview Avenue, Willow Grove, PA.
 - b. **ACL-02-101118** Consider a motion approving the Subdivision Application for a lot line change by Robert Razzi for properties located at 865 and 869 Jenkintown Road, Elkins Park, PA.
 - c. **ACL-03-101118** Consider a motion approving the Land Development Application for Family Dining, Inc. (Burger King) for the building expansion for a playground and a second drive-through lane.
 - d. **ACL-04-101118** Consider a motion appointing Campbell, Durrant Beatty Palombo and Miller, P.C. as special labor counsel to provide labor and employment law services at their current rates to the Township up to or through December 13, 2018 while the Administration goes through the Request for Proposal process.
6. PUBLIC COMMENT
 7. ADJOURNMENT



ADMINISTRATIVE CODE AND LAND DEVELOPMENT

AGENDA ITEM

September 24, 2018

DATE

ACL-01-101118

AGENDA ITEM NUMBER

Engineering and Code

DEPARTMENT

FISCAL IMPACT

Cost > \$10,000.

Yes

No

PUBLIC BID REQUIRED

Cost > \$20,100

Yes

No

AGENDA ITEM:

Subdivision Application SD-18-03, 2219 Old Welsh Road and Parkview Avenue, Willow Grove, PA 19090 - Osman Aydemir

EXECUTIVE SUMMARY:

Applicant proposes a 2-lot residential subdivision. The property is zoned within the R-4 Residential District of Ward 5 of the Township of Abington, Montgomery County. An existing house is located on the lot facing Old Welsh Road, Willow Grove, PA.

PREVIOUS BOARD ACTIONS:

Planning Commission recommended approval of the Subdivision Application at their regularly scheduled meeting on September 25, 2018.

RECOMMENDED BOARD ACTION:

Consider a motion approving the Subdivision Application for a 2-lot subdivision for property located at 2219 Old Welsh Road and Parkview Avenue, Willow Grove, PA.



Township of Abington Planning Commission Recommendation Form

Application Number: SD-18-03

Date: September 25, 2018

Applicant's Name: 2219 Old Welsh, LLC

Applicant's Address: 2219 Old Welsh Road, Abington, Pa.

Recommendation: APPROVED DENIED VOTE: 9 of 9

Over View:

PC2: This is the application of **2219 Old Welsh, LLC** for the property located at 2219 Old Welsh Road, Willow Grove, Pa. 19090. The applicant proposes to subdivide the property of 21,080 square feet into two parcels. Lot #1 will contain the existing single family dwelling on a lot of 11,703 square feet. Lot #1 will have 87 feet of frontage on Old Welsh Road. Lot #2 will have 80 feet of frontage on Parkview Avenue and consist of 9,377 square feet. Both lots conform to the dimensional requirements of Section 602, Figure 6.1 of the Zoning Ordinance of the Township of Abington. The property is zoned within the R-4 Residential District of Ward #5 of the Township of Abington

Conditions:

1. The applicant must provide the Engineering & Code Office with an As-Built Plan.
2. One street tree must be planted along the Old Welsh Road frontage and two trees must be planted along the Parkview Road Frontage.

The following waivers have been requested.

- A. **Section 146-11.A.4 - Property Identification Plan** – The plan is required to supply the tax parcel information, owner's name & lot area for all properties within 400 feet of the site involved in this application. Yes {X} No { }

- B. **Section 146-11.B. – Existing Features Plan** – The plan is required to plot the names of all property owners, utilities, parcel numbers and restricted lands and within 400 feet of the properties involved in this application. Yes {X} No { }
- C. **Section 146-11.C – Proposed Layout Plan** – The plan is required to the first floor elevation, sanitary sewer line, storm water management system, soil stock pile location and the water service on the sites and within 400 feet of the properties involved in this application. Yes {X} No { }
- D. **Section 146-11.D – Grading Plan** – The plan is required to include the existing and proposed alterations to the site and the limits of all disturbance. Yes {X} No { }
- E. **Section 146-11.L – Architectural Plan** – An architectural plan is required to be submitted of the single family dwelling proposed to be constructed on the site. Yes {X} No { }
- F. **Section 146-27 – Sidewalks & Curbing** - From the requirement to install sidewalks and curbing along the Bradfield Road frontage. Yes {X} No { }
- G. **Section 146-39 – Landscaping Plan** – The applicant is required to plant a minimum of two street trees along both Old Welsh Road and Parkview Avenue. The Board of Commissioners may credit the applicant for the two 26 inch trees on the Old Welsh Road property and the 16 inch tree in the right-of-way of Parkview Avenue. Yes {X} No { }

These additional waivers have been requested by the applicant. They are not required by the Subdivision & Land Development Ordinance for a minor subdivision plan

- H. Section 146.11.E – Soil Erosion Control Plan
- I. Section 146.11.F – Improvements Plan
- J. Section 146.11.H – Landscaping Plan.

M. A. Penecale
9/25/2018





Township of Abington

Engineering & Code Department

Wayne C. Luker, President
Steven N. Kline, Vice President

Richard J. Manfredi, *Manager*
Amy R. Montgomery, *P.E., Director*

Mr. Osman Aydemir
2219 Old Welsh, LLC
1109 W. Main Street
Norristown, PA 19401

September 19, 2018

Re: Subdivision Application for Osman Aydemir - known as Application SD-18-03, located at 2219 Old Welsh Road and Parkview Avenue, Willow Grove, PA 19090

Dear Mr. Aydemir,

Staff of the Township of Abington have received and reviewed the submission application submitted for a 2-lot subdivision for property located at 2219 Old Welsh Road and Parkview Avenue, Willow Grove, PA. The submitted information was prepared by Yerkes Associates, Inc., of West Chester, PA and consists of a 7-sheet plan set dated August 23, 2018.

The applicant proposes to subdivide the property of 21,080 square feet into two parcels. Lot #1 will contain the existing single family dwelling on a lot of 11,703 square feet. Lot #1 will have 87 feet of frontage on Old Welsh Road. Lot #2 will have 80 feet of frontage on Parkview Avenue and consist of 9,377 square feet. Both lots conform to the dimensional requirements of Section 602, Figure 6.1 of the Zoning Ordinance of the Township of Abington. The property is zoned within the R-4 Residential District of Ward #5 of the Township of Abington.

Based on our review of the information, the following is a listing of the staff review comments that will need to be addressed to the satisfaction of the Board of Commissioners of the Township of Abington.

Engineering/Code Department - Planning/Zoning Officer:

1. This site is zoned within the R-4 Residential District of Ward #5 of the Township of Abington. This plan was reviewed as a final minor subdivision plan.
2. Lot #1 & Lot #2 comply to the dimensional requirements of the R-4 Residential District.

3. Lot #1 has an existing non-conforming side yard of 2.4 feet on the eastern property line. This non-conformity will remain and is not proposed to be altered.
4. The existing crushed stone driveway on Lot #2 should be marked "To be Removed".
5. A sanitary sewer connection is required to be obtained for Lot #2. If this plan is approved, the Township of Abington is unable to sign the final plan until DEP approval is obtained for the required sanitary sewer connection. Please have your project engineer contact George Wrigley at 215-886-0934 with any questions pertaining to the required EDU.
6. The proposed dwelling is not plotted on the plan submitted for review. Please be aware that the Zoning Ordinance of the Township of Abington has requirements for in-fill development that applies to this project. Please refer to Section 2103.H, Use H-7 of the Zoning Ordinance.
7. The applicant is required to submit a letter from AQUA stating that public water service is available for the proposed new lot. In addition a letter from PECO is required to be submitted stating that electrical service will be available.

This application will require waivers from the following sections of the Subdivision & Land Development Ordinance of the Township of Abington.

Section 146-11.A: Property Identification Plan - The plan is required to include tax parcel numbers, names and addresses of all landowners within 400 feet of the site.

Section 146-11.B: Existing Features Plan - The plan is required to include the type and size of all utilities within 400 feet of the site.

Section 146-11.C: Proposed Layout Plan - The plan is required to include the first floor elevation of the proposed single family dwelling, the location of all sanitary sewer lines, stormwater management systems and water service for the site.

Section 146-11.D: Grading Plan - The plan is required to include the proposed alterations to the existing grades, the limits of proposed work area and the location of the soil storage area.

Section 146-11.L: Architectural Plan - the applicant is required to submit an architectural plan of the proposed new structure.

Section 146-27: Sidewalks & Curbs - The applicant is required to install sidewalks and curbing along all public road frontages. Curbs and sidewalk exist on the Old Welsh Road frontage; however no curbing or sidewalk is shown to be installed on the Parkview Avenue frontage.

Section 146-39: Landscaping Plan - The applicant is required to plant a minimum of two street trees along both the Old Welsh Road and Parkview Avenue frontages. The Board of Commissions may credit the applicant for the existing 26 inch Ash and 26 inch Maple on the Old Welsh Road frontage and the 16 Cherry within the Parkview Avenue right-of-way.

This applicant has also requested waivers from the following sections of the Subdivision & Land Development Ordinance of the Township of Abington. Please be aware that minor subdivisions do not require these plans be submitted as per Section 146-10 of the Subdivision & Land Development Ordinance of the Township of Abington.

Section 146-11.E: Erosion Control Plan - The plan submitted for review does not include any detail on the type, size or location of any soil erosion control measures.

Section 146-11.F: Improvement Plan - The plan submitted for review does not include any detail on the type or size of any on-site storm water management system, street improvements, sanitary sewer location, size or depth or any other utility proposed to be installed on site.

Section 146-11.H: Landscaping Plan - The plan submitted includes the location of all existing trees on the site, but does not include a listing of any proposed trees to be removed or new trees to be planted on site.

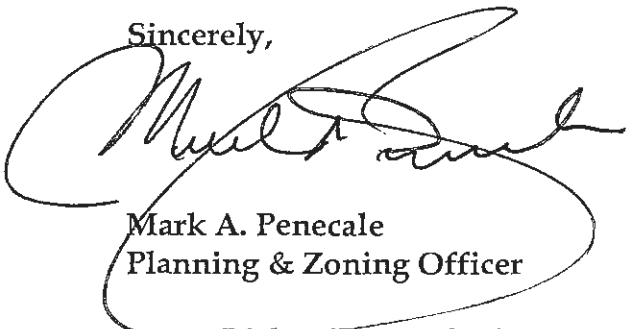
Engineering/Code Department

1. The proposed lot will front Parkview Avenue. Sanitary sewers are available in this street and flow to the Abington Township Treatment Plant. Any questions or concerns regarding the sanitary sewers should be directed to Mr. George Wrigley, Director of the Wastewater Utilities.
2. Upon approval of this plan, the applicant shall provide the Township with two (2) new executed (signed, notarized and recorded) deeds; one for each property.
3. The plans should show a new concrete monument to be installed at the new property corner on the westerly side of the property. Iron Pins are not acceptable.

4. The plan must show ALL utility services (sewer laterals, water services, wells, septic tanks, seepage pits, overhead electric, underground cable, etc.) on each property so as no newly formed property cuts off a utility to the other property.
5. The plans should show a conceptual residential footprint, with a driveway and stormwater management system.
6. The side yard setbacks should be removed in the rear portion of both new lots.
7. Old Welsh Road is a State Road. Any improvements made within either the roadway or the legal R.O.W. will need the approval of PennDOT.
8. This review is for the subdivision process only. Before any construction begins, the owner/applicant must obtain the proper permits from the Township offices.
9. When the Subdivision is approved, the address for "Lot 2" will be 2218 Parkview Avenue.

This application is scheduled to be reviewed by the Planning Commission, Engineering and Code Department and the Board of Commissioners of the Township of Abington. If there are any questions pertaining to the comments listed above, I would ask that you contact the reviewing department directly or I can be reached at 267-536-1010.

Sincerely,



Mark A. Penecale
Planning & Zoning Officer

cc. Richard J. Manfredi, Manager, Township of Abington
Amy Montgomery, PE; Township Engineer
Scott Marlin; Engineering & Code Department
File Copy (2)

Township of Abington
APPLICATION FOR APPROVAL OF PLAN

COPY

Submission Date 8/23/18 Application No. SD-18-03

To the Board of Commissioners of the Township of Abington:

The undersigned hereby makes application for approval of plan type as indicated below, under the provisions of the Code of Abington Township, Chapter 146, entitled 'The Subdivision and Land Development Regulations of the Township of Abington of 1991', and any supplements and amendments thereto.

Osman Aydemir
Signature of Applicant

Osman Aydemir
Signature of Land Owner

Title of Plan Submitted: PARKSIDE AVENUE - OLD WELSH ROAD 2 LOT SUBDIVISION

A. Plan Type:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Minor Land Development |
| <input type="checkbox"/> Preliminary Major Subdivision | <input type="checkbox"/> Pre Major Land Development |
| <input type="checkbox"/> Final Major Subdivision | <input type="checkbox"/> Final Major Land Development |
| <input type="checkbox"/> Preliminary Major SD & LD | <input type="checkbox"/> Final Major SD & LD |

B. Plan Identification:

Plan Dated: MAY 23, 2018 Engineer: YERKES ASSOCIATES

Plan Proposes: Brief narrative of the proposed activity. Commercial applications to include building square footage and specific uses; Residential applicants to include number of lots and amount of dwelling unit types:

THIS PLAN PROPOSES TO SUBDIVIDE A RESIDENTIAL LOT INTO 2 LOTS. ONE LOT WILL HAVE THE EXISTING SINGLE FAMILY RESIDENCE. ON THE OTHER LOT WOULD BE VACANT WITH PLANS FOR CONSTRUCTION OF A SINGLE FAMILY RESIDENCE TO FOLLOW SUBDIVISION

C. Property Identification:

Address/Location 2219 OLD WELSH ROAD

between streets FAIRVIEW AVENUE and ROCKWELL AVENUE

(continued on next page)

D. Applicant Identification:

Applicant 2219 OLD WOLSH LLC
 Address 1109 W. MAIN ST. NORRISTOWN PA 19401 Phone 267-820-9065

Land Owner SAMS
 Address _____ Phone _____

Equitable Land Owner _____
 Address _____ Phone _____

Architect _____
 Address _____ Phone _____

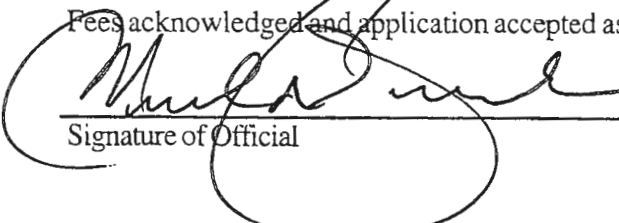
Engineer YERKES ASSOCIATES INC
 Address 1414 PHOENIXVILLE PIKE, WEST CHESTER PA 19380 Phone 610-644-4254

Attorney MICHAEL VAJOFF, ESQ
 Address 101 GREENWOOD AVE STR NORRISTOWN PA 19406 Phone 267-690-3833

<u>IMPROVEMENTS PROPOSED</u>	<u>UNITS</u>	<u>ESTIMATED COST</u>
Streets	NONE	
Street Widening	NONE	
Street Signs	NONE	
Street Lighting	NONE	
Curbs	NONE	
Sidewalks	NONE	
Storm Sewers	NONE	
Water Supply	NONE	
Fire Hydrants	NONE	
Sanitary Sewers	NONE	
Monuments	2	\$ 700
Shade Trees	NONE	
Open Space	NONE	
Park Lane	NONE	
Other		
Total Cost:		\$ 700

Fees received from applicant:
 Check # 1143 Rec # 1800012 Application Fee \$ 300.00
 Check # 1144 Rec # 1800013 Review Escrow \$ 2,500.00
 Total \$ 2800.00

Fees acknowledged and application accepted as complete:


 Signature of Official

RECEIVED
 8/23/18 AUG 23 2018
 Date _____ BY: _____

**Township of Abington
APPLICATION FOR MODIFICATION OF PLAN**

Submission Date 8/23/18 Application No. SA-18-03

To the Board of Commissioners of the Township of Abington:

The undersigned hereby makes application for modification of plan application requirements as indicated below, under the provisions of the Code of Abington Township, Chapter 146, entitled 'The Subdivision and Land Development Regulations of the Township of Abington of 1991', and any supplements and amendments thereto.

Signature of Applicant _____ Signature of Land Owner _____

Title of Plan Submitted: PARKSIDE AVENUE - OLD WELSH ROAD 2 LOT SUBDIVISION


A. Plan Type:

- | | |
|---|------------------------------------|
| <input checked="" type="checkbox"/> Minor Subdivision | _____ Minor Land Development |
| _____ Preliminary Major Subdivision | _____ Pre Major Land Development |
| _____ Final Major Subdivision | _____ Final Major Land Development |
| _____ Preliminary Major SD & LD | _____ Final Major SD & LD |

Regulation Topic	Section #	Extent of Modification Requested
<u>SHOW ADJACENT</u>	<u>146-11A(4)</u>	<u>NOT ALL WITHIN 100 FEET</u>
<u>ADJOINING ZONING</u>	<u>146-11A(10)</u>	<u>NOT ALL WITHIN 100 FEET</u>
<u>ADJOINING UTILITIES</u>	<u>146-11B(7)</u>	<u>NOT ALL WITHIN 100 FEET</u>
<u>STEEP SLOPES</u>	<u>146-11B(8)</u>	<u>NOT SHOW STEEP SLOPES</u>
<u>PROPOSED UTILITIES</u>	<u>146-11C(10)</u>	<u>PROVIDE FOR LOT 2 LATER</u>
<u>GRADING</u>	<u>146-11D(6-9)</u>	<u>PROVIDE FOR LOT 2 LATER</u>
<u>EROSION CONTROL</u>	<u>146-11E(ALL)</u>	<u>" " " " "</u>
<u>IMPROVEMENT PLAN</u>	<u>146-11F(ALL)</u>	<u>" " " " "</u>
<u>UTILITY PLAN</u>	<u>146-11G(ALL)</u>	<u>" " " " "</u>
<u>LANDSCAPE PLAN</u>	<u>146-11H(ALL)</u>	<u>" " " " " IF REQUIRED</u>

Fees acknowledged and modification request received:

RECEIVED
AUG 23 2018


Signature of Official

8/23/18
Date

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR
KENNETH E. LAWRENCE, JR., VICE CHAIR
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311
NORRISTOWN, PA 19404-0311
610-278-3722
FAX: 610-278-3941 • TDD: 610-631-1211
WWW.MONTCOPA.ORG

JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

September 21, 2018

Mr. Richard J. Manfredi, Township Manager
Abington Township
1176 Old York Road
Abington, Pennsylvania 19001-3713

Re: 18-0212-001
Plan Name: Osman Aydemir
(2 Lots on 0.48 Acres)
Situate: 2219 Old Welsh Road at Rockwell Road
Abington Township

Dear Mr. Manfredi:

We have reviewed the above-referenced subdivision in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code, as you requested on September 7, 2018. We forward this letter as a report of our review.

BACKGROUND

Osman Aydemir, the applicant, has submitted a subdivision plan for 2219 Old Welsh Road. The site is the location of a dual-frontage lot that is being proposed for subdivision. The current lot is 21,080 s.f. The proposed new lots are 11,703 s.f. (Lot 1, fronting on Old Welsh Road), and 9,377 s.f. (Lot 2, fronting on Parkview Avenue), respectively. Lot 1 is the site of an existing dwelling in the R4 High Density Residential District and is served by public sewer and water. The applicant has submitted a preliminary (and minor) plan.



RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal, however, in the course of our review we have identified the following issues that the applicant and Township may wish to consider prior to final plan approval. Our comments are as follows:

REVIEW COMMENTS

LANDSCAPING

- A. Street Trees [§2402.B.]. Street trees are required at a ratio of one per 40 linear feet. Therefore, two street trees are required on each street frontage. If planted on the far side of the sidewalk from the curb, the tree shall be planted at least 5 feet past the sidewalk or ultimate right-of-way, whichever is farthest from the curb; however, the tree shall be planted no further than 15 feet from the sidewalk or ultimate right-of-way.
- B. Sidewalks [§146-27]. We recommend that a sidewalk be constructed on Parkview Avenue. Though there is no sidewalk on Parkview currently, there is one on Fairview, which is at the first intersection as one walks away from the applicant's property. Over time, and with subdivision and land development activity and possibly infrastructure projects, a sidewalk network can be developed.

CONCLUSION

We wish to reiterate that MCPC generally supports the applicant's proposal, but we believe that our suggested revisions will better achieve the Township's planning objectives.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files.

Sincerely,



Mike Narcowich, AICP, Principal Planner II
610.278.5238 - mnarcowi@montcopa.org

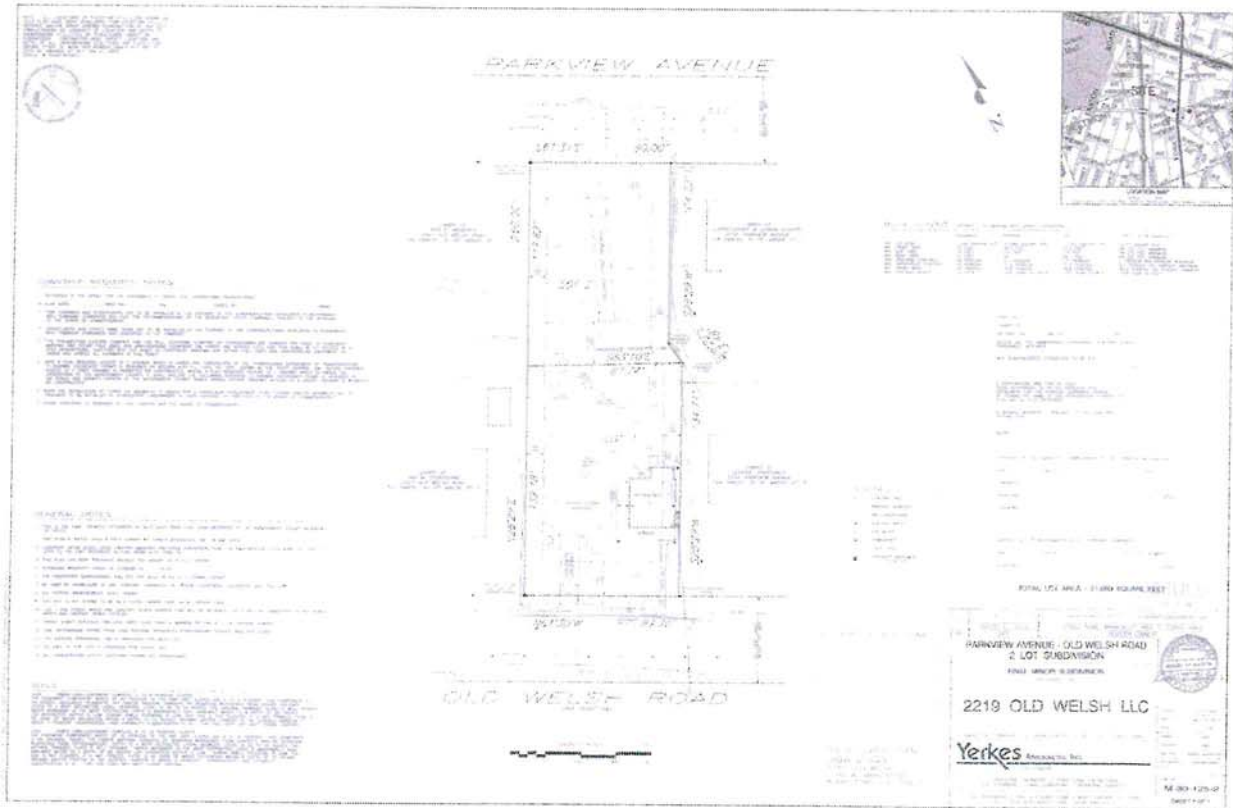
c: Osman Aydemir, Applicant
Michael Yanoff, Applicant's Representative
Richard J. Manfredi, Township Manager
Amy Montgomery, P.E., Township Engineer
Michael P. Clarke, Esq., Rudolph Clarke, LLC, Township Solicitor

Attachments: Street-Level Image
Applicant's Plan
Aerial Image

Parkview Avenue



Applicant's Plan



Aerial Image



Osman Aydemir
180212001

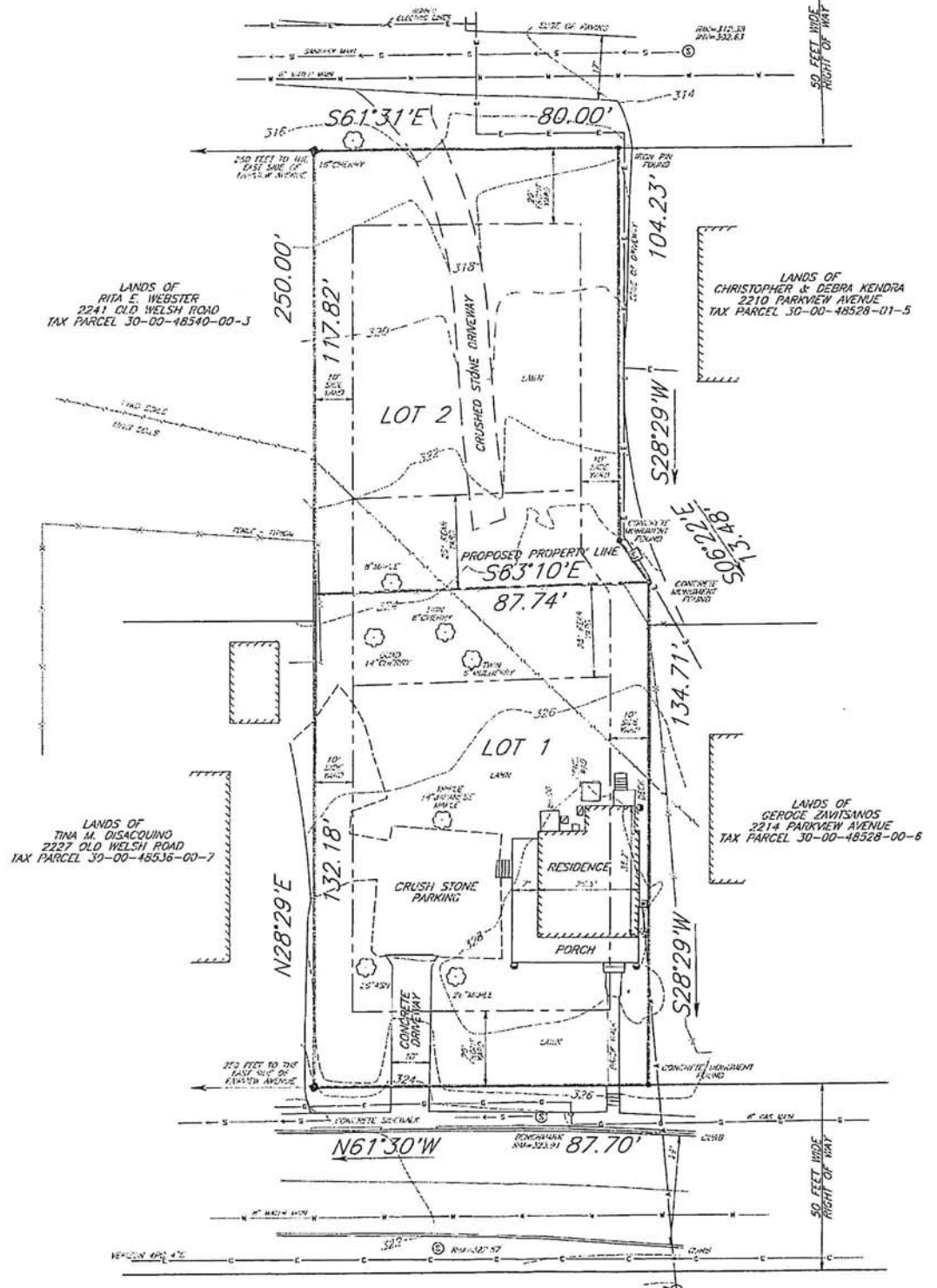
Montgomery
County
Planning
Commission
Montgomery County Council - Planning Commission
PO Box 276 • Montgomery, PA 19404-0276
p: 610 276 1700 • f: 610 276 3547
www.montcopa.org/planning
P&P: 2018 Aerial Photography provided by the
Olivette Urban Regional Planning Commission



NOTE: ALL LOCATIONS OF EXISTING UTILITIES SHOWN ON THIS PLAN HAVE BEEN DEVELOPED FROM EXISTING UTILITY RECORDS AND/OR ABOVE GROUND EXAMINATION OF THE SITE. COMPLETENESS OR ACCURACY OF LOCATION AND DEPTH OF UNDERGROUND UTILITIES OR STRUCTURES CANNOT BE GUARANTEED. CONTRACTOR MUST VERIFY LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES AND FACILITIES BEFORE START OF WORK PER PENNSYLVANIA ACT 287 OF 1974 AS AMENDED BY ACT 109 OF 2004. SERIAL # 20181451804



PARKVIEW AVENUE



BULK ZONING:	DISTRICT = R-4 MEDIUM-TO-HIGH DENSITY RESIDENTIAL	REQUIRED	EXISTING	LOT 1	LOT 2 (TO BE PROPOSED)
MIN. LOT AREA		7,500 SQUARE FEET	21,080 SQUARE FEET	11,703 SQUARE FEET	9,377 SQUARE FEET
MIN. FRONT YARD		30 FEET	32.5 FEET	32.5 FEET	NA (25 FEET MINIMUM)
MIN. SIDE YARD		10 FEET	3.4 FEET	3.4 FEET	NA (10 FEET MINIMUM)
MIN. REAR YARD		25 FEET	NA	25 FEET	NA (25 FEET MINIMUM)
MAX. BUILDING COVERAGE		40 PERCENT	6.1 PERCENT	6.1 PERCENT	0 PERCENT (40 PERCENT MAXIMUM)
MAX. INTERVENEUS COVERAGE		35 PERCENT	21.2 PERCENT	21.2 PERCENT	9.2 PERCENT (35 PERCENT MAXIMUM)
MIN. GREEN AREA		45 PERCENT	78.8 PERCENT	78.8 PERCENT	90.8 PERCENT (45 PERCENT MINIMUM)
MAX. BUILDING HEIGHT		35 FEET	LESS THAN 35 FEET	LESS THAN 35 FEET	15.55 HIGHER 35 FEET

TOWNSHIP REQUIRED NOTES:

- RECORDED IN THE OFFICE FOR THE RECORDING OF DEEDS, ETC., NORRISTOWN, PENNSYLVANIA. IN PLAN BOOK _____ PAGE NO. _____ ON _____ (DATE), BY _____ (NAME).
- FIRE HYDRANTS AND STREETLIGHTS ARE TO BE INSTALLED AT THE EXPENSE OF THE SUBDIVIDER/LAND DEVELOPER IN ACCORDANCE WITH TOWNSHIP STANDARDS AND WITH THE RECOMMENDATIONS OF THE RESPECTIVE UTILITY COMPANIES, SUBJECT TO THE APPROVAL OF THE BOARD OF COMMISSIONERS.
- STREETLIGHTS AND STREET NAME SIGNS ARE TO BE INSTALLED AT THE EXPENSE OF THE SUBDIVIDER/LAND DEVELOPER IN ACCORDANCE WITH TOWNSHIP STANDARDS AND DEDICATED TO THE TOWNSHIP.
- THE PHILADELPHIA ELECTRIC COMPANY AND THE BELL TELEPHONE COMPANY OF PENNSYLVANIA ARE GRANTED THE RIGHT TO CONSTRUCT, MAINTAIN AND REPAIR POLE LINES AND UNDERGROUND EQUIPMENT ON, UNDER AND ACROSS LOTS, AND THIS SHALL BE SO RECITED IN ALL DEED DESCRIPTIONS, TOGETHER WITH THE RIGHT TO CONSTRUCT, MAINTAIN AND REPAIR POLE LINES AND UNDERGROUND EQUIPMENT ON, UNDER AND ACROSS ALL HIGHWAYS IN THIS TRACT.
- HERE A PLAN REQUIRES ACCESS TO A HIGHWAY WHICH IS UNDER THE JURISDICTION OF THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION. A HIGHWAY OCCUPANCY PERMIT IS REQUIRED BY SECTION 4.15 PLS 1242, NO. 528, KNOWN AS THE "STATE HIGHWAY LAW," BEFORE DRIVEWAY ACCESS TO A STATE HIGHWAY IS PERMITTED OR CONSTRUCTED. WHERE A PLAN REQUIRES ACCESS TO A HIGHWAY WHICH IS UNDER THE JURISDICTION OF THE MONTGOMERY COUNTY, IT SHALL INCLUDE THE FOLLOWING NOTATION: "A HIGHWAY OCCUPANCY PERMIT IS REQUIRED BY THE RIGHTS AND UNIFORMS DIVISION OF THE MONTGOMERY COUNTY PUBLIC WORKS BEFORE DRIVEWAY ACCESS TO A COUNTY HIGHWAY IS PERMITTED OR CONSTRUCTED."
- WHEN THE INSTALLATION OF CURBS OR SIDEWALKS IS WANTED FOR A PARTICULAR DEVELOPMENT PLAN, "CURBS AND/OR SIDEWALKS" MAY BE REQUIRED TO BE INSTALLED BY SUBSEQUENT LANDOWNERS AT THEIR EXPENSE, BY DIRECTION OF THE BOARD OF COMMISSIONERS.
- OTHER NOTATIONS AS REQUIRED BY THIS CHAPTER AND THE BOARD OF COMMISSIONERS.

STATE OF _____
 COUNTY OF _____
 ON THIS, THE ____ DAY OF _____, 201__,
 BEFORE ME, THE UNDERSIGNED SUBSCRIBER, A NOTARY PUBLIC,
 PERSONALLY APPEARED

WHO ACKNOWLEDGED THEMSELVES TO BE THE _____ OF _____
 A CORPORATION, AND THAT AS SUCH BEING AUTHORIZED TO DO SO, EXECUTED THIS INSTRUMENT FOR THE PURPOSES CONTAINED HEREON BY SIGNING THE NAME OF THE CORPORATION DESIRES THIS PLAN MAY BE FULLY RECORDED.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND OFFICIAL SEAL.
 NOTARY _____

APPROVED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF ABRINGTON
 THIS ____ DAY OF _____, 2018
 PRESIDENT _____ ATTEST
 SECRETARY _____ ATTEST
 ENGINEER _____ ATTEST

CERTIFIED BY THE MONTGOMERY COUNTY PLANNING COMMISSION
 THIS ____ DAY OF _____, 2018, FILE NUMBER _____
 SECRETARY _____ ATTEST

TOTAL LOT AREA = 21,080 SQUARE FEET
AUG 22 2018

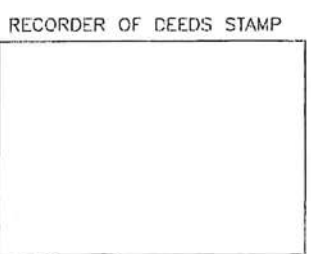
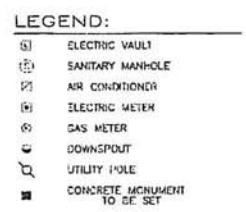
GENERAL NOTES:

- THIS IS THE SAME PREMISES DESCRIBED IN DEED BOOK 5990 PAGE 2006 RECORDED AT THE MONTGOMERY COUNTY RECORDER OF DEEDS.
- THIS PLAN IS BASED UPON A FIELD SURVEY BY YERKES ASSOCIATES, INC., IN MAY 2018.
- ELEVATION DATUM BASED UPON SANITARY MANHOLE RIM FROM SUBDIVISION PLAN FOR SAM BRACCIA DATED APRIL 26, 2002 OF LOTS TO THE EAST RECORDED IN PLAN BOOK A-61 PAGE 46.
- THIS PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
- OUTBOUND PROPERTY EVIDENCE OF CLOSURE IS 1 : 179,724
- THE PROPERTIES SURROUNDING THIS SITE ARE ALSO IN THE R-4 ZONING DISTRICT.
- WE HAVE NO KNOWLEDGE OF ANY CITATIONS, VARANCES OR SPECIAL EXCEPTIONS ASSOCIATED WITH THIS SITE.
- ALL EXISTING IMPROVEMENTS SHALL REMAIN.
- THIS SITE IS NOT SHOWN TO BE IN A FLOOD HAZARD ZONE ON A CURRENT FIRM.
- LOT 1 HAS PUBLIC WATER AND SANITARY SOWER SERVICE THAT WILL BE RETAINED. LOT 2 WILL BE CONNECTED TO THE PUBLIC WATER AND SANITARY SEWER SYSTEMS.
- SINGLE FAMILY DETACHED DWELLING UNITS SHALL HAVE A MINIMUM OF TWO 9' X 16' PARKING SPACES
- SOIL INFORMATION SHOWN FROM USDA NATURAL RESOURCES CONSERVATION SERVICE WEB SOIL SURVEY
- THE EXISTING RESIDENTIAL USE IS PROPOSED FOR BOTH LOTS.
- NO AREA OF THE LOTS IS PROPOSED FOR PUBLIC USE.
- ALL UNDERGROUND UTILITY LOCATIONS SHOWN ARE APPROXIMATE.

SOILS:

U4B - URBAN LAND-EDGE/MORT COMPLEX, 0 TO 8 PERCENT SLOPES: THE EDGE/MORT COMPONENT MAKES UP 30 PERCENT OF THE MAP UNIT. SLOPES ARE 0 TO 8 PERCENT. THIS COMPONENT IS ON RIDGES. HIGHLANDS PARENT MATERIAL CONSISTS OF RESIDUUM WEATHERED FROM VINTAGE DOLOMITE. DEPTH TO A ROOT RESTRICTIVE LAYER, BEDROCK, LITHIC IS 40 TO 84 INCHES. THE NATURAL DRAINAGE CLASS IS WELL DRAINED. WATER MOVEMENT IN THE MOST RESTRICTIVE LAYER IS MODERATELY HIGH. AVAILABLE WATER TO A DEPTH OF 40 INCHES (OR RESTRICTED DEPTH) IS LOW. SHRINK-SWELL POTENTIAL IS LOW. THIS SOIL IS NOT FLOODED, IF IS NOT PONDED THERE IS NO ZONE OF WATER SATURATION WITHIN A DEPTH OF 72 INCHES. ORGANIC MATTER CONTENT IN THE SURFACE HORIZON IS ABOUT 3 PERCENT. NONIRRICATED LAND CAPABILITY CLASSIFICATION IS 2E. THIS SOIL DOES NOT MEET HYDRIC CRITERIA.

U4D - URBAN LAND-EDGE/MORT COMPLEX, 8 TO 25 PERCENT SLOPES: THE EDGE/MORT COMPONENT MAKES UP 30 PERCENT OF THE MAP UNIT. SLOPES ARE 8 TO 25 PERCENT. THIS COMPONENT IS ON UPLANDS. RIDGES. THE PARENT MATERIAL CONSISTS OF RESIDUUM WEATHERED FROM QUARTZITE AND/OR RESIDUUM WEATHERED FROM ORYCTOLANITE. DEPTH TO A ROOT RESTRICTIVE LAYER, BEDROCK, LITHIC, IS 42 TO 84 INCHES. THE NATURAL DRAINAGE CLASS IS WELL DRAINED. WATER MOVEMENT IN THE MOST RESTRICTIVE LAYER IS MODERATELY HIGH. AVAILABLE WATER TO A DEPTH OF 40 INCHES (OR RESTRICTED DEPTH) IS LOW. SHRINK-SWELL POTENTIAL IS LOW. THIS SOIL IS NOT FLOODED, IF IS NOT PONDED, THERE IS NO ZONE OF WATER SATURATION WITHIN A DEPTH OF 72 INCHES. ORGANIC MATTER CONTENT IN THE SURFACE HORIZON IS ABOUT 3 PERCENT. NONIRRICATED LAND CAPABILITY CLASSIFICATION IS 4E. THIS SOIL DOES NOT MEET HYDRIC CRITERIA.



OWNER/APPLICANT
 OSMAN AYDEMIR
 2219 OLD WELSH LLC
 1109 W. MAIN STREET
 NORRISTOWN, PA 19401

NO.	DATE	REVISION COMMENT
1	AUGUST 21, 2018	STREET NAME, MINIMUM LOT AREA TO ZONING TABLE

PARKVIEW AVENUE - OLD WELSH ROAD
2 LOT SUBDIVISION

FINAL MINOR SUBDIVISION
 PREPARED FOR

2219 OLD WELSH LLC

ARINGTON TOWNSHIP • MONTGOMERY COUNTY • PENNSYLVANIA

Yerkes ASSOCIATES, INC.
a wholly owned company
 CONSULTING ENGINEERS / STRUCTURAL ENGINEERING
 SITE PLANNERS / LAND SURVEYORS / MUNICIPAL SERVICES

1444 PHOENIXVILLE PKW • P.O. BOX 1568 • WEST CHESTER, PA 19380
 TEL: (610) 644-4254 • FAX: (610) 640-0771

PROJECT - W-16-2603
 DATE - MAY 23, 2018
 SCALE - 1" = 20'
 DRAWN - WMS
 CHECKED - RWK
 OLD FILE # W2603 S600W5 CH
 TAX PARCEL # 3004W512002

PLAN NO. **M-30-125-2**
 SHEET 1 OF 1



ADMINISTRATIVE CODE AND LAND DEVELOPMENT

AGENDA ITEM

September 24, 2018

DATE

ACL-02-101118

AGENDA ITEM NUMBER

Engineering and Code

DEPARTMENT

FISCAL IMPACT

Cost > \$10,000.

Yes

No

PUBLIC BID REQUIRED

Cost > \$20,100

Yes

No

AGENDA ITEM:

Subdivision Application SD-18-02, 865 and 869 Jenkintown Road, Elkins Park, PA 19027 - Robert Razzi

EXECUTIVE SUMMARY:

The applicant seeks approval to relocate the shared property line between the two parcels. The property located at 865 Jenkintown Road will be transferring 1,662 square feet of ground to the property located at 869 Jenkintown Road. The property proposed to be transferred contains an existing free standing garage. This application was approved by the Zoning Hearing Board of the Township of Abington as Case No.18-10 on June 19, 2018. These properties are zoned within the R-4 Residential District of Ward No.3 of the Township of Abington.

PREVIOUS BOARD ACTIONS:

Planning Commission recommended approval of the Subdivision Application at their regularly scheduled meeting on August 28, 2018.

RECOMMENDED BOARD ACTION:

Consider a motion approving the Subdivision Application for a lot line change by Robert Razzi for properties located at 865 and 869 Jenkintown Road, Elkins Park, PA.



Township of Abington

Engineering & Code Department

Wayne C. Luker, President
Steven N. Kline, Vice President

Richard J. Manfredi, *Manager*
Amy R. Montgomery, P.E., *Director*

Subdivision & Land Development Notice Plan Review SD-18-02

Notice is hereby given that the Township of Abington will hold the following public meetings at the Abington Township Administration Building (1176 Old York Road) Planning Commission, Engineering & Code Committee and Board of Commissioners, to discuss the application of **Robert Razzi**.

MEETINGS	DATE AND TIME
Planning Commission Committee	August 28, 2018 @ 7:30 p.m. *
Administrative Code & Land Use	October 3, 2018 @ 7:00 p.m. *
Board of Commissioners	October 11, 2018 @ 7:30 p.m. *
Plan Review Period Expiration	

This is the application of **Robert Razzi** for the properties located at 865 and 869 Jenkintown Road, Elkins Park, Pa. The applicant proposes to relocate the shared property line between the two parcels. The property located at 865 Jenkintown Road will be transferring 1,662 square feet of ground to the property located at 869 Jenkintown Road. The property proposed to be transferred contains an existing free standing garage. This application was approved by the Zoning Hearing Board of the Township of Abington as Case #18-10 on June 19, 2018. There is no construction on either property proposed with this application. The properties are zoned within the R-4 Residential District of Ward #3 of the Township of Abington.

The application and plans are on file in the Engineering & Code Department and may be reviewed upon request. If there are any questions and/or comments that you may have, please feel free to contact me at 267-536-1010.

Mark A. Penecale
Planning & Zoning Officer
Township of Abington

* ***These meetings are subject to change if additional review time is required by Township Staff or requested by the applicant.***

Township of Abington
APPLICATION FOR APPROVAL OF PLAN

Submission Date 7/10/18 Application No. SD-18-02

To the Board of Commissioners of the Township of Abington:

The undersigned hereby makes application for approval of plan type as indicated below, under the provisions of the Code of Abington Township, Chapter 146, entitled 'The Subdivision and Land Development Regulations of the Township of Abington of 1991', and any supplements and amendments thereto.

Robert A. Razzi
Signature of Applicant

[Signature]
Signature of Land Owner

Title of Plan Submitted: Preliminary/Final Subdivision Plan (Lot Line Change) - Robert A. Razzi - 869 Jenkintown Road

A. Plan Type:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Minor Land Development |
| <input type="checkbox"/> Preliminary Major Subdivision | <input type="checkbox"/> Pre Major Land Development |
| <input type="checkbox"/> Final Major Subdivision | <input type="checkbox"/> Final Major Land Development |
| <input type="checkbox"/> Preliminary Major SD & LD | <input type="checkbox"/> Final Major SD & LD |

B. Plan Identification:

Plan Dated: 3/19/2018 Engineer: William R. Cujdik, PE, PLS

Plan Proposes: Brief narrative of the proposed activity. Commercial applications to include building square footage and specific uses; Residential applicants to include number of lots and amount of dwelling unit types:

The applicant proposes to adjust the lot line between the two existing lots in order to transfer the existing garage from Lot 2 (865 Jenkintown Rd.) to Lot 1 (869 Jenkintown Rd.). No new lots are being created and no construction is proposed.

Existing Lot 1 Area = 6,797.4 SF. Existing Lot 2 Area = 7963.0 SF

Proposed Lot 1 Area = 8,459.9 SF. Proposed Lot 2 Area = 6,300.5 SF.

C. Property Identification:

Address/Location 865 & 869 Jenkintown Road, Jenkintown, PA 19046

between streets Osceola Avenue and West Avenue

(continued on next page)

Township of Abington
APPLICATION FOR MODIFICATION OF PLAN

Submission Date 7/10/18 Application No. SA-18-02

To the Board of Commissioners of the Township of Abington:

The undersigned hereby makes application for modification of plan application requirements as indicated below, under the provisions of the Code of Abington Township, Chapter 146, entitled "The Subdivision and Land Development Regulations of the Township of Abington of 1991", and any supplements and amendments thereto.

Robert A. Razzi Signature of Applicant [Signature] Signature of Land Owner

Title of Plan Submitted: Preliminary/Final Subdivision Plan (Lot Line Change) - Robert A. Razzi - 869 Jenkintown Road

A. Plan Type:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Minor Land Development |
| <input type="checkbox"/> Preliminary Major Subdivision | <input type="checkbox"/> Pre Major Land Development |
| <input type="checkbox"/> Final Major Subdivision | <input type="checkbox"/> Final Major Land Development |
| <input type="checkbox"/> Preliminary Major SD & LD | <input type="checkbox"/> Final Major SD & LD |

<u>Regulation Topic</u>	<u>Section #</u>	<u>Extent of Modification Requested</u>
<u>Property Identification / Ex. Features</u>	<u>146-11.A.4 & 146-11.B.3</u>	<u>Requiring tract boundaries, tax parcel numbers, owners names, approximate acreage of lots surrounding the site for a distance of 400 feet.</u>
<u>Property Identification</u>	<u>146-11.A.10</u>	<u>Requiring zoning classifications and boundaries within 400 feet of the site.</u>
<u>Ex. Features</u>	<u>146-11.B.7</u>	<u>Requiring location, size & ownership of all utilities within 400 feet of the site.</u>
<u>Ex. Features</u>	<u>146-11.B.8</u>	<u>Requiring contouring information.</u>
<u>Specific Requirements</u>	<u>146-11.C - 146-11.L</u>	<u>Requiring layout, grading, erosion control, improvement construction, utility, landscaping & shade tree, phasing, recreational facilities, & architectural plans and planning modules.</u>



Fees acknowledged and modification request received:

[Signature] Signature of Official 7/10/18 Date

D. Applicant Identification:

Applicant Robert A. Razzi
 Address 733 Seminole Avenue, Jenkintown, PA 19046 Phone (215)917-4799

Land Owner Robert P. Kuchler
 Address 865 Jenkintown Road, Jenkintown, PA 19046 Phone 215-605-5169

Equitable Land Owner _____
 Address _____ Phone _____

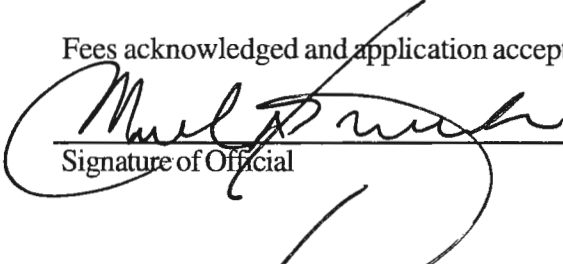
Architect _____
 Address _____ Phone _____

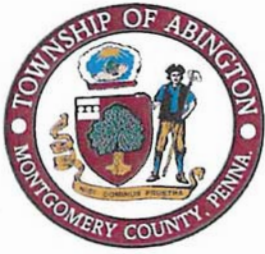
Engineer William R. Cujdik, PE, PLS for Boundary Stone Associates, LLC
 Address PO Box 601, West Deptford, NJ 08086 Phone (856)384-2889

Attorney _____
 Address _____ Phone _____

<u>IMPROVEMENTS PROPOSED</u>	<u>UNITS</u>	<u>ESTIMATED COST</u>
Streets	_____	_____
Street Widening	_____	_____
Street Signs	_____	_____
Street Lighting	_____	_____
Curbs	_____	_____
Sidewalks	_____	_____
Storm Sewers	_____	_____
Water Supply	_____	_____
Fire Hydrants	_____	_____
Sanitary Sewers	_____	_____
Monuments	_____	_____
Shade Trees	_____	_____
Open Space	_____	_____
Park Lane	_____	_____
Other	_____	_____
Total Cost:	_____	_____

.....
 Fees received from applicant: Application Fee \$ 300.00
Check # 327 Rec # Review Escrow \$ 2,500.00
Total _____

Fees acknowledged and application accepted as complete:
 7/10/18
 Signature of Official _____ Date _____



Township of Abington

Engineering & Code Department

Wayne C. Luker, President
Steven N. Kline, Vice President

Richard J. Manfredi, *Manager*
Amy R. Montgomery, *P.E., Director*

Robert A. Razzi
733 Seminole Avenue
Jenkintown, Pa. 19046

August 9, 2018

Re: Subdivision Application SD-18-02 for the relocation of shared property line between 865 and 869 Jenkintown Road, Jenkintown, Pa. 19046.

Dear Mr. Razzi,

The Engineering & Code Department of the Township of Abington has received the application and plan for the relocation of shared property line between 865 and 869 Jenkintown Road, Jenkintown, Pa. 19046. The plan has been reviewed as a minor subdivision plan as per the requirements of Section 146-9.D of the Subdivision & Land Development Ordinance of the Township of Abington. The comments listed below are for your review and must be addressed to the satisfaction of the Board of Commissioners of the Township of Abington.

Building & Plumbing:

1. This application is for the relocation of a shared property line and does not involve any type of construction or alterations to the site that would require a building permit application.

Waste Water Treatment Facility:

2. There is no change in use or alterations to either property that would increase the sanitary sewer flow for these two sites.

Engineering Department:

3. In the event that this application is approved, the applicant is required to provide the Township of Abington a copy of revised deeds for each of the properties involved in this application. Those deeds are required to be signed & notarized and submitted at the time final plans are submitted for signatures.
4. Concrete monuments are required to be set at the corners and off-sets of the proposed new property line.

Planning & Zoning Office:

5. This application was approved by the Zoning Hearing Board of the Township of Abington as case #18-10 on June 19, 2018. A dimensional variance for lot area was granted for the property located at 865 Jenkintown Road, Jenkintown, Pa.
6. The proposed iron pins marked on the plan as "To Be Set" must be replaced with concrete monuments. Abington Township does not permit iron pins. Please refer to Section 146-32 of the Subdivision & Land Development Ordinance of the Township of Abington.
7. Section 146-11, {Exception} allows the Zoning Officer to grant waivers for minor subdivision applications. The applicant has requested waivers from the following Sections of the Subdivision & Land Development Ordinance of the Township of Abington:
 - A. **Section 146-11.A – Property Identification Plans**– From the requirements to tax parcel numbers, owner’s names, lot areas of all surrounding properties within 400 feet of the site.
 - B. **Section 146-11.B – Existing Features Plan** – From the requirement to plot the location and identify all utilities within 400 feet of the site.
 - D. **Section 146-11.C – Proposed Layout Plan** – From the requirement to provide the first floor elevation of the existing buildings on the site.
 - E. **Section 146-11.D – Grading Plan** – From the requirement to provide the existing elevations on the sites.
 - F. **Section 146-11.L – Architectural Plans** – From the requirement to provide tentative architectural plans for both building involved in this application,

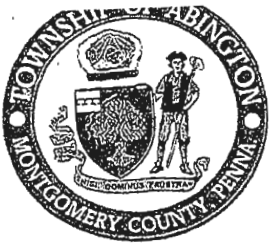
This application has been scheduled to be reviewed by the Planning Commission of the Township of Abington on Tuesday, August 28, 2018. If there are any questions pertaining to the comments listed above, I would ask that you contact me directly at 267-536-1010.

Sincerely,



Mark A. Penecale
Planning & Zoning Officer

Cc: Richard Manfredi; Township Manager/Township of Abington
Amy Montgomery, P.E., Engineer & Director of the Engineer & Code Department
Engineering & Code Department Staff
File Copy (2)



Township of Abington

Engineering & Code Department

Wayne C. Luker, President
Steven N. Kline, Vice President

Richard J. Manfredi, *Manager*
Amy R. Montgomery, P.E., *Director*

June 20, 2018

Mr. Robert A. Razzi
733 Seminole Avenue
Jenkintown, Pa. 19046

Mr. Robert Kuchler
865 Jenkintown Road
Elkins Park, Pa. 19027

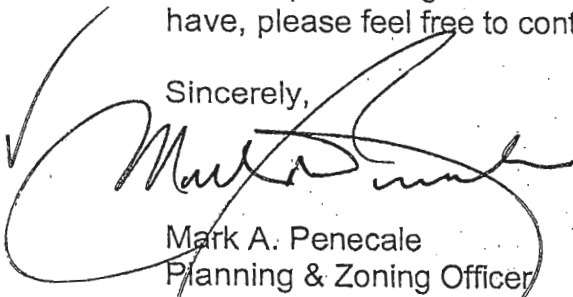
**Re: Application #18-10: Robert Razzi & Robert Kuchler, 865 & 869
Jenkintown Road, Elkins Park, Pa. 19027**

Dear Mr. Razzi & Mr. Kuchler,

I am pleased to inform you that at the June 19, 2018 meeting of the Zoning Hearing Board of the Township of Abington, the application you presented for dimensional relief from Section 602, Figure 6.1 of the Zoning Ordinance of the Township of Abington was approved.

A subdivision application is required to be approved by the Township of Abington for the transfer of property as approved by this application. Subdivision applications are available at the Engineering & Code Department of the Township of Abington. In the event that there are any questions that you may have, please feel free to contact me at 267-536-1010.

Sincerely,


Mark A. Penecale
Planning & Zoning Officer
Township of Abington

Cc: (Jimmy DiPlacido; Commissioner Ward #4)
Zoning Hearing Board Members
Bruce E. Eckel, Esq.
Engineering & Code Department Staff

Commissioner *DREW ROYMAN*
WARD 3



Township of Abington
Zoning Hearing Board
1176 Old York Road
Abington, Pennsylvania, 19001

Gertrude M. Hackney, Esq. Zoning Hearing Board, Chairperson
John DiPrimio, Zoning Hearing Board, Vice Chairperson
Barbara M. Wertheimer, Zoning Hearing Board, Secretary
Michael O'Connor, Zoning Hearing Board Member
Jose Casalina, Zoning Hearing Board Member
Bruce J. Eckel, Zoning Hearing Board Solicitor

DECISION

18-10: This is the application of **Robert Kuchler & Robert Razzi**, owners of the properties located at 865 & 869 Jenkintown Road, Elkins Park, Pa. 19027. The applicants seeks approval to subdivide the properties so that the existing garage on 865 Jenkintown Road can be deeded to 869 Jenkintown Road. The subdivision would decrease the lot area of 865 Jenkintown Road from 8,459 square feet to 6,300 square feet. 869 Jenkintown Road would be increased in lot area from 6,797 square feet to 7,963 square feet. The applicants have requested dimensional variances from Section 602, Figure 6.1 of the Zoning Ordinance of the Township of Abington. The minimum lot area within the R-4 Residential District is 7,500 square feet. The property is zoned within the R-4 Residential District of Ward #3 of the Township of Abington.

Hearing Date: May 16, 2018
Decision Date: June 19, 2018
Copy Mailed: June 20, 2018

You are hereby notified that your application has been DENIED/APPROVED/APPROVED WITH THE FOLLOWING CONDITIONS, by decision rendered on June 19, 2018.

BOARD SIGNATURES

Vote

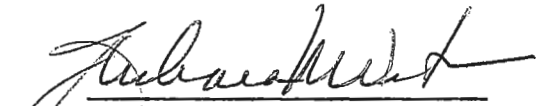
CONDITION

Gertrude H. Hackney, Esq.
Chairperson

Aye: _____
Nay: _____

John DiPrimio
Vice Chairperson


Aye: _____
Nay: _____


Barbara M. Wertheimer, Esq.
Secretary

Aye: _____
Nay: _____


Michael O'Connor

Aye: _____
Nay: _____


José Casalina

Aye: _____
Nay: _____

Dated: June 19, 2018

There is a 30-day period after the date of this decision for an aggrieved person to file an appeal in court to contest an approval or denial by the Zoning Hearing Board. Applicants that take action on a Zoning Hearing Board approval during the 30-day appeal period, do so at their own risk.

All applicable application and/or permits must be secured from the Township of Abington within six months of the date of this decision or this decision becomes null and void.

LOT AREAS

EXISTING

LOT 1 = 6,797.4 SF
 LOT 2 = 8,502.6 SF (GROSS) 7,963.0 SF (NET)

PROPOSED

LOT 1 = 8,459.9 SF
 LOT 2 = 6,840.1 SF (GROSS) 6,300.3 SF (NET)

REQUESTED WAIVER LIST

THE APPLICANT REQUESTS THE FOLLOWING WAIVERS FROM THE ABINGTON TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE SECTIONS:

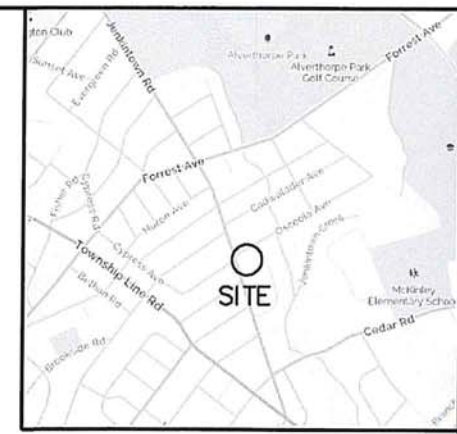
- 146-11.A.4: REQUIRING THE PLAN TO CONTAIN TRACT BOUNDARIES WITH TAX PARCEL NUMBERS, OWNERS NAMES AND APPROXIMATE ACREAGE OF LOTS SURROUNDING THE SITE FOR A DISTANCE OF 400 FEET.
- 146-11.A.10: REQUIRING THE PLAN TO CONTAIN THE ZONING CLASSIFICATION WITH ALL ZONING BOUNDARIES THAT TRAVERSE OR ARE WITHIN 400 FEET OF THE TRACT.
- 146-11.B.3 REQUIRING THE PLAN TO CONTAIN THE LOCATIONS OF PROPERTY LINES AND NAMES OF LAND OWNERS WITHIN 400 FEET OF ANY PART OF THE SITE TO BE SUBDIVIDED OR DEVELOPED.
- 146-11.B.7: REQUIRING THE PLAN TO CONTAIN THE LOCATION, SIZE AND OWNERSHIP OF ALL UNDERGROUND AND ABOVE GROUND PUBLIC OR PRIVATE UTILITIES ON THE SITE AND WITHIN 400 FEET OF ANY PORTION OF THE SITE.
- 146-11.B.8: REQUIRING THE PLAN TO CONTAIN CONTOURING INFORMATION.
- 146-11.C - 146-11.L REQUIRING LAYOUT PLAN(S), GRADING PLAN(S), EROSION CONTROL PLAN(S), IMPROVEMENT CONSTRUCTION PLAN(S), UTILITY PLAN(S), LANDSCAPING AND SHADE TREE PLAN(S), PHASING PLAN(S), RECREATIONAL FACILITIES PLAN(S), PLANNING MODULES AND ARCHITECTURAL PLAN(S).

ZONING INFORMATION

R-4 MEDIUM-HIGH DENSITY RESIDENTIAL DISTRICT

	REQUIRED	EX LOT 1	EX LOT 2	PROP LOT 1	PROP LOT 2
LOT AREA	7,500 SF	6,797.4 SF*(4)	7,963.0 SF	8,459.9 SF	6,300.3 SF*(5)
LOT WIDTH	50 FT	49.31 FT*(4)	53.63 FT	49.31 FT*(4)	53.63 FT
LOT DEPTH	100 FT	136.92 FT	148.48 FT	136.92 FT	117.48 FT
FRONT YARD*(1)	20 FT	14.7/14.4 FT*(4)	4.3 FT*(4)	14.7/14.4 FT*(4)	4.3 FT*(4)
SIDE YARD*(2)	10 FT	14.1 FT*(4)	1.8 FT*(4)	14.1 FT*(4)	1.8 FT*(4)
REAR YARD	25 FT	N/A	92.8 FT	N/A	61.8 FT
BUILDING AREA (MAX)	40%	23.6%	21.0%	27.3%	16.3%
IMPERVIOUS AREA (MAX)*(3)	55%	86%*(4)	32.6%	76.3%*(5)	28.8%
GREEN AREA (MIN)*(3)	45%	14%*(4)	67.4%	21.7%*(5)	71.2%

- *(1) CORNER LOT - 20 FT MIN. FRONT YARD ON ONE SIDE, MAY BE REDUCE TO 15 FT ON THE OTHER SIDE. CORNER LOT SHALL HAVE 2 FRONT YARDS AND 2 SIDE YARDS.
- *(2) SIDE YARDS FOR EVERY PERMITTED USE OTHER THAN A DWELLING UNIT OR COMMUNITY SERVICE USE SHALL BE 20 FT.
- *(3) 50% MAXIMUM IMPERVIOUS AREA FOR EXISTING NONCONFORMING LOTS < 7,500 SF. 50% MINIMUM GREEN AREA FOR EXISTING NONCONFORMING LOTS < 7,500 SF.
- *(4) EXISTING NONCONFORMITY
- *(5) VARIANCE REQUIRED



LOCATION MAP
1" = 1000'

BOUNDARY STONE ASSOCIATES, LLC
 ENGINEERS, LAND SURVEYORS & PLANNERS
 P.O. BOX 601
 WEST CHESTER, PA 19380
 TEL (636) 382-2888
 FAX (636) 432-1527

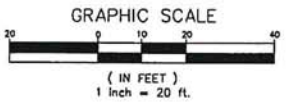
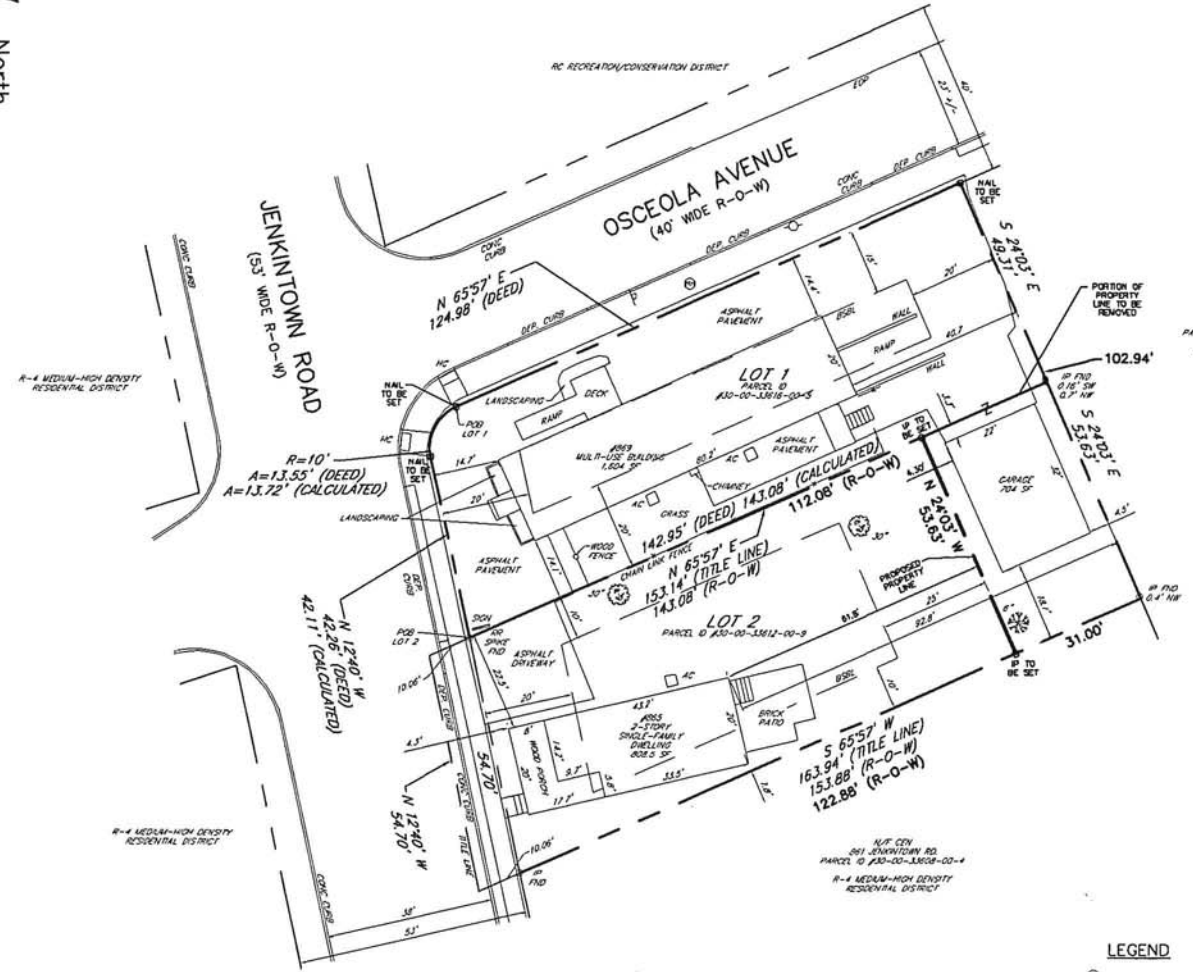
REV. DATE	DESCRIPTION

PRELIMINARY / FINAL SUBDIVISION PLAN (LOT LINE CHANGE) FOR **ROBERT A. RAZZI**
 869 JENKINTOWN ROAD
 TOWNSHIP OF ABINGTON
 MONTGOMERY COUNTY, PENNSYLVANIA

APPLICANTS
 ROBERT A. RAZZI
 733 SEMINOLE AVENUE
 JENKINTOWN, PA 19027
 ROBERT P. KUCHLER
 865 JENKINTOWN ROAD
 ELKINS PARK, PA 19027

WILLIAM R. CUDDK
 PROFESSIONAL LAND SURVEYOR
 LICENSE NO. SU075215

PRELIMINARY/FINAL SUBDIVISION
 SHEET NUMBER: **C1.01**
 1 OF 1



LEGEND

- ⊕ MANHOLE
- UTILITY POLE
- SIGN
- BUILDING SETBACK LINE
- EDGE OF PAVEMENT
- AC AIR CONDITIONER
- HANDICAP RAMP
- POINT OF BEGINNING
- DECIDUOUS TREE
- EVERGREEN TREE

NOTES

THE PURPOSE OF THIS PLAN IS TO ADJUST THE LOT LINES BETWEEN THE TWO EXISTING LOTS IN ORDER TO TRANSFER THE EXISTING GARAGE FROM LOT 2 TO LOT 1. NO NEW LOTS ARE BEING CREATED AND NO CONSTRUCTION IS PROPOSED. THIS PLAN IS BASED UPON A FIELD SURVEY PERFORMED BY THIS OFFICE ON FEBRUARY 28, 2016. SURVEY BASED ON EXISTING RECORDS. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND/OR SEARCH, THE PROPERTY SHOWN HEREON MAYBE SUBJECT TO VARIOUS EASEMENTS, RIGHTS-OF-WAY, COVENANTS, RESTRICTIONS AND/OR "RIGHTS OF OTHERS". THIS SURVEY IS SUBJECT TO REVISIONS AS SUCH A REPORT AND/OR SEARCH MAY REVEAL. THIS PLAN IS NOT INTENDED TO GUARANTEE OWNERSHIP. DIMENSIONS ARE TAKEN FROM THE FACE OF CURB, FACE OF BUILDING, FACE OF WALL AND CENTERLINE OF PAVEMENT MARKINGS, UNLESS OTHERWISE NOTED. EXISTING LOTS ARE SERVICED BY PUBLIC WATER AND SANITARY SEWER. SURVEY MARKERS WILL BE SET UPON APPROVAL AS DEPICTED ON THE PLAN.

FLOOD INFORMATION

SUBJECT SITE LIES IN FLOOD ZONE X - AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOOD PLAIN AS DEPICTED ON FEMA FLOOD INSURANCE RATE MAP NUMBER 42091C 0403 G, MAP REVISED MARCH 2, 2016.

SOILS INFORMATION

UuqB - URBAN LAND - UDORTMENTS, SCHIST AND GNEISS COMPLEX, 0 TO 8 PERCENT SLOPES
 SOURCE: NATURAL RESOURCES CONSERVATION SERVICES
 WEB SOIL SURVEY VERSION 11,
 OCTOBER 4, 2017.
 MONTGOMERY COUNTY, PA

PROPERTY INFO.

LOT 1
 ROBERT A. RAZZI
 869 JENKINTOWN ROAD
 ELKINS PARK, PA 19027
 TAX BLOCK 83 UNIT 38
 PARCEL ID NO: 30-00-33616-00-5
 DEED BOOK/PAGE: 5996/0001
 DATE: 4/18/2016
 RECORDED: 4/25/2016
LOT 2
 ROBERT P. KUCHLER
 865 JENKINTOWN ROAD
 ELKINS PARK, PA 19027
 TAX BLOCK 83 UNIT 37
 PARCEL ID NO: 30-00-33612-00-9
 DEED BOOK/PAGE: 6030/2890
 DATE: 1/9/2017
 RECORDED: 1/17/2017

SURVEYORS CERTIFICATION

I, WILLIAM R. CUDDK, PE, PLS, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA AND THAT THIS PLAN CORRECTLY REPRESENTS A SURVEY MADE BY MYSELF OR UNDER MY SUPERVISION AND THAT IT IS TRUE AND CORRECT.
 WILLIAM R. CUDDK, PE, PLS
 LICENSE NO. SU075215

COMMONWEALTH OF PENNSYLVANIA
 COUNTY OF MONTGOMERY:
 ON THE _____ DAY OF _____, A.D. 20____, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED _____ KNOWN TO ME (SATISFACTORILY PROVEN) TO BE THE PERSON(S) WHOSE NAME(S) SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.
 OWNER(S): _____
 WITNESS MY HAND AND NOTARY SEAL, THE DAY AND YEAR AFORESAID.
 NOTARY PUBLIC: _____
 MY COMMISSION EXPIRES ON: _____

COMMONWEALTH OF PENNSYLVANIA
 COUNTY OF MONTGOMERY:
 ON THE _____ DAY OF _____, A.D. 20____, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED _____ KNOWN TO ME (SATISFACTORILY PROVEN) TO BE THE PERSON(S) WHOSE NAME(S) SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.
 OWNER(S): _____
 WITNESS MY HAND AND NOTARY SEAL, THE DAY AND YEAR AFORESAID.
 NOTARY PUBLIC: _____
 MY COMMISSION EXPIRES ON: _____

APPROVAL OF THE TOWNSHIP

APPROVED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF ABINGTON THIS _____ DAY OF _____, 20____.
 ATTEST: PRESIDENT _____ SECRETARY _____ ENGINEER _____

MONTGOMERY COUNTY PLANNING APPROVAL

CERTIFIED BY THE MONTGOMERY COUNTY PLANNING COMMISSION THIS _____ DAY OF _____, 20____.
 FILE NO. _____
 ATTEST: _____ SECRETARY

CERTIFICATION OF RECORDING

RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, ECT., NORRISTOWN, PENNSYLVANIA IN:
 PLAN BOOK _____ PAGE _____
 ON _____
 BY _____
 RECORDER OF DEEDS



ADMINISTRATIVE CODE AND LAND DEVELOPMENT

AGENDA ITEM

September 24, 2018

DATE

ACL-03-101118

AGENDA ITEM NUMBER

Engineering and Code

DEPARTMENT

FISCAL IMPACT

Cost > \$10,000.

Yes

No

PUBLIC BID REQUIRED

Cost > \$20,100

Yes

No

AGENDA ITEM:

Land Development Application LD-18-04, 900 Easton Road, Abington, PA 19001 - Family Dining, Inc. (Burger King)

EXECUTIVE SUMMARY:

The applicant seeks approval to construct a 744 square foot playroom addition to the northwestern corner of the existing Burger King Restaurant and create two lanes to place orders through the drive-through. The proposed two ordering points will funnel into one pick-up lane. The plan includes alterations to the existing parking lot and the installation of additional landscaping. This application was approved by the Zoning Hearing Board on August 21, 2018. The property is zoned within the Main Street Low District of Ward No. 13 of the Township of Abington.

PREVIOUS BOARD ACTIONS:

Planning Commission recommended approval of the Land Development Application at their regularly scheduled meeting on September 25, 2018.

RECOMMENDED BOARD ACTION:

Consider a motion approving the Land Development Application for Family Dining, Inc. (Burger King) for the building expansion for a playground and a second drive-through lane.



Township of Abington Planning Commission Recommendation Form

Application Number: LD-18-04

Date: September 25, 2018

Applicant's Name: Family Dining, Inc

Applicant's Address: 900 Easton Road, Abington, Pa.

Recommendation: APPROVED DENIED VOTE: 9 of 9

Over View:

PC1: This is the application of **Family Dining Inc.** for the property located at 900 Easton Road, Abington, Pa. 19001. The applicant seeks approval to construct a 744 square foot playroom addition to the northwestern corner of the existing Burger King Restaurant and create two lanes to place orders through the drive-thru. The proposed two ordering points will funnel into one pick-up lane. The plan includes alterations to the existing parking lot and the installation of additional landscaping. This application was approved by the Zoning Hearing Board on August 21, 2018. The property is zoned within the Main Street Low District of Ward #13 of the Township of Abington.

Conditions:

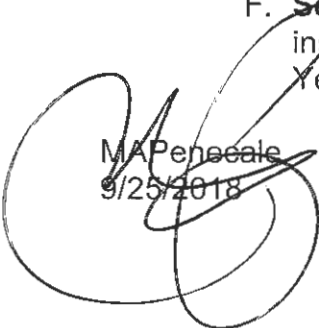
1. The applicant must provide the Engineering & Code Office with an As-Built Plan.
2. It is suggested that a crosswalk be installed to connect the site to Fernhill Road. The location of that crosswalk must be approved by the Traffic Safety Officer
3. We request that the Traffic Safety Officer review the driveway entrances on Easton Road and Edgehill Road to determine if additional crosswalk markings should be added.

The following waivers have been requested.

- A. **Section 146-11.A.4 - Property Identification Plan** – The plan is required to supply the tax parcel information, owner's name & lot

area for all properties within 400 feet of the site involved in this application. Yes {X} No { }

- B. **Section 146-11.B.3 – Existing Features Plan** – The plan is required to plot the names of all property owners and within 400 feet of the properties involved in this application. Yes {X} No { }
- C. **Section 146-11.B.7 – Existing Features Plan** – The plan is required to plot the location of all utilities on the sites and within 400 feet of the properties involved in this application. Yes {X} No { }
- D. **Section 146-11.B.8 – Existing Features Plan** – The plan is required to plot the location of all steep slope on the sites and within 400 feet of the properties involved in this application. Yes {X} No { }
- E. **Section 146-24 – Streets** – To allow for the right-of-way widths to remain as plotted and not provide the required right-of-way as listed in Chart 4.A of the Subdivision & Land Development Ordinance. Easton Road is a County roadway, Edge Hill Road is a State right-of-way and Bradfield Road is a Township right-of-way, subject to permits approved by those agencies. Yes {X} No { }.
- F. **Section 146-27 – Sidewalks & Curbing** - From the requirement to install sidewalks and curbing along the Bradfield Road frontage. Yes {X} No { }. Vote was 8 – 1.



M. Penecale
9/25/2018



Township of Abington

Engineering & Code Department

Wayne C. Luker, President
Steven N. Kline, Vice President

Richard J. Manfredi, *Manager*
Amy R. Montgomery, *P.E., Director*

Mr. Gary A. Tilford
Charles E. Shoemaker, Inc.
1007 Edge Hill Road
Abington, PA 19001

September 17, 2018

Re: Revised Land Development Plan for Family Dining – Burger King, known as Application LD-18-04, located at 900 Easton Road, Abington, PA 19001

Dear Mr. Tilford,

Staff of the Township of Abington have received and reviewed the revised land development submission packet submitted for a building expansion to accommodate a playground. The submitted information was prepared by Charles E. Shoemaker, Inc. and consists of a 7-sheet plan set dated May 8, 2018, last revised September 12, 2018 and an Erosion Control Plan Narrative dated September 12, 2018. Also included in the submission are a 2-sheet landscape plan set prepared by InFocus Planning dated May 8, 2018, last revised September 12, 2018 and three sheets of architectural plans prepared by SCF Architecture with various dates.

The applicant also proposes modifications to existing windows, sidewalks, paved and green areas, and drive-through lanes. The property is zoned within the Main Street Low District of Ward No. 13 of the Township of Abington.

Based on our review of the information and our previous letter dated August 13, 2018, the following is a listing of the staff review comments that will need to be addressed to the satisfaction of the Board of Commissioners of the Township of Abington.

Engineering/Code Department:

1. §146-11.A.(4) – Tax parcel numbers and owner’s names are required to be shown for lots within 400 feet of the subject property. It is suggested the applicant request a waiver to this requirement. (Comment 1 of our previous letter) The applicant has requested a waiver.
2. §146-11.B.(3) – Property lines and names of landowners within 400 feet of the site are required to be shown. It is suggested the applicant request a waiver to

this requirement. (Comment 3 of our previous letter) The applicant has requested a waiver.

3. §146-11.B.(7) – All utilities within 400 feet of the site are required to be shown. It is suggested the applicant request a waiver to this requirement. (Comment 4 of our previous letter) The applicant has requested a waiver.
4. §146-11.B.(8)(d) – Steep slope delineation is required. All slopes 15% or greater must be identified on the plans. (Comment 5 of our previous letter) The applicant has requested a partial waiver.
5. §146-24.D.(1) – Minimum widths of Right-of-Way and paving shall be in accordance with the ordinance. Easton Road is a County Right-of-Way and Edge Hill Road is a PennDOT Right-of-Way, governed by those agencies. The plan shows the current right-of-way of Bradfield Road as 41.5 feet and pavement varying from 23 feet to 30 feet. Bradfield Road is required to have right-of-way of 50 feet and a paving width of 30 feet. (Comment 12 of our previous letter) The applicant has requested a waiver for Bradfield Road.
6. §146-27.A. – Sidewalks shall be provided along all streets. Sidewalk shall be extended along Bradfield Road to Edge Hill Road along the property frontage. (Comment 13 of our previous letter) The applicant has requested a waiver for Bradfield Road.
7. §146-27.F. – Curbs shall be extended along Bradfield Road to Edge Hill Road in accordance with Township standards. (Comment 14 of our previous letter) The applicant has requested a waiver for Bradfield Road.
8. The applicant shall provide the Engineering and Code Office with an “As-Built Plan” upon the completion of the project. (Comment 26 of our previous letter) The applicant has acknowledged the requirement.

Fire Marshal’s Office:

9. Fire lanes. Fire lanes shall be provided and maintained where the development groups is proposed, as designated by the Fire Marshal.
 - (a) Fire lanes shall permit access to every building by fire-fighting equipment. Fire lanes shall be of an all-weather surface not less than 20 feet of unobstructed width, able to withstand live loads (with a thirty-ton minimum) of fire-fighting

apparatus and have a minimum vertical clearance of 14 feet; and they shall be located not less than five feet nor more than 30 feet from any structure. The grade of the fire lane shall be within the limits established by the Fire Marshal.

(b) No apparatus, device or structure, including but not limited to utility meters, transformers and protecting bollards, shall be located within a fire lane.

(c) A fire lane or walkway may be no closer than five feet and no farther than 30 feet from a structure.

(d) Fire lanes shall be marked with freestanding signs and/or marked curbs, sidewalks or other traffic surfaces painted in contrasting colors of a size, spacing and wording approved by the Fire Marshal.

10. Overhead obstructions. No driveway, roadway, alley, fire lane or other access way to any development site, building or group of buildings shall be obstructed in any manner and shall be maintained such that fire-fighting equipment will, at all times, have clear access to each and every structure.

(a) All tree/shrub limbs shall be pruned or trimmed back, and all above-ground utility/cable lines shall be installed such that every access way as set forth above will have a vertical clearance of at least 14 feet.

(b) Fire Department connections shall be provided at locations approved by the Fire Marshal. Required sprinkler system and standpipe connections shall be located within 50 feet of public streets or fire lanes and 200 feet of a hydrant.

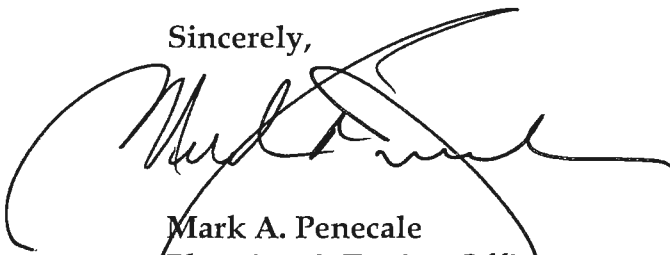
Planning and Zoning Officer:

11. The property is zoned within the Main Street Low District of Ward No. 13.
12. This property is triangular in shape and is required to have one front yard and two side yards as per the requirements of Section 2601.0.4.c of the Zoning Ordinance. This property will use Easton Road as its front yard and Bradfield and Edge Hill Roads as side yards.
13. Seven existing non-conforming dimensional features on the site will be brought into compliance with the requirements of the Zoning Ordinance.

This application is scheduled to be reviewed by the Planning Commission, Engineering and Code Department and the Board of Commissioners of the Township of Abington. If there are any questions pertaining to the comments listed above, I

would ask that you contact the reviewing department directly or I can be reached at 267-536-1010.

Sincerely,



Mark A. Penecale
Planning & Zoning Officer

cc: Richard J. Manfredi, Manager, Township of Abington
Amy Montgomery, PE; Township Engineer
John Rohrer; Abington Township Fire Marshal
Scott Marlin; Engineering & Code Department
File Copy (2)



Township of Abington

Engineering & Code Department

Wayne C. Luker, President
Steven N. Kline, Vice President

Richard J. Manfredi, *Manager*
Amy R. Montgomery, *P.E., Director*

Subdivision & Land Development Notice Plan Review LD-18-04

Notice is hereby given that the Township of Abington will hold the following public meetings at the Abington Township Administration Building (1176 Old York Road) Planning Commission, Engineering & Code Committee and Board of Commissioners, to discuss the application of **Family Dining, Inc./Burger King**.

MEETINGS	DATE AND TIME
Planning Commission Committee	August 28, 2018 @ 7:30 p.m.
Engineering & Code Committee	September 5, 2018 @ 7:00 p.m.
Board of Commissioners	September 13, 2018 @ 7:30 p.m.

This is the application of **Family Dining Inc.** for the property located at 900 Easton Road, Abington, Pa. 19001. The applicant seeks approval to construct a 744 square foot playroom addition to the northwestern corner of the existing Burger King Restaurant and create two lanes to place orders through the drive-thru. The proposed two ordering points will funnel into one pick-up lane. The plan includes alterations to the existing parking lot and the installation of additional landscaping. This application was reviewed by the Zoning Hearing Board and a decision is pending. The property is zoned within the Main Street Low District of Ward #13 of the Township of Abington.

The application and plans are on file in the Engineering & Code Department and may be reviewed upon request. If there are any questions and/or comments that you may have, please feel free to contact me at 267-536-1010.

Mark A. Penecale
Planning & Zoning Officer
Township of Abington

- ***These meetings are subject to change if additional review time is required by Township Staff or requested by the applicant.***

**Township of Abington
APPLICATION FOR APPROVAL OF PLAN**

Submission Date 5/15/18 Application No. LD-1804

To the Board of Commissioners of the Township of Abington:

The undersigned hereby makes application for approval of plan type as indicated below, under the provisions of the Code of Abington Township, Chapter 146, entitled 'The Subdivision and Land Development Regulations of the Township of Abington of 1991', and any supplements and amendments thereto.

M R W - COO - Family
Signature of Applicant Dwiny, Inc

Charles E. Shoemaker, Inc.
Signature of Land Owner

Title of Plan Submitted: Burger King Restaurant #3284

A. Plan Type:

- | | |
|--|--|
| <input type="checkbox"/> Minor Subdivision | <input checked="" type="checkbox"/> Minor Land Development |
| <input type="checkbox"/> Preliminary Major Subdivision | <input type="checkbox"/> Pre Major Land Development |
| <input type="checkbox"/> Final Major Subdivision | <input type="checkbox"/> Final Major Land Development |
| <input type="checkbox"/> Preliminary Major SD & LD | <input type="checkbox"/> Final Major SD & LD |

B. Plan Identification:

Plan Dated: May 8, 2018 Engineer: Charles E. Shoemaker, Inc.

Plan Proposes: Brief narrative of the proposed activity. Commercial applications to include building square footage and specific uses; Residential applicants to include number of lots and amount of dwelling unit types:
Renovate existing Burger King restaurant exterior and drive-thru take out drive lanes. Proposed improvements include a 744 sf play area building addition, interior updates including four additional seating capacity, and double drive-thru lanes with order boards.

C. Property Identification:

Address/Location 900 Easton Road, Roslyn, PA 19038
between streets Edge Hill Road and Bradfield Road

(continued on next page)

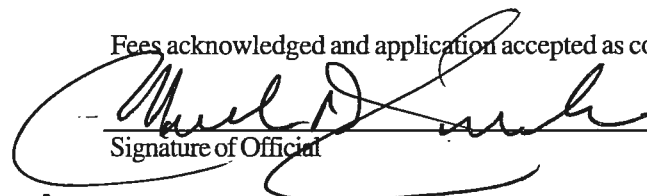
D. Applicant Identification:

Applicant Family Dining, Inc. c/o Greg Winans, COO
Address 1780 Swede Road, Blue Bell, PA 19422 Phone 484-645-9980
General Auto Outlet, L.P. c/o Goodman Properties
Land Owner
Address 636 Old York Road, Jenkintown, PA 19046 Phone 215-885-8383
Equitable Land Owner _____
Address _____ Phone _____
Architect Manning Design, LLC, c/o Lee Ann Miller
Address 233 Main Street, #1, Schwenksville, PA 19473 Phone 610-287-0184
Engineer Charles E. Shoemaker, Inc. c/o Gary A. Tilford, PLS
Address 1007 Edge Hill Road, Abington, PA 19001 Phone 215-887-2165
Attorney Kaplin/Stewart c/o Marc A. Snyder, Esq.
Address 910 Harvest Drive, P.O. Box 3037, Blue Bell, PA 19422 Phone 610-941-2562

IMPROVEMENTS PROPOSED	UNITS	ESTIMATED COST
Streets	No public improvements	
Street Widening	_____	_____
Street Signs	_____	_____
Street Lighting	_____	_____
Curbs	_____	_____
Sidewalks	_____	_____
Storm Sewers	_____	_____
Water Supply	_____	_____
Fire Hydrants	_____	_____
Sanitary Sewers	_____	_____
Monuments	_____	_____
Shade Trees	_____	_____
Open Space	_____	_____
Park Lane	_____	_____
Other	_____	_____
Total Cost:	_____	_____

.....
Fees received from applicant:
Application Fee \$ 150.00
Review Escrow \$ 1,000.00
Total _____

Fees acknowledged and application accepted as complete:


Signature of Official _____ Date 5/15/18

check # 18089 Rec # 881464
check # 18090 Rec # 88163

**Township of Abington
APPLICATION FOR MODIFICATION OF PLAN**

Submission Date 5/15/18 Application No. 45-18-04

To the Board of Commissioners of the Township of Abington:

The undersigned hereby makes application for modification of plan application requirements as indicated below, under the provisions of the Code of Abington Township, Chapter 146, entitled 'The Subdivision and Land Development Regulations of the Township of Abington of 1991', and any supplements and amendments thereto.

MRW COO-FAMILY
Signature of Applicant Dining, Inc

[Signature]
Signature of Land Owner

Title of Plan Submitted: Burger King Restaurant #3284

A. Plan Type:

- Minor Subdivision
- Preliminary Major Subdivision
- Final Major Subdivision
- Preliminary Major SD & LD
- Minor Land Development
- Pre Major Land Development
- Final Major Land Development
- Final Major SD & LD

<u>Regulation Topic</u>	<u>Section #</u>	<u>Extent of Modification Requested</u>
Property Identification Plan	146-11.A.4	Adjacent tax parcels & owners only
Existing Features Plan	146-11-B.3	Adjacent land owner names only
Erosion Control Plan	146-11.E.2	Waive requirement for narrative report
Stormwater Management Plan	146-11.F.a	Waive requirement-decrease of impervious area
Recreational Facilities Plan	146-11.J	Waive open space/recreation facilities
Planning Modules	146-11.K	No impact proposed

Fees acknowledged and modification request received:

[Signature] Date 5/15/18
Signature of Official



Township of Abington

Engineering & Code Department

Wayne C. Luker, President
Steven N. Kline, Vice President

Richard J. Manfredi, *Manager*
Amy R. Montgomery, *P.E., Director*

Mr. Gary A. Tilford
Charles E. Shoemaker, Inc.
1007 Edge Hill Road
Abington, PA 19001

August 13, 2018

Re: Land Development Plan for Family Dining - Burger King, known as Application LD-18-04, located at 900 Easton Road, Abington, PA 19001

Dear Mr. Tilford,

Staff of the Township of Abington have received and reviewed the land development submission packet submitted for a building expansion to accommodate a playground. The applicant also proposes modifications to existing windows, sidewalks, paved and green areas, and drive-through lanes. The property is zoned within the Main Street Low District of Ward No. 13 of the Township of Abington. The following is a listing of the staff review comments that will need to be addressed to the satisfaction of the Board of Commissioners of the Township of Abington.

Engineering/Code Department:

1. §146-11.A.(4) - Tax parcel numbers and owner's names are required to be shown for lots within 400 feet of the subject property. It is suggested the applicant request a waiver to this requirement.
2. §146-11.B.(2) - Cartway widths are required to be shown for all streets. The cartway widths must be labeled accordingly.
3. §146-11.B.(3) - Property lines and names of landowners within 400 feet of the site are required to be shown. It is suggested the applicant request a waiver to this requirement.
4. §146-11.B.(7) - All utilities within 400 feet of the site are required to be shown. It is suggested the applicant request a waiver to this requirement.
5. §146-11.B.(8)(d) - Steep slope delineation is required. All slopes 15% or greater must be identified on the plans.

6. §146-11.B.(9)(a) - Soil types are required to be identified. Soil type(s) and description(s) must be added to the plans.
7. §146-11.D.(7) - Delineation of the limit of work areas is required. Although shown, the limit of work must be more clearly depicted with a heavier line weight.
8. §146-11.D.(9) - Areas for the temporary storage of site soil and materials must be identified. The storage areas must be depicted on the plans.
9. §146-11.E.(2) - An erosion control plan narrative is required. A narrative meeting the ordinance requirements must be added to the plans.
10. §146-11.G.(1)(c) - Waterlines are required to be shown on the utility plan. The existing water service to the building must be added to the plans.
11. §146-11.L. - Tentative architectural plans are required to be submitted. Only one building elevation has been submitted. The remaining elevations must be submitted for review.
12. §146-24.D.(1) - Minimum widths of Right-of-Way and paving shall be in accordance with the ordinance. Easton Road is a County Right-of-Way and Edge Hill Road is a PennDOT Right-of-Way, governed by those agencies. The plan shows the current right-of-way of Bradfield Road as 41.5 feet and pavement varying from 23 feet to 30 feet. Bradfield Road is required to have right-of-way of 50 feet and a paving width of 30 feet.
13. §146-27.A. - Sidewalks shall be provided along all streets. Sidewalk shall be extended along Bradfield Road to Edge Hill Road along the property frontage.
14. §146-27.F. - Curbs shall be extended along Bradfield Road to Edge Hill Road in accordance with Township standards.
15. §146-39.A.(1) - Shade trees are required along the right-of-way lines at a spacing of 1 tree per 50 feet. Based on the total street frontage, 23 trees are required.
16. §146-39.A.(3)[2] - For any use where the total number of parking spaces exceeds 10 stalls, at least (1) 2-1/2" caliper tree shall be planted within the parking area. An additional tree for each additional 15 spaces or portion thereof is required. The plan proposes a total of 53 parking spaces which requires 4 trees within the parking area. Since the parking area provides 19 spaces more than required by

ordinance, it is recommended that 4 landscape islands be created within the parking area to accommodate the 4 required trees.

17. §146-39.A.(4) – Credit is permitted to be taken for preservation of existing trees. The existing trees shall be tabulated on the plan if the applicant wants to take credit for them.
18. All defective curb and sidewalk along the road frontages, as identified by Township staff, shall be replaced as part of this project. A note regarding this requirement shall be added to the plans.
19. The Abington Township application number LD-18-04 shall be added to all plan sheets.
20. Engineered plans and a Building Permit are required for retaining walls over 48" in height. The proposed retaining wall near Edge Hill Road will require a Building Permit.
21. The existing and proposed impervious surface areas shall be tabulated in square feet on the plans for comparison and to demonstrate the extent of the proposed reduction.
22. Edge Hill Road is a State Right-of-Way (S.R. 3024). Any and all work proposed in the roadway and the Right-of-Way area must be approved/permitted with PennDOT prior to start of construction.
23. Easton Road is a County Right-of-Way. Any and all work proposed in the roadway and the Right-of-Way area must be approved/permitted with the Montgomery County Department of Roads and Bridges prior to start of construction.
24. Bradfield Road is a Township Road. Any work that is proposed in the roadway or Right-of-Way area will require a Highway Permit (Road Opening Permit) BEFORE constructions starts.
25. This property is in both the Tookany-Tacony-Frankford Watershed, District A and the Wissahickon Creek Watershed, District B. These plans indicate a reduction in stormwater run-off, so stormwater management will not be necessary.

26. The applicant shall provide the Engineering and Code Office with an "As-Built Plan" upon the completion of the project.

Fire Marshal's Office:

27. Fire lanes. Fire lanes shall be provided and maintained where the development groups is proposed, as designated by the Fire Marshal.

- (a) Fire lanes shall permit access to every building by fire-fighting equipment. Fire lanes shall be of an all-weather surface not less than 20 feet of unobstructed width, able to withstand live loads (with a thirty-ton minimum) of fire-fighting apparatus and have a minimum vertical clearance of 14 feet; and they shall be located not less than five feet nor more than 30 feet from any structure. The grade of the fire lane shall be within the limits established by the Fire Marshal.

- (b) No apparatus, device or structure, including but not limited to utility meters, transformers and protecting bollards, shall be located within a fire lane.

- (c) A fire lane or walkway may be no closer than five feet and no farther than 30 feet from a structure.

- (d) Fire lanes shall be marked with freestanding signs and/or marked curbs, sidewalks or other traffic surfaces painted in contrasting colors of a size, spacing and wording approved by the Fire Marshal.

28. Overhead obstructions. No driveway, roadway, alley, fire lane or other access way to any development site, building or group of buildings shall be obstructed in any manner and shall be maintained such that fire-fighting equipment will, at all times, have clear access to each and every structure.

- (a) All tree/shrub limbs shall be pruned or trimmed back, and all above-ground utility/cable lines shall be installed such that every access way as set forth above will have a vertical clearance of at least 14 feet.

- (b) Fire Department connections shall be provided at locations approved by the Fire Marshal. Required sprinkler system and standpipe connections shall be located within 50 feet of public streets or fire lanes and 200 feet of a hydrant.

29. Trash containers and enclosures.

- (a) No trash container or enclosure may be located in any fire lane, right-of-way, easement or parking space.

Planning and Zoning Officer:

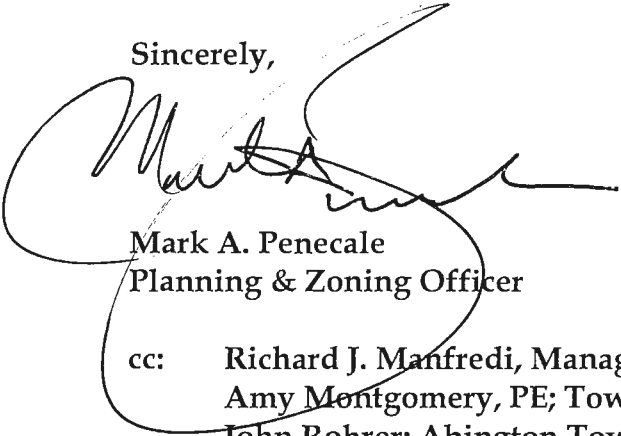
30. The property is zoned within the Main Street Low District of Ward No. 13.
31. This property is triangular in shape and is required to have one front yard and two side yards as per the requirements of Section 2601.0.4.c of the Zoning Ordinance. This property will use Easton Road as its front yard and Bradfield and Edge Hill Roads as side yards.
32. Seven existing non-conforming dimensional features on the site will be brought into compliance with the requirements of the Zoning Ordinance.
33. Section 2103.A, Use A-11.1, Drive Thru Facility requires a minimum of 6 vehicle stacking per drive thru facility. The application lists one of the proposed alterations as a "double drive thru lanes with menu boards". This includes two ordering points, therefore, it is my opinion that this constitutes two drive thru facilities. A dimensional variance will be required.
34. Section 2103.A, Use A-11.5 requires the drive-through-facility be a minimum of 50 feet from a residential use or a zoning district that allows for a residential use. The plan submitted for review lists this setback at 46.5 feet. Therefore a dimensional variance will be required.
35. The plan must be revised to comply with the requirements of Section 2402.2 of the Zoning Ordinance. The site contains greater than 50 on-site parking stalls.

Wastewater Treatment Facility:

36. After reviewing all the plans and documents you provided and review of Abington Township previous site plans, the maximum previous use was 108 seats. The total proposed use of 104 seats would still be within the previous sanitary sewer capacity of 108. Therefore, no additional sanitary sewer capacity would need to be purchased for the proposed revision/addition to the existing structure and occupancy.

This application is scheduled to be reviewed by the Planning Commission, Engineering and Code Department and the Board of Commissioners of the Township of Abington. If there are any questions pertaining to the comments listed above, I would ask that you contact the reviewing department directly or I can be reached at 267-536-1010. This letter will be updated once the formal opinion & order of the Zoning Hearing Board has been rendered.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark A. Penecale', written over a large, loopy circular flourish.

Mark A. Penecale
Planning & Zoning Officer

- cc: Richard J. Manfredi, Manager, Township of Abington
- Amy Montgomery, PE; Township Engineer
- John Rohrer; Abington Township Fire Marshal
- George Wrigley, Director, Wastewater Treatment Facility
- Scott Marlin; Engineering & Code Department
- File Copy (2)

ZONING HEARING BOARD OF ABINGTON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

APPLICATION OF FAMILY DINING, INC., APPLICANT,
AND GENERAL AUTO OUTLET, OWNER, FOR CONSENT TO CONSTRUCT
A BURGER KING RESTAURANT WITH A DRIVE-THRU LANE
AND WINDOW FOR PREMISES AT 900 EASTON ROAD, GLENSIDE,
ABINGTON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA

PREMISES ZONED "F-1" COMMERCIAL DISTRICT

APPLICATION NO. 81-5

OPINION AND ORDER OF THE BOARD

Applicant, Family Dining, Inc., under Agreement of Sale with the owner, General Auto Outlet, of premises at 900 Easton Road, Glenside, Pennsylvania, zoned "F-1" Commercial District, in Ward No. 13, filed an application with the Abington Township Zoning Hearing Board to construct a Burger King Restaurant which will include a drive-thru lane.

Upon due advertisement, a public hearing was held in the Abington Township Building, 1176 Old York Road, Abington, Pennsylvania, on January 27, 1981, and a continued hearing was held on February 17, 1981.

Present at each of the hearings were:

Charles Kahn, Jr., Chairman)
Michael J. Sullivan, Member) Zoning Hearing Board
Arthur L. Bigelow, Member)
John F. Gaffney, Esq., Solicitor for Zoning Hearing Board
Family Dining, Inc., Applicant
H. Kenneth Butera, Esq., attorney for Applicant

Various members of public testifying in opposition to the application.

A record of the proceedings was stenographically compiled and after careful consideration, the Board makes the following:

FINDINGS OF FACT

1. Applicant is lessee of certain premises under lease from the owner, General Auto Outlet, and intends to construct a Burger King Restaurant on said premises at 900 Easton Road, Glenside, Abington Township, Montgomery County, Pennsylvania.

2. The application requested the right to construct the restaurant, the restaurant use being permitted under the provisions of Section 401.2D of the Abington Township Zoning Ordinance.

3. Applicant, in the alternative, contends that the restaurant is not a prohibited drive-in restaurant, and in the alternative, requested a special exception under Section 401.2K on the ground that the proposed drive-thru window is an accessory to the principal restaurant use on the tract.

4. Under the provisions of Section 401.2K of the Zoning Ordinance, an accessory use on the same lot with and customarily incidental to a permitted use is itself a permitted use.

5. Applicant's hours of operation shall be from 11:00 a.m. to 10:00 p.m. on weekdays, and until 11:00 p.m. on Friday and Saturday evenings.

6. Applicant's property is bounded by three street frontages, i.e., Easton Road, Edge Hill Road, and Bradfield Road.

7. Many protestants testified as to heavy traffic and high incidences of accidents on the public highways surrounding the tract.

8. Applicant testified and agreed that it would be amenable to widening and opening and grading in accordance with a revised plan submitted to the Zoning Hearing Board, said plan being dated February 5, 1981.

9. Applicant agreed to provide and enforce to the best of its ability for "Right Turn Only" signs upon all egresses from the premises.

10. Applicant agreed to provide surface drainage to satisfy all the requirements of the Abington Township Ordinances.

11. Applicant agreed to, at its expense, provide a traffic study to be submitted to the Abington Township Police Safety Officer and to abide by the reasonable recommendations provided therein.

DISCUSSION

It is clear that a restaurant use is permitted under the provisions of the Abington Township Zoning Ordinance; therefore, the applicant need not be before this Board for the restaurant operation. In a prior application which was eventually decided by the Court of Common Pleas of Montgomery County, it was stated by the Honorable Judge Moss, inter alia, "there is insufficient evidence to establish that the so-called 'drive thru' feature has

been or is an accessory use customarily incidental to restaurants in Abington Township or in this County." In the instant application, the applicants presented a great deal of unrefuted testimony and evidence in this regard which shows indeed, that the fairly new concept of drive-thru windows are customary and incidental to the fast food business. Thus, the Board is satisfied that the restaurant use is permissible and proper and so is the drive-thru window aspect of the restaurant, being an accessory use on the same lot and customarily incidental to the permitted restaurant use.

The Board is well aware of the concerns of many respected and vocal citizens in regard to the heavy traffic on the streets surrounding the premises in question. The applicant also evinced its awareness of these traffic problems and has consented to certain conditions being imposed to the grant of the requested use by this Board as indicated in the above Findings of Fact. The Board thus issues the following:

ORDER

AND NOW, this 17th day of March, A.D., 1981, the Abington Township Zoning Hearing Board approves the application of Family Dining, Inc. to construct a restaurant with a drive-thru window facility as shown on the plan submitted to the Board, the latest revision being February 5, 1981. This grant is conditioned upon the applicant complying with its agreement and testimony before the Board to the following: It will widen, open,

and grade the tract in accordance with the revised plan of February 5, 1981; it will provide and enforce to the best of its ability "Right Turn Only" signs at all egress points from the premises; it will provide surface drainage to satisfy all Abington Township Ordinances in this regard; and it shall, at its expense, submit a traffic study within a reasonable time after this hearing to the Abington Township Police Safety Officer and comply with all reasonable recommendations of said study.

ZONING HEARING BOARD OF
THE TOWNSHIP OF ABINGTON

BY: *Charles Kahn, Jr.*
CHARLES KAHN, JR., Chairman

Michael J. Sullivan
MICHAEL J. SULLIVAN, Member

Arthur L. Bigelow
ARTHUR L. BIGELOW, Member

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR
KENNETH E. LAWRENCE, JR., VICE CHAIR
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311
NORRISTOWN, PA 19404-0311
610-278-3722
FAX: 610-278-3941 • TDD: 610-631-1211
WWW.MONTCOPA.ORG

JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

June 15, 2018

Ms. Maria Wyrsta, Office Manager
Abington Township
1176 Old York Road
Abington, Pennsylvania 19001-3713

Re: MCPC #18-0122-001
Plan Name: Family Dining, Inc.
(744 square feet on 1.53 acres)
Abington Township

Dear Ms. Wyrsta:

We have reviewed the above-referenced land development in accordance with Section 502 of Act 247, "The Municipalities Planning Code", as you requested on May 17, 2018. We forward this letter as a report of our review.

BACKGROUND

Family Dining, Inc., the applicant, has submitted a preliminary land development plan for a building expansion to accommodate a playground. The applicant also proposes modifications to existing windows, sidewalks, paved and green areas, drive-through lanes, and (to meet ADA standards) building entrances. The number of parking spaces will be reduced from 65 to 53. The site is located in the MS-L Main Street Low Intensity/Density District and is served by public sewer and water.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal, however, in the course of our review we have identified the following issues that the applicant and Township may wish to consider prior to final plan approval. Our comments are as follows:



REVIEW COMMENTS

Any expansion of a commercial use is required to meet zoning requirements for buffers, screens, landscaping and green space [§146-39.B].

ZONING REQUIREMENTS FOR BUFFERS, SCREENS, LANDSCAPING AND GREEN SPACE

- A. Street Trees. Street trees are required every 40 linear feet [§2402.B]. There is a 115-foot segment of Easton Road that consists only of grass, and two segments of Bradfield Road, equal to a combined 60 feet, consisting only of grass. Therefore, it appears that three additional street trees are required. These could be placed with a new street wall in that location [SEE ANNOTATED PLAN].
- B. Street Wall. Figure 10.19 requires a “street wall” [for specifications, see §2500: Street Wall] when a building is located more than 20 feet from the ultimate right-of-way. There is a wall on Easton Road, between the Easton Road vehicular access point to the Burger King and Bradfield Road, but it serves as more of a retaining wall, has no landscaping and does not screen cars and headlights parking in the nine closest spaces in the parking lot. Although the parking lot is approximately four feet higher than Easton Road, headlights from cars parked in this area may be a nuisance to motorists, pedestrians and residents of the apartments across Easton Road (many of the trees adjacent to the apartments are deciduous, and thus only provide screening benefitting apartment residents part of the year). Since a street wall is required, we recommend one be constructed in front of the nine parking spaces [SEE ANNOTATED PLAN]. If the existing retaining wall is credited to the applicant as a street wall, we recommend the required landscaping portion be planted so as to screen the headlights of cars parking in the nine space row.
- C. Parking Lot Islands. The ends of all parking rows shall be divided from drives by islands [§2402.A.2]. These would add greenery to the parking lot, assist with stormwater management and assist with internal traffic flow. The applicant proposes to provide 5.5% green area in the parking lot (10% is required by §2402.A) [SEE ANNOTATED PLAN].
- D. Screen. A high-intensity screen is required for the drive-through. The applicant proposes no new landscaping between Fernhill Road and the drive-through window (shrubs are proposed to the right and to the left; there are existing evergreen trees in this location, but their foliage only screens the area above ten feet in height) [SEE ANNOTATED PLAN].
- E. Trees for Nonresidential Uses. One tree is required for every 1,000 s.f. of ground cover area [§2403.E].

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (SALDO) REQUIREMENTS

- A. Architectural Plans. Tentative architectural plans shall show all sides of the building [§146-11.L.].
- B. Steep Slopes. Slopes 15% or greater shall be designated as steep slopes on the plans [§146-11.B.].
- C. Existing Vegetation. The applicant’s plans should show vegetation such as the wooded area near the intersection of Easton and Edge Hill Roads and shrubbery near the intersection of Easton and Bradfield Roads [§146-11.B.].
- D. Sidewalks/Crosswalks.
 - (1) Section 146-27.D requires that “The paving of the sidewalk shall be continuous across driveways...”. Although this is the case for the sidewalks over the driveways on Easton and Edge Hill Roads, it is

not true for Bradfield Road. We recommend that either the sidewalk be extended across the driveway or a crosswalk be added in lieu of extending the sidewalk [§146-29.D] [SEE ANNOTATED PLAN].

- (2) We recommend consideration be given to adding a crosswalk over Bradfield Road, that would connect (a) the sidewalk at the corner of Bradfield Road and Fernhill Road with (b) the proposed new on-site sidewalk leading to the crosswalk over the drive-through [SEE ANNOTATED PLAN].

The proposed expansion does not appear to increase the nonconforming conditions on-site. Therefore, although we cite the existing zoning below, we do so as recommendations, rather than implying that they are requirements.

ZONING: PARKING AND VEHICULAR CIRCULATION

- A. Separator Island. Figure 10.19 refers to an island required to separate inbound from outbound traffic at vehicular access points [this can be low to the ground, so it may be driven over by delivery trucks and emergency vehicles].

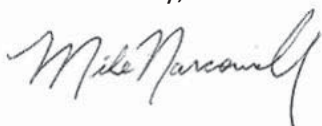
CONCLUSION

We wish to reiterate that MCPC generally supports the applicant's proposal but we believe that our suggested revisions will better achieve the Township's planning objectives for commercial development.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files.

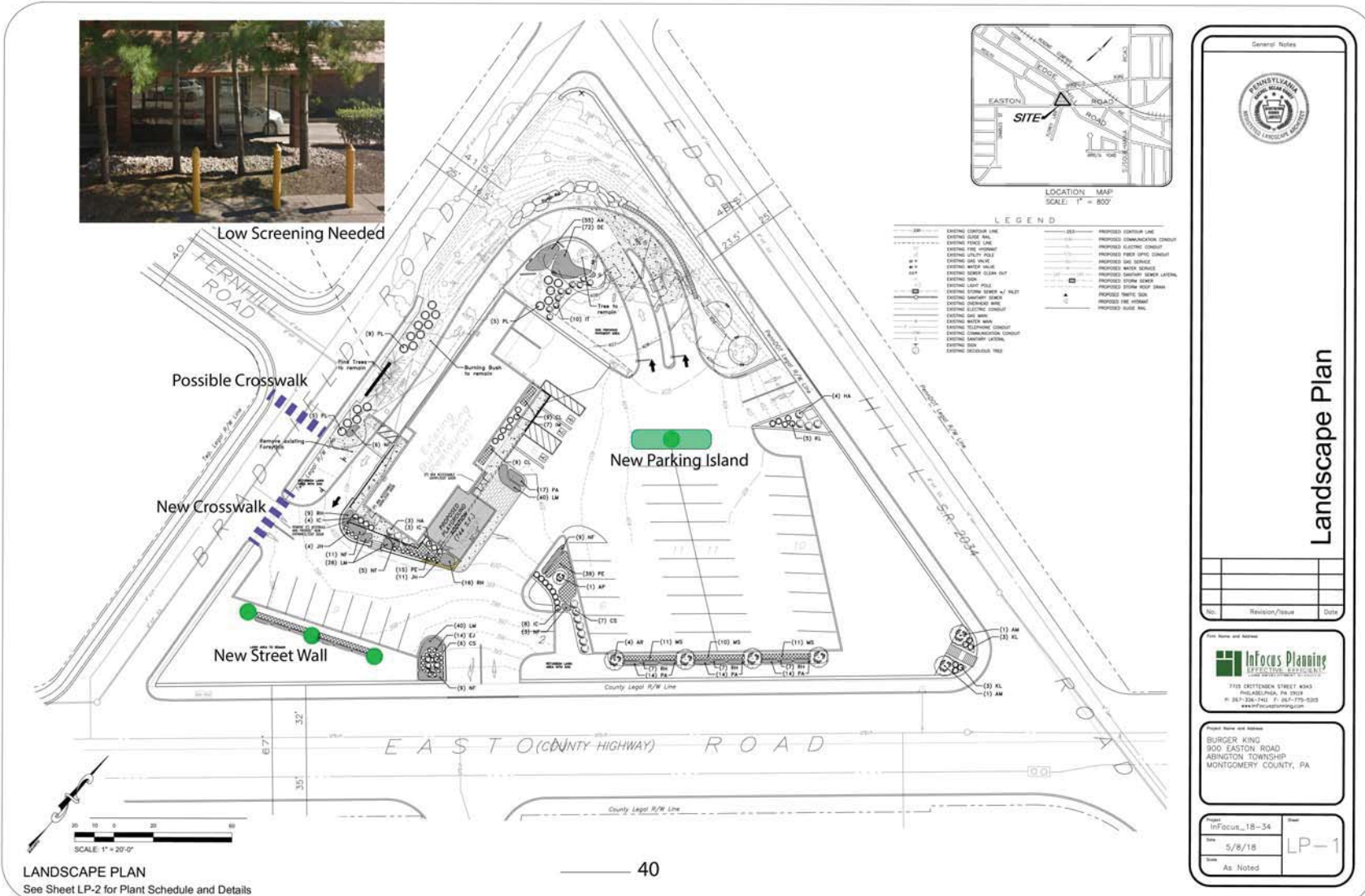
Sincerely,



Mike Narcowich, AICP, Principal Planner II
610.278.5238 - mnarcowi@montcopa.org

- c: Richard J. Manfredi, Township Manager
Gary Tilford, PLS; Applicant's Representative
Family Dining, Inc., Applicant
Amy Montgomery, P.E., Township Engineer
Michael P. Clarke, Esq., Rudolph Clarke, LLC, Township Solicitor

Attachments: Annotated Plan
Reduced Copy of Applicant's Plan
Aerial Image



General Notes

Landscape Plan

No.	Revision/Issue	Date

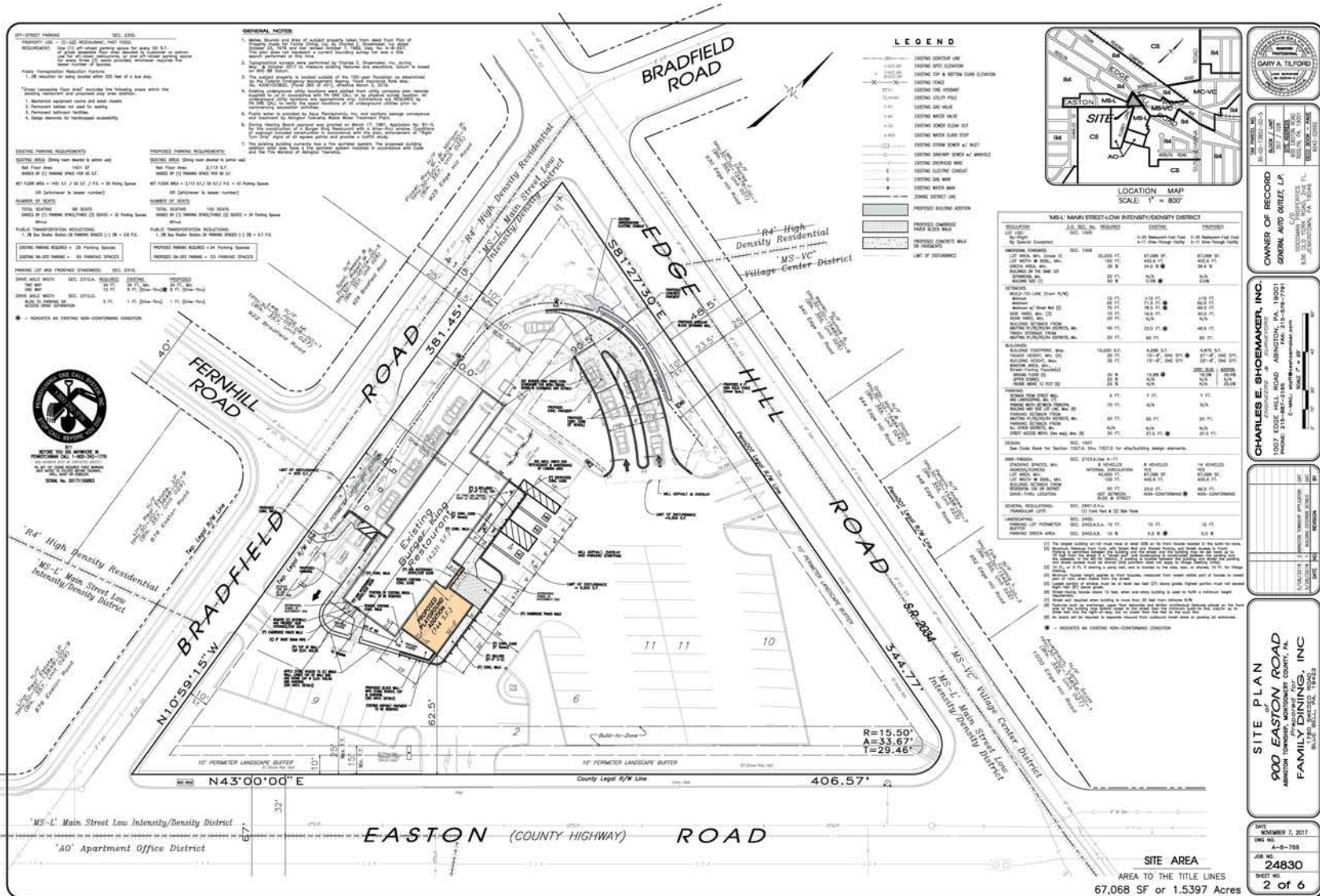
Plan Name and Address

Infocus Planning
778 BETHLEHEM STREET SUITE 400
PHILADELPHIA, PA 19104
P: 857-246-7441 F: 857-778-5285
www.infocusplanning.com

Project Name and Address

BURGER KING
300 EASTON ROAD
ABINGTON TOWNSHIP
MONTGOMERY COUNTY, PA

Sheet	LP-1
Date	5/8/18
Scale	As Noted





Family Dining Inc
180122001

Montgomery
County
Planning
Commission

0 50 100 200 Feet

Montgomery County Courthouse - Planning Commission
PO Box 311 • Norristown PA 19380-0311
(p) 610.278.3722 • (f) 610.278.3941
www.montcoopa.org/plannoem

Year 2015 aerial photography provided by the
Delaware Valley Regional Planning Commission



ADMINISTRATIVE CODE AND LAND DEVELOPMENT

AGENDA ITEM

September 27, 2018

DATE

ACL-04-101118

AGENDA ITEM NUMBER

Administration

DEPARTMENT

FISCAL IMPACT

Cost > \$10,000.

Yes

No

PUBLIC BID REQUIRED

Cost > \$20,100

Yes

No

AGENDA ITEM:

Consider appointing special labor counsel through December 13, 2018 while the Administration goes through the Request for Proposal process for said professional services.

EXECUTIVE SUMMARY:

The Township of Abington has 493 employees, 268 full time employees and more than 225 seasonal and part time employees, with two collective bargaining agreements to administer and employee policies manual to assure is followed, and where there is a myriad of employment matters that require legal review and counsel. In order to assure fair and proper treatment of the employees and sound fiscal management, there are many policy and day to day issues that require sound legal advice and counsel. In 2018, the complexities of administering the medical marijuana laws, a revised employee handbook and general employment matters are ever present.

In accordance with Resolution No 12-002, A Resolution of the Township of Abington, Stating the Policy for Procurement of Professional Services Paragraph 2, Requirements for Requests for Proposals, states in part where "the costs of the services is anticipated to be in excess of \$25,000." and where the current labor counsel legal fees for the current law firm providing labor law services is at \$22,419.02, and will soon exceed the \$ 25,000. threshold or the \$27, 220. cpi amount, the Administration is respectfully requesting the appointment of Campbell, Durrant Beatty Palombo and Miller, P.C. as special labor counsel to provide labor and employment law services at their current rates up to or through December 13, 2018 while the Administration goes the Request for Qualifications and Proposal process.

PREVIOUS BOARD ACTIONS:

Resolution No 12-2012

RECOMMENDED BOARD ACTION:

Consider a motion appointing Campbell, Durrant Beatty Palombo and Miller, P.C. as special labor counsel to provide labor and employment law services at their current rates to the Township up to or through December 13, 2018 while the Administration goes through the Request for Proposal process.



Township of Abington

Wayne C. Luker, *President*
Steven N. Kline, *Vice President*
Richard J. Manfredi, *Manager*
Jay W. Blumenthal, *Treasurer*

March 23, 2018

Patrick Harvey
CDBP & M, P.C.
One Belmont Avenue
Suite 605
Bala Cynwyd, PA 19004

Dear Mr. Harvey:

Please find attached the signed Engagement Fee Agreement letter so that you can bill us for your service. In the near future, we may be sending a request for proposal so that you may have an opportunity to submit a proposal if necessary.

Attached you will find a Resolution that requires a request for proposal, if it is anticipated that your services will exceed \$25,000.

Best Regards,

Richard J. Manfredi
Township Manager

FEB 27 13:21



One Belmont Avenue, Suite 605
Bala Cynwyd, PA 19004

Patrick J. Harvey
Attorney at Law
Direct Dial: 610-227-2595
pharvey@cdblaw.com

February 22, 2018

Richard Manfredi
Township Manager
Township of Abington
1176 Old York Road
Abington, PA 19001

RE: Engagement/Fee Agreement Letter for Labor and Employment Legal Services

Dear Mr. Manfredi:

Thank you for selecting Campbell Durrant Beatty Palombo & Miller, P.C. ("Campbell Durrant") to provide Abington Township (the "Township") with legal services as special labor counsel to assist the Township with labor and employment matters. This representation is limited to labor and employment related matters specifically referred to us for handling.

We have represented boroughs, townships, cities and other types of municipalities across the Commonwealth for more than 28 years regarding a broad variety of labor and employment matters for uniformed and non-uniformed employees. We look forward to working with Abington Township. The law firm offers the following discounted municipal hourly rates: Blended hourly rate for Principals/Shareholders and Associates, \$295; Paralegals and Law Clerks, \$165.

In the course of rendering services to the Township, it may be necessary for us to incur expenses for items such as filing and recording fees, arbitrator/mediator fees, deposition transcripts, computerized legal research, notary service, various mailing/delivery charges, file delivery costs, document reproduction, travel, lodging, and meals. The actual expenses incurred will vary depending on the services that we provide to you. Expenses are billed without surcharge. Expense items incurred on your behalf will be itemized separately and listed on our billing statements. Third-party expenses in excess of \$100 may be forwarded directly to you for payment. The law firm will submit monthly invoices describing in detail the work performed as well as any expenses incurred on behalf of the Township.

We will keep the Township apprised of developments and will consult with the Township as necessary to ensure timely, effective and efficient completion of our work. The Township acknowledges that we cannot guarantee either the outcome or the time to complete legal services on its behalf. The Township also agrees to be cooperative with us, to accurately respond to our inquiries and communications promptly and to provide promptly all information known or available that may be relevant to our engagement.

Richard Manfredi
Township Manager
February 22, 2018
Page 2

The law firm has the ability to communicate with its clients through electronic mail ("email"). Generally, email is an accepted way of communication and even intercepted email is protected under the attorney/client privilege. However, there is no absolute certainty that electronic mail will not be intercepted or read by a third party. We will try to avoid discussing confidential employee information and matters of critical legal strategy through email. Please also note that sending copies of email communication from this firm to third persons could result in a waiver of the attorney/client privilege, and copied emails and routine replies should be used with caution. If you do not want us to use electronic mail at all, please advise this office in writing.

The Township will be provided copies of pertinent pleadings, documents, correspondence and other information throughout any case or matter in which we represent the Township. These copies will be your file copies; please retain them. We will also keep information in a file in our office, which will be the law firm's file. At the conclusion of this matter(s), we will retain your legal files for a period of five (5) years (either in the original, physical file format or in electronic format). At the expiration of the five-year period, we may destroy these files unless you notify us in writing now that you wish to take possession of them.

In this relationship, this firm will be representing the Township and the confidential attorney client privilege extends to all information obtained from and communications with the Township and its officials for the purpose of legal representation for the Township. This firm does not represent any individual in his or her individual capacity and no attorney client relationship exists between this firm or any attorney in this firm and any such individual in his or her individual capacity.

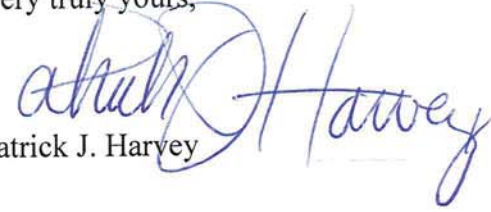
This will also confirm that you may discontinue our representation at any time, with or without cause, by notifying us in writing of your desire to do so. Upon receipt of such notice, we will cease all legal work on behalf of the Abington Township immediately. In addition, to the extent permitted by the rules of professional responsibility, we may discontinue our representation at any time for reasons such as if a conflict of interest develops or is discovered, or if there exists, at any time, any fact or circumstance that would, in our opinion, render our continuing representation unlawful, unethical, or otherwise inappropriate. If we elect to discontinue our representation, we would notify you immediately and would ask that you take all steps reasonably necessary to effectuate that decision, including the execution of any documents necessary to complete our withdrawal from representation.

Please review this Engagement/Fee Agreement Letter and have the acknowledgment below signed by the appropriate Township representative. By signing this agreement, the Township confirms that the appropriate representative(s) has read this agreement, understands its provisions and agrees to abide by its terms. Please return one signed copy to me and keep the other original for the Township's records. Should you have any questions concerning this Engagement/Fee Agreement, please do not hesitate to contact me.

Richard Manfredi
Township Manager
February 22, 2018
Page 3

On behalf of Campbell Durrant, we truly appreciate the opportunity to represent Abington Township.

Very truly yours,


Patrick J. Harvey

PJH/mh

ACKNOWLEDGED AND ACCEPTED
THIS 12th DAY OF March, 2018.

ABINGTON TOWNSHIP

By: 

RESOLUTION NO. 12-002

A RESOLUTION OF THE TOWNSHIP OF ABINGTON STATING POLICY FOR PROCUREMENT OF PROFESSIONAL SERVICES

WHEREAS, it is from time to time necessary, in the execution of certain projects or the handling of certain matters, for the Township of Abington to retain the services of persons or firms possessing professional and special expertise including, without limitation, engineers, lawyers, architects, building and construction managers and inspectors, real estate appraisers, and ambulance service providers; and

WHEREAS, the law of Pennsylvania exempts from public bidding requirements the procurement of such services by municipalities, including the Township of Abington; and

WHEREAS, the aforesaid exemption notwithstanding, the Board of Commissioners of the Township of Abington has determined that some form of competitive process in the procurement of such services would be in the best interests of the Township, such that professional services may be procured at the best price commensurate with the scope and quality of the services required and the qualifications of the provider; and

WHEREAS, the request for proposal process is recognized as an effective means of procuring professional services at the best price commensurate with the scope and quality of the services required and the qualifications of the provider; and

WHEREAS, the Board of Commissioners recognizes that circumstances may arise under which it may be necessary or desirable to procure professional services without resorting to the request for proposal process.

NOW, THEREFORE, be it RESOLVED as follows:

1. **“Professional Services” Defined.** For the purposes of this Resolution, the term “professional services” shall mean those services which involve quality as the paramount concern and require a recognized professional and special expertise, and shall include, without limitation, engineering, legal, architectural, building and construction management and inspection services, real estate appraisals, and the providing of ambulance services.
2. **Requirement for Requests for Proposals.** As of the effective date of this Resolution, it shall be the policy of the Township of Abington to utilize the request for proposal (“RFP”) process whenever it is necessary, in the judgment of the Board of Commissioners, to procure professional or personal services in connection with any Township project or in connection with the handling of any Township matter, and the cost of the services is anticipated to be in excess of \$25,000.00.
3. **Duty to Prepare Requests for Proposals.** RFP’s shall be prepared by the Department of the Township most immediately involved with the project or matter in question, and shall be subject to the approval of the Committee of the Board of Commissioners with jurisdiction over that Department.

RESOLUTION NO. 12-002 (continued)
A Resolution of the Township of Abington Stating Policy for
Procurement of Professional Services
Page Two

4. **Exceptions to Requirements.** The Board of Commissioners may waive the RFP process or informal quote requirements when circumstances warrant, such circumstances to include those where the requested services cannot be adequately specified without sacrifice to quality, where the continuity of a project may be compromised, where technical data already obtained may be lost, where duplication of effort may result, or where an emergency exists.
5. **Standard for Awarding Contracts for Professional Services.** In awarding contracts in response to proposals or quotes received, the Board of Commissioners shall consider, among other things, the scope of the services offered, the qualifications of the proposer, and the price. In no event shall the Township be bound to award any contract for professional services solely on the basis of price.
6. **Existing Legal Requirements Not Abrogated.** Nothing contained herein shall be construed to relieve the Township of competitive bidding requirements as may be required by applicable Pennsylvania or federal law.
7. **Inconsistent Resolutions Repealed.** All resolutions or parts of resolutions inconsistent herewith or in conflict with any of the specific policies adopted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.
8. **Effective date.** This Resolution shall become effective as of the date of adoption.

RESOLVED and ADOPTED this 12th day of January, 2012.


TOWNSHIP OF ABINGTON

Attest:



Michael LeFevre, Secretary

By:



Carol T. DiJoseph, President
Board of Commissioners