

**WORCESTER TOWNSHIP PLANNING COMMISSION MEETING
WORCESTER TOWNSHIP COMMUNITY HALL
1031 VALLEY FORGE ROAD, WORCESTER, PA 19490
THURSDAY, MARCH 22, 2018, 7:30 PM**

CALL TO ORDER by Mr. Todd at 7:35 PM

ATTENDANCE

PRESENT: GORDON TODD [X]
 TONY SHERR [X]
 DOUG ROTONDO [X]

1. February 22, 2018 Meeting Minutes – Mr. Sherr motioned to approve the February 22, 2018 Meeting Minutes as presented, second by Mr. Rotondo. There was no public comment. By unanimous vote the motion was approved.

2. Addesso (LD 2017-06) – Mr. Nolan provided an overview of a Planning Module submission for a two-lot subdivision on Hollow Road. Mr. Nolan noted the Montgomery County Planning Commission and the Montgomery County Health Department had approved Component 4B and Component 4C, respectively. Mr. Nolan noted there were no outstanding issues to consider at this time, and stated the Planning Commission may now consider execution of Component 4A.

Mr. Sherr motioned to authorize the Chair to sign Planning Module Component 4A for the Addesso subdivision, second by Mr. Rotondo. There was no public comment. By unanimous vote the motion was approved.

3. The Reserve at Center Square (LD 2017-12) – Dick McBride, Attorney for the Applicant, provided an overview of a 250-unit subdivision at Skippack Pike, Whitehall Road and Berks Road.

Mr. McBride commented on the conditional use process and on the litigation that followed. Mr. McBride commented on the Stipulation Agreement between the Applicant and the Township, and the Addendum to the Stipulation Agreement that addressed certain concerns of neighboring property owners, including the provision of additional landscape berms and plantings, increased setbacks, and a public sewer system expansion that serves the neighboring properties.

Mr. McBride noted the Township is proposed to own the roadways in the single-family detached portion of the development, and a homeowners association is proposed to own the roadways in the townhome portion of the development. Mr. McBride noted all open space is proposed to be owned and maintained by a homeowners association.

Mr. McBride commented on frontage improvements, including the addition of a turn lane at northbound Berks Road, and the widening of Skippack Pike to provide a center turn lane.

Mr. McBride commented on the requested waivers. As to a waiver for sidewalk installation at the frontage to Skippack Pike and Berks Road, Mr. McBride stated the Applicant will provide a fee in lieu equal to the improvement cost, as calculated by the Township Engineer. As a waiver for the balance of landscaping required by Township Code, Mr. McBride stated the Applicant will work with the Township to locate as many materials on site as possible, and for the remaining materials the Applicant will provide a fee in lieu equal to the material cost, as calculated by the Township Engineer.

Mr. McBride commented on the standing review letters. Mr. McBride stated the Applicant will comply with all comments in the standing review letters.

Mr. Rotondo commented on the proposed landscape berms and plantings. Mr. McBride commented on berm height, location and plantings. Mr. Rotondo inquired as to existing vegetation along the Skippack Pike frontage, and Mr. McBride stated the only vegetation to be removed at this location is that needed to widen and improve Skippack Pike.

Mr. Rotondo commented on the community park. Mr. McBride noted this passive area would be maintained by a homeowners association.

Mr. Sherr commented on a trail easement to the PECO right-of-way. Mr. McBride stated the Applicant will provide this easement.

Mr. Sherr motion to recommend the Board of Supervisors grant Preliminary/Final Plan Approval for The Reserve at Center Square, conditioned on (1) the Applicant complying with all standing review letters, (2) the Applicant providing a fee in lieu sidewalks not installed along Skippack Pike and Berks Road and landscape materials not planted at the subject property, in the amount equal to the cost, to be calculated by the Township Engineer, and (3) the Applicant providing a trail easement to the PECO right-of-way, second by Mr. Rotondo. There was no public comment. The motion failed to carry, with Mr. Sherr voting yes, Mr. Rotondo voting no, and Mr. Todd abstaining.

4. April 26 Planning Commission Meeting Agenda – At its April 26 meeting the Planning Commission may review the 2044 Berks Road subdivision (LD 2016-05) and the Palmer subdivision (LD 2017-01), if these revised plans are received by the Township, or if a review period extension is not received.
5. Other Business – Mr. Ryan noted the Board of Supervisors, at its April 18 Business Meeting, may consider the appointment of persons to the current Planning Commission vacancies.

PUBLIC COMMENT

- There was no public comment at this evening's meeting.

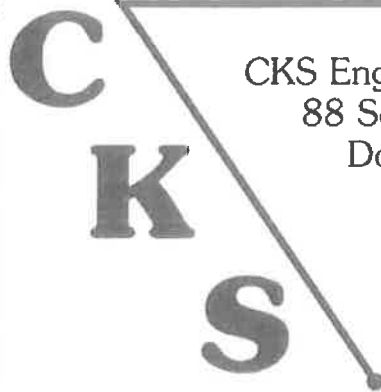
ADJOURNMENT

There being no further business before the Planning Commission, Mr. Todd adjourned the meeting at 8:10 PM.

Respectfully Submitted:

Tommy Ryan
Township Manager

DRAFT



CKS Engineers, Inc.
88 South Main Street
Doylestown, PA 18901
215-340-0600 • FAX 215-340-1655

Joseph J. Nolan, P.E.
Thomas F. Zarko, P.E.
James F. Weiss
Patrick P. DiGangi, P.E.
Ruth Cunnane
Michele A. Fountain, P.E.

April 4, 2018
Ref: #7502

Township of Worcester
1721 Valley Forge Road
P.O. Box 767
Worcester, PA 19490

Attention: Tommy Ryan, Township Manager

Reference: Sparango Construction Co., Inc. – Preliminary Land Development Plan
2044 Berks Road

Dear Mr. Ryan:

CKS Engineers, Inc. is in receipt of a revised preliminary plan submission for the subdivision of the Josephine Sparango property at 2044 Berks Road. The subdivision plans were prepared by Joseph M. Estock, P.E., P.L.S., of King of Prussia, Pennsylvania. The plan set consists of twelve sheets dated October 7, 2016, last revised March 9, 2018. The plan proposes the development of eight single-family detached lots on the 16-acre property with a new cul-de-sac street (Josephine Way) extending from Berks Road. Seven of the lots will take access from the new street and one of the lots will take access directly from Berks Road. The site currently contains one single-family house with a detached garage, both of which are to be removed. The site is located in the "AGR – Agricultural Zoning District" and is being developed in accordance with Sections 150-12 through 150-17 of the Worcester Township Zoning Ordinance. CKS Engineers, Inc. previously reviewed plans for this subdivision and set forth our comments in a letter dated November 11, 2016. We have reviewed this latest plan submission to determine conformance with the Code of the Township of Worcester. Based upon our review of these plans, we offer the following comments:

SUBDIVISION AND LAND DEVELOPMENT ISSUES

1. The plan has been revised to include the following waivers being requested from the requirements of the Subdivision and Land Development Ordinance by the applicant. We note that the waivers are also listed in correspondence dated March 21, 2018 from Joseph M. Estock, PE:
 - a. Section 130-16.C.1.6 - According to the Worcester Township Comprehensive Plan, Berks Road is considered a feeder street and should have a minimum cartway width of 38 feet. The plans show an approximate 20-foot cartway width along Berks Road in the vicinity of the site, thereby not meeting the ordinance requirement. However, the 20-foot cartway width is consistent with the overall width of Berks Road in the vicinity of the site and based on the character of this

- area and road volumes, we find the existing width to be satisfactory, absent of any plans the Township has for widening.
- b. Section 130-18.A - Sidewalk shall be provided along all streets. The plans do not show any sidewalk along Berks Road or Josephine Way, thereby not meeting the ordinance requirement. It should be noted that there is no curbing or sidewalk currently provided along Berks Road in the vicinity of the site, and the Township should consider any longer-term pedestrian connectivity in the Township in any request for a waiver. The township may wish to consider a fee in lieu of the installation of the required sidewalk.
 - c. Section 130-18.B.1.a - Concrete curb is required along all residential streets, unless waived by the Board of Supervisors. There is no curbing currently proposed for Josephine Way. We are not in favor of this waiver request. Curbing should be provided on this road. Belgian block would be an acceptable alternate for concrete curb construction.
 - d. Section 130-20.A.4 - Corner lot widths on each frontage are required to be 1½ times the minimum width of the interior lots. Proposed corner Lots 1 and 7 do not meet this requirement. There is no reason given for requesting this waiver.
 - e. Section 130-24.B.3.e.2 requires all storm sewer pipe within public rights-of-way to be reinforced concrete pipe (RCP). High density polyethylene pipe (HDPE) is proposed on the plans. We do not support the use of HDPE in the public rights of way.
 - f. Section 130-20.C.3 does not allow the concentration of storm drainage along rear or side lot lines. The concentrated flow from the proposed rain garden discharge pipe at FES 16 is in the side yard of Lot 4. We recommend that the pipe be extended to discharge away from any side or rear yards, and continue the swale to the outbound property line. This will require an easement extension.
 - g. Section 130-28.E.1 requires a tree survey plan. The applicant is requesting a waiver of this requirement. There is no reason provided as to why this waiver is being requested.
 - h. Section 130-28.F.7 has specific requirements regarding removal and replacement of trees. The applicant is requesting a waiver of this requirement. We do not support this waiver request. Replacement trees are required by the ordinance.
2. According to the Township's Roadway Sufficiency Analysis, the proposed development is located in Transportation Service Area North, which has a corresponding impact fee of \$3,977 per "new" weekday afternoon peak hour trip and the applicant will be required to pay a Transportation Impact Fee in accordance with the Township's Transportation Impact Fee Ordinance. Based on Land Use Code 210 (Single Family Detached Housing) in the Institute of Transportation Engineers Publication **Trip Generation**, Ninth Edition, the proposed eight single-family homes will generate approximately eight total

“new” weekday afternoon peak hour trips. Providing a credit of one total “new” weekday afternoon peak hour trip for the existing single-family home to be removed, the number of trips subject to the transportation impact fee is seven. The TSA North impact fee of \$3,977 per “new” weekday afternoon peak hour trip applied to these trips results in a transportation impact fee of \$27,839.00.

3. Sight distance measurements should be graphically shown on the plans at the proposed Josephine Way intersection with Berks Road, as well as at the proposed driveway to Lot 8 along Berks Road. The plan has been revised to include sight distance information in Note #10 on Sheet 1, but the sight distances available have not been shown in plan view. (130-16.B.1, 130-16.E.5)
4. The minimum cartway width for residential streets is 32 feet, with an allowance to reduce the width to 28 feet or 30 feet, if conditions warrant. Since proposed Josephine Way is intended to serve only seven residences, we have no objection to the proposed 28-foot cartway. (130-16.C.1.a.4)
5. The stopping area for the proposed driveway for Lot 8 appears to exceed the maximum allowable grade of 4% behind the right of way line. (130-17.B.1)
6. Drainage easements will be required for all proposed stormwater facilities, including drainage pipes and swales, seepage beds, rain gardens, etc. The plan has been revised to include easements, but there is no clear indication of ownership and maintenance as well as who the easements are in favor of. Maintenance responsibilities must be clearly noted on the plans.

Regarding the easements provided, we note that there is an easement along the property line of Lot 4; the easement contains a swale that will discharge into the rain gardens. However, both the easement and swale both stop abruptly. The design should be revised to have the swale continue to a logical conclusion on the property, and the easement adjusted accordingly. (130-22.B)

7. Our previous review contained several stormwater management related comments. Many have been addressed. However, we note that the design has been revised beyond just the comments that had been raised. Although the plan still proposes rain gardens, seepage beds and an underground detention basin, the design approach regarding the watersheds has been completely changed. Accordingly, some of the comments below are new.
 - a. We had previously noted that the Summary of Peak Flow Rates tabulated in the Report, indicated that the total post-development flows did not include all post-development watersheds, resulting in the post-development runoff exceeding the pre-development rates. The design was based on standard drainage area allocation, in which the entire site is considered for both the pre and post-development conditions. The analysis has been revised to “cut out” areas beyond the paving or building areas.

Although using an "affected area" approach may be appropriate in some situations, we do not agree with how it has been applied for this site. For instance, the areas do not extend beyond the building footprints for downslope conditions. There are wooded areas that will be cleared to adequately grade those dwellings, and the groundcover will change from woods to lawn. That change has not been accounted for by the drainage area boundaries chosen. In addition, the design includes "Watershed 3", which we assume is for future construction of decks and patios. However, there does not appear to be any accounting for how the area of impervious surface has been calculated, and it has not been shown graphically. In addition, this extra area of impervious coverage has not been assigned to any particular structure or lot, therefore the contributing flows to the respective rain gardens and underground storage areas may not be accurate. Finally, there is a tabulation of this watershed for the pre-development conditions. We question how a runoff curve number can be calculated if there is no physical area identified on the plan. In combination with comment "b" below, we cannot accept the design as presented. We recommend that the design be reconsidered upon completion of onsite soil testing. We would be agreeable to meet with the applicant's engineer to discuss these concerns in more detail if necessary. (130-24.B.4.a and d)

- b. The locations of the proposed infiltration beds, underground detention basin and rain gardens must be tested for soil permeability and the results of the testing must be submitted to the Township. The engineer's response letter requests that the testing be deferred until Final Plan submission. We do not support this request. The proper functioning and long term success of the proposed systems as well as compliance with the ordinance requirements is dependent on infiltration capability. Until onsite soil testing has been performed, and the results analyzed, the stormwater management system cannot be finalized, nor approved. (130-24.B.4.e))
- c. In the submitted Post-Construction Stormwater Management Report (Report), the total of all post-development watershed areas cannot be less than the total of all pre-development watershed areas. In addition, the individual watershed areas noted on the Post-Development Drainage Area Plan should be coordinated with the respective watershed areas used in the Report. It does not appear that the Report or plan have been adjusted. For instance, the Plan identifies predevelopment watersheds 1, 2, 4 and 5. The Plan also identifies Postdevelopment watersheds 1, 2, 3, 4 and 5. This labeling is consistent in the Report. However, it appears that Postdevelopment Watershed 3 consists of "walks, decks and patios" only by label. As noted, the design cannot have a different sum of watershed areas from pre to post development conditions.

We also note that the numerical values for the areas as shown on the plan are not consistent with the values in the Report. For instance, the Plan identifies watershed 5 as 8,258 SF (0.1896 AC), the Report shows 0.195 AC for both the pre and post development. A similar discrepancy exists for watershed 4.

- d. The Report should be revised to include an inlet/outlet control analysis for the storm pipe system. (130-24.B.1.d and B.3.f)
 - e. FES 12 should be revised to be a concrete endwall so that adequate cover over the pipe can be provided. (130-24.B.3.j)
 - f. The proposed swale cross section is indicated to have 2:1 side slopes and a maximum depth of 1 foot. While 2:1 side slopes may exist along the road, we do not recommend regrading of the swale and installation of such slopes in the swale. Such slopes will likely be difficult to stabilize and the minimal 1 foot depth leaves no allowance for freeboard. (130-32.E.2, 130-32.F)
 - g. The areas used in Worksheet 4 at the end of the Report are not consistent with the areas used for the various pre- and post-development watersheds found elsewhere in the Report. For instance, page 61 contains a tabulation of post development site impervious coverage. The total shown is 68,752 SF. However, the total shown in Worksheet 4 is 77,751 SF.
 - h. The Profile: Inlet 9 – FES 12 shown on Sheet 8 has been revised to include a profile of the existing swale/drainage ditch along the southeasterly side of Berks Road, as well as the swale regrading. Based on the profile information provided, the proposed regrading of the existing swale will result in the swale being one foot below the existing grade at the tract boundary, which is not acceptable. In addition, the swale calculation provided indicates that the swale has approximately 10 cfs capacity at a depth of 1 foot. The storm sewer calculations indicate a flow of 34 cfs. The applicant must assure that the flows from proposed FES 12 will be received by an adequate drainage channel. (130-24.A.1 and 2)
 - i. The profile for the proposed drainage pipes associated with the rain gardens appears to indicate that perforated pipe will be installed under the proposed driveways. It is not advisable to have perforated piping under the driveways. The plan should be revised accordingly. (130-33.F.1)
8. Since public sewer service is proposed for this project, the Township will need to revise its Act 537 Sewage Facilities Plan and planning approval from the PADEP will be required. This will require a study to determine available capacity of existing receiving sewage facilities to serve this project. (130-26.A)
9. A complete design analysis for the proposed LPSS, including the existing/proposed force main, must be submitted.
10. Off-site sanitary sewer easements will be required for the proposed LPSS force main adjacent to Skippack Pike. If easements already exist, copies of the easements must be provided which indicate that the proposed force main is allowed to utilize the easement. (130-22.B)

11. The applicant is advised that a Water Quality Permit from the PADEP will be required for the proposed LPSS.
12. Public water facilities are proposed to extend from the existing water main in Berks Road along proposed Josephine Way to serve seven of the lots and an individual water serve to serve Lot 8. A letter of endorsement from the public water supplier should be submitted to the Township. (130-31.B)
13. We recommend that the proposed fire hydrant location be reviewed by the Township Fire Marshal. (130-31.G)
14. On Sheet 9, we note that Berks Road northeast of Skippack Pike is not a state road. However, Skippack Pike, including the intersection of Berks Road, is a state road. Relative to this, a Highway Occupancy Permit from PennDOT will be required for the proposed LPSS force main crossing at the intersection of Skippack Pike and Berks Road. The Township must be copied on all plan submissions and correspondence between the applicant and PennDOT and must be invited to any and all meetings between these parties. (130-14.J)
15. The applicant must obtain the approval of the Montgomery County Conservation District for the Erosion and Sediment Control Plans and for an NPDES Permit for Stormwater Discharges associated with construction activities. (130-32.A&B)

The above represents our comments on the revised plan submission. It should be noted that in the response letter from Joseph Estock dated March 21, 2018, numerous responses were addressed as "Pending. We request that this be deferred until the Final Plan Submission". Unfortunately, we cannot support this request in most cases. Most importantly, the entire site layout and stormwater management design was based on a series of infiltration beds, an underground retention basin, and numerous rain gardens without the benefit of on-site soils testing for permeability. This testing must be performed to determine if the design and plan layout are valid and conform to Township Code. Also, if public sewer is not available due to capacity issues in the system, other options for on-site sewer could affect the site layout and placement of the lots. These determinations should be done at the Preliminary Plan phase of this project.

Very truly yours,
CKS ENGINEERS, Inc.
Township Engineers


Joseph J. Nolan, P.E.

JJN/paf

cc: Robert L. Brant, Esquire, Township Solicitor
Joseph M. Estock, P.E., P.L.S.
Sparango Construction Co., Inc.
File



McMAHON ASSOCIATES, INC.
425 Commerce Drive, Suite 200
Fort Washington, PA 19034
p 215-283-9444 | f 215-283-9446

April 18, 2018

Mr. Tommy Ryan
Township Manager
Worcester Township
1721 Valley Forge Road
P.O. Box 767
Worcester, PA 19490

PRINCIPALS
Joseph W. McMahon, P.E.
Joseph J. DeSantis, P.E., PTOE
John S. DePalma
William T. Steffens
Casey A. Moore, P.E.
Gary R. McNaughton, P.E., PTOE

ASSOCIATES
John J. Mitchell, P.E.
Christopher J. Williams, P.E.
R. Trent Ebersole, P.E.
Matthew M. Kozsuch, P.E.
Maureen Chlebek, P.E., PTOE
Dean A. Carr, P.E.

RE: **Traffic Review #1**
2044 Berks Road (LD 2016-05)
Worcester Township, Montgomery County, PA
McMahon Project No. 818262.11

Dear Tommy:

Per the request of the Township, McMahon Associates, Inc. (McMahon) has prepared this comment letter, which summarizes our traffic engineering review of the proposed development to be located at 2044 Berks Road in Worcester Township, Montgomery County, PA. It is our understanding that the proposed development will consist of 8 single-family homes. Access to Lots 1 through 7 will be provided via roadway connection (Josephine Way) to Berks Road while access to Lot 8 will be provided via a direct driveway connection to Berks Road to the north of Josephine Way. It is our understanding that the existing single-family home on this lot will be removed as part of this proposed development.

The following document was reviewed and/or referenced in preparation of our traffic review:

- Land Development Plans for 2044 Berks Road, prepared by Joseph M. Estock Consulting Engineers and Land Surveyors, last revised March 9, 2018.

Based on our review of the submitted document noted above and a field view of the proposed site, McMahon offers the following comments for consideration by the Township and action by the applicant:

1. The applicant is requesting a waiver from **Section 130-16** of the **Subdivision and Land Development Ordinance** requiring a 38-foot cartway width along the site frontage. The plans currently show an approximate 20-foot cartway width along the site frontage of Berks Road, thereby not meeting the ordinance requirement. We are not opposed to the granting of this waiver. However, please see the next comment for ultimate right-of-way dedication.

2. General Note #7 (Sheet 1 of 12) states essentially that the area between the legal right-of-way and ultimate right-of-way on Berks Road is "being offered for dedication to the authority having jurisdiction at the time of taking." This note should be clarified to have the understanding that it is being offered by the landowner at the time of the approval of the land development for the future taking by the Township and/or PennDOT for purposes of providing infrastructure improvements.
3. According to **Section 130-18.B** of the **Subdivision and Land Development Ordinance**, curbing should be provided along the site frontage of Berks Road. Since no curbing is proposed along the site frontage of Berks Road, a waiver needs to be requested from this ordinance section.
4. The applicant is requesting a waiver from **Section 130-18.A** of the **Subdivision and Land Development Ordinance** requiring sidewalk to be provided along the site frontage of Berks Road, as well as along both sides of Josephine Way. Since there is currently no sidewalk along Berks Road in the vicinity of the site, McMahan suggests that if this waiver is to be granted, that the Township Supervisors should consider future pedestrian connectivity and sidewalk in this area, and thus either require that an escrow be collected or that a note be added to the plan requiring the owners of Lots 1, 7, and 8 to provide it upon Township request.
5. Due to the residential nature of the proposed development, sidewalk is recommended to be provided along both sides of Josephine Way, with appropriate ADA ramps and accommodations.
6. According to **Section 130-16** of the **Subdivision and Land Development Ordinance**, residential roads shall have a minimum paved width of 32 feet. The plans currently show a 28-foot cartway width along Josephine Way, thereby not satisfying the ordinance requirement. A waiver must be requested to allow a 28-foot cartway width along Josephine Way, and the Township Engineer does not have objection to the narrower width based on the number of homes to be served. However, McMahan notes that a narrower cartway width may better suffice with the addition of restriction of parking on at least one side of the street, and the Township Fire Marshall reviews and concurs with the plan.
7. The applicant is requesting a waiver from **Section 130-18.B** of the **Subdivision and Land Development Ordinance** requiring curbing to be provided along Josephine Way. The plans currently do not show any curbing along Josephine Way, thereby not satisfying the ordinance requirement. We are not in favor of this waiver request; therefore, the plans should be revised to show curbing along Josephine Way.
8. Turning templates should be provided demonstrating the ability of trash truck and fire/emergency vehicles specific to Worcester Township to maneuver into and out of Josephine Way and through the cul-de-sac. The Fire Marshall shall also review these plans for approval.
9. The designation of Berks Road should be added to the plans.

Mr. Tommy Ryan

April 18, 2018

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10. According to the Township's Roadway Sufficiency Analysis, the proposed development is located in Transportation Service Area North, which has a corresponding impact fee of \$3,977 per "new" weekday afternoon peak hour trip and the applicant will be required to pay a Transportation Impact Fee in accordance with the Township's Transportation Impact Fee Ordinance. Based on Land Use Code 210 (Single Family Detached Housing) in the Institute of Transportation Engineers publication, **Trip Generation**, Tenth Edition, the 8 single-family homes will generate approximately 8 total "new" weekday afternoon peak hour trips. Providing a credit of one new trip for the existing single-family home, the number of trips subject to the transportation impact fee is 7. The TSA North impact fee of \$3,977 per "new" weekday afternoon peak hour trip applied to the 7 trips results in a transportation impact fee of \$27,839.

Based on a review of the documents listed above, the applicant should address the aforementioned comments, and provide revised plans, and accompanying materials as appropriate, to the Township for further review and approvals. A response letter that addresses the comments contained herein should accompany the resubmission, indicating how each item has been addressed, and where the changes have been made in the documents being resubmitted.

We trust that this review letter responds to your request. If you or the Township have any questions, or require clarification, please contact me.

Sincerely,



Casey A. Moore, P.E.
Vice President & Regional Manager

BMJ/CAM/lsw

cc: Joseph Nolan, P.E., CKS Engineers (Township Engineer)
Robert Brant, Esq. (Township Solicitor)
Joseph M. Estock, P.E. (Applicant's Engineer)

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**
JOSH SHAPIRO, CHAIR
VALERIE A. ARKOOSH, MD, MPH, VICE CHAIR
JOSEPH C. GALE



**MONTGOMERY COUNTY
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JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

November 7, 2016

Mr. Tommy Ryan, Manager
Worcester Township
1721 Valley Forge Road—Box 767
Worcester, Pennsylvania 19490

Re: MCPC #16-0124-002
Plan Name: 2044 Berks Road
(8 lots on 16.39 acres)
Situate: Berks Road (E)/North of Skippack Pike
Worcester Township

Dear Mr. Ryan:

We have reviewed the above-referenced land development plan in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as requested on October 19, 2016. This letter is submitted as a report of our review and recommendations.

BACKGROUND

The applicant, Pat Sparango c/o Sparango Construction Company, is proposing to build eight new units on eight total lots in a traditional subdivision located in the township's AGR-Agricultural District. The subdivision contains an existing house to be demolished. Our office reviewed a previous sketch plan for this site that showed a total of seven new units in a conservation subdivision and would have preserved the existing house along Berks Road.

COMPREHENSIVE PLAN CONSISTENCY

- A. Worcester Township Comprehensive Plan - The proposal is generally consistent with the Worcester Comprehensive Plan. The plan designates this area as "countryside" which should be "dominated by farms, horse pastures, woods, riparian corridors, and country roads." A traditional large-lot



subdivision is appropriate here, though we would have preferred to have the conservation subdivision which would have preserved the existing woodlands and home.

- B. Monto 2040: A Shared Vision - The proposal is generally consistent with the Montgomery County Comprehensive Plan, *Montco 2040: A Shared Vision*. This part of Worcester Township is located in the Rural Resource Area. This area should consist of “open land with a traditional rural appearance that includes farms, small woodlands, some low density residential homes, and rural villages.” One of the primary uses for this area is “low-density residential development that is clustered or has a rural character.” Though these homes are not in a cluster subdivision, the large lots will maintain the rural character.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant’s proposal. However, we provide the following feedback, which we feel will help create a more attractive and sustainable development:

REVIEW COMMENTS

OLD PLAN

- A. Conservation Subdivision - The sketch plan that preceded this version of the proposal showed a conservation subdivision that preserved the existing home and over 300,000 square feet of contiguous woodlands. The new plan has abandoned this concept for a traditional large-lot subdivision. The township should discuss the reasoning for this change with the applicant. The conservation subdivision would be a more sustainable option.

STREETS

- A. Cartway Width - The cartway width appears to be 28 feet. For a rural area a road that serves large-lot subdivisions such as these does not need to be wide enough to accommodate on-street parking. A 20- foot wide cartway would be sufficient to accommodate two-way traffic in this situation. The benefits of a narrower cartway include reduced impervious surface and improved safety due to the traffic calming effect.

CONCLUSION

We wish to reiterate that MCPC generally supports the applicant’s land development proposal, but we believe that our suggestions will create a more attractive and sustainable development. We prefer the conservation subdivision option that we originally reviewed because we felt that it did a great job of creating an attractive and more sustainable development.

Mr. Tommy Ryan

- 3 -

November 7, 2016

Please note that the review comments and recommendations 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,



Brandon Rudd, Senior Planner
610-278-3748 - brudd@montcopa.org

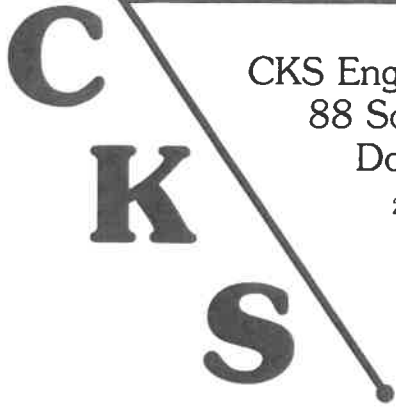
c: Pat Sparango c/o Sparango Construction Co., Applicant
Joseph Estock, PE, PLS, Applicant's Representative
Gordon Todd, Chairman, Township Planning Commission

Attachments: Aerial Map



2044 Berks Road
MCPC #160124001

Montgomery
County
Planning
Commission
Montgomery County Corridor - Planning Commission
PO Box 311 • Norcross, PA 19104-0311
© 610.276.3722 • © 610.276.3911
www.montcopa.org/pla
Year 2015 aerial photography provided by 84
Sussex Valley Regional Planning Commission



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Joseph J. Nolan, P.E.
Thomas F. Zarko, P.E.
James F. Weiss
Patrick P. DiGangi, P.E.
Ruth Cunnane
Michele A. Fountain, P.E.

RECEIVED
APR 11 2018

April 9, 2018
Ref: #7460

Township of Worcester
1721 Valley Forge Road
P.O. Box 767
Worcester, PA 19490

Attention: Tommy Ryan, Township Manager

Reference: Whitehall Estates – 1600 Potshop Road
Final Subdivision and Land Development Plans

Dear Mr. Ryan:

CKS Engineers, Inc. is in receipt of a final plan submission for the Whitehall Estates Subdivision and Land Development at 1600 Potshop Road. The plans were prepared by Graf Engineering, LLC of Lansdale, Pennsylvania. The plan set consists of 49 sheets, dated December 3, 2015, with latest revisions dated March 29, 2018. Also included with the subdivision plans was a 4-sheet plan set entitled "Whitehall Estates Pumping Station" as prepared by Ebert Engineering, Inc., dated August 24, 2017, last revised March 8, 2018. The plans propose the development of 38 single-family detached lots, including 36 lots to be located on two new public roadways extending from Whitehall Road, one lot fronting on Whitehall Road and one large estate lot (Parcel B) on Potshop Road. A 39th lot (Parcel C) is a remnant of land located on the westerly side of Potshop Road and is proposed as a building lot, although it appears that no improvements are currently proposed on that lot at this time. The site currently contains three single-family homesteads, one of which is to be removed. The remaining two are included in the total 39 lots (Lot 1 and Lot 21). The site is located in the "AGR – Agricultural Zoning District" and is being developed as a Conservation Subdivision. CKS Engineers, Inc. has reviewed this final plan submission for conformance with the Code of the Township of Worcester. Based upon our review of these revised plans, we offer the following comments:

PRELIMINARY PLAN APPROVAL

1. This plan of subdivision and land development received Preliminary Plan approval from the Worcester Board of Supervisors by Resolution 2016-37, dated November 16, 2016. A copy of that Resolution is attached to this letter.

SUBDIVISION AND LAND DEVELOPMENT COMMENTS

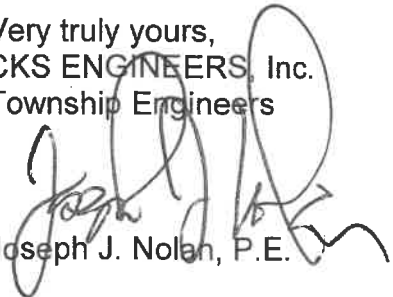
2. The following waiver requests have been noted on Record Plan Sheet 2. These seven (7) waivers were granted as part of the Preliminary Plan approval.
 - a. Waiver from Section 130-16.B.2.a of the requirement to provide a minimum centerline radius of 150 feet. The waiver is requested specifically for the proposed "bulbs" at the end of each proposed road in lieu of a traditional cul-de-sac.
 - b. Waiver from Sections 130-16.B.4.d and 130-16.E.7 of the requirement to provide a maximum street grade of 3% within 50 feet of an intersection to allow the main thoroughfare of the Road B intersection to be 4.82%.
 - c. Waiver from Section 130-16.C.1.a.4 regarding the minimum road width. A 26-foot cartway width is proposed.
 - d. Waiver from Section 130-17.B.2 of the requirement to provide a minimum of 40 feet between a driveway and the street intersection to allow 25 feet for proposed Lot 34.
 - e. Waiver from Section 130-24.B.3.j of the requirement to provide a minimum of 3 feet of cover over all storm sewer pipes for Storm Systems C3-C4, A9-A12, A9-A10 and A10-A11.
 - f. Waiver from Section 130-28.G.5 of the requirement to provide a softening buffer since significant existing vegetation exists along the perimeter of the site.
 - g. Waiver from Section 130-33.B.1 of the requirement to provide all existing features within 2,000 feet of the site.
3. One additional waiver request has been added to the Record Plan. This request is as follows:
 - a. Waiver from Section 130-18.A.1 of the requirement for the installation of sidewalks along all streets, except where, in the opinion of the Township Supervisors, they are necessary for the public safety and convenience.

This additional waiver request should be considered as part of the Final Plan approval process.
4. The applicant has received the following permits and approvals required in conjunction with this project.
 - a. DEP Planning Module approval, January 18, 2018
 - b. Montgomery County Conservation District approval, October 4, 2017

- c. DEP NPDES Permit – Stormwater Discharge, October 4, 2017
 - d. DEP Chapter 105 General Permit, May 17, 2017
 - e. PennDOT Permit, issued June 30, 2017.
 - f. North Penn Water Authority “Will Serve” letter, June 28, 2016.
5. A DEP Water Quality Management, Part 2 Permit will be required in conjunction with the wastewater pumping station proposed for this project. This permit application should be submitted to DEP.
 6. Notes 15 and 16 on Sheet 2 deal with the dedication of the roads and open space (Parcel A) to Worcester Township. Also, Note 20 proposes that all stormwater facilities are offered for dedication to Worcester Township. The Township needs to determine if the proposed dedications are acceptable. Parcel A contains three stormwater basins which would become the responsibility of the Township. The Township may wish to establish a maintenance fund for these facilities if the offer for dedication is accepted.
 7. The numbering of the plan sheets needs to be revised from Sheet 35 through 48 to reflect that there are 49 sheets in the plan set.
 8. A construction cost estimate of all proposed site improvements will be required to establish the construction escrow for this project. This will be required for inclusion in the Development Agreement with the Township.
 9. The applicant is reminded of Item 2.D of the Preliminary Plan Approval Resolution regarding the payment of Traffic Impact Fees.
 10. The two proposed roads are labeled Road A and Road B on the plans. Names for these roads should be selected and submitted to the Township for approval.

The above represents all of our comments on this Final Plan submission. Please contact me if you have any questions.

Very truly yours,
CKS ENGINEERS, Inc.
Township Engineers


Joseph J. Nolan, P.E.

JJN/kgc
Enclosure

cc: R.A. Graf, Graf Engineering, LLC
Whitehall Development Partners, LP, Attn: Brennan Marion
Robert L. Brant, Esquire, Township Solicitor
File

TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION 2016-37

A RESOLUTION TO GRANT PRELIMINARY APPROVAL OF
A PLAN OF SUBDIVISION AND LAND DEVELOPMENT FOR WHITEHALL ESTATES

WHEREAS, Whitehall Development Partners, LP ("Applicant") has submitted a Plan of Subdivision and Land Development to Worcester Township and has made application for Preliminary Plan Approval of the Plan known as Whitehall Estates. The Applicant is the owner in equity of three parcels totaling approximately 117.10 acres, situate between Whitehall Road and Potshop Road, in the AGR-Agricultural Zoning District, said parcels being Tax Parcel Nos. 67-00-04102-00-7, 67-00-02797-00-7 and 67-00-04099-00-1, as more fully described in Deeds recorded in the Montgomery County Recorder of Deeds Office; and,

WHEREAS, the Applicant proposes the development of a total of 39 lots. Proposed are 38 single-family detached lots, including 36 lots to build new single-family detached units, to be located on two new public roadways extending from Whitehall Road, one lot fronting on Whitehall Road (Parcel A) and one large estate lot (Parcel B) on Potshop Road. A 39th lot (Parcel C) is a remnant of land located on the westerly side of Potshop Road and is proposed as a future building lot; and

WHEREAS, the Plan received a recommendation for Preliminary Plan Approval by the Worcester Township Planning Commission at their meeting on November 10, 2016; and

WHEREAS, the Preliminary Plan of Subdivision and Land Development was prepared by Graf Engineering, LLC, sheets 1 to 41, inclusive, dated December 3, 2015 and last revised October 19, 2016, known as Whitehall Estates ("Preliminary Plan"); and

WHEREAS, the Preliminary Plan is now in a form suitable for Preliminary Plan Approval by the Worcester Township Board of Supervisors, subject to certain conditions.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING,

IT IS HEREBY RESOLVED by the Board of Supervisors of Worcester Township, as follows:

1. Approval of Plan. The Preliminary Plan proposed by Graf Engineering, LLC as described above is hereby granted Preliminary Approval, subject to the conditions set forth below.
2. Conditions of Approval. The approval of the Preliminary Plan is subject to strict compliance with the following conditions:
 - A. Compliance with all comments and conditions set forth in the CKS Engineers, Inc. letter of October 12, 2016, relative to the Planning Module.
 - B. Compliance with all comments and conditions set forth in the CKS Engineers, Inc. letter of November 7, 2016, relative to the Plan.
 - C. Compliance with all comments and conditions set forth in the Montgomery County Planning Commission review letter of January 8, 2016.
 - D. Payment to the Township of a Traffic Impact Fee, in the total amount of \$125,000, which shall be paid on a per lot basis and at the time of submission of a building permit application for each of the dwellings to be built on 37 lots, in the amount of \$3,378.37 per lot.
 - E. The approval and/or receipt of permits required from any and all outside agencies, including but not limited to, Montgomery County Conservation District, Pennsylvania Department of Environmental Protection, Pennsylvania Department of Transportation, and all other authorities, agencies, municipalities, and duly constituted public authorities having jurisdiction in any way over the development.
 - F. Prior to recording the Final Plan, Applicant shall enter into a Land Development and Financial Security Agreement ("Agreement") with the Township. The Agreement shall be in a form satisfactory to the Township Solicitor, and the Applicant shall obligate itself to complete all of the improvements shown on the Plans in accordance with applicable Township criteria and specifications, as well as to secure the completion of the public improvements by posting satisfactory financial security as required by the Pennsylvania Municipalities Planning Code.
 - G. Following approval of the Final Plan, the Applicant shall provide to the Township for signature that number of Final Plans required for recordation and filing with the various

Departments of Montgomery County, plus an additional three (3) Plans to be retained by the Township, and the Applicant shall have all Plans recorded, and the Applicant return the three (3) Plans to the Township within seven (7) days of Plan recordation.

- H. The Applicant shall provide a copy of the recorded Final Plan in an electronic format acceptable to the Township Engineer, within seven (7) days of Plan recordation.
 - I. The Applicant shall make payment of all outstanding review fees and other charges due to the Township prior to Final Plan recordation.
 - J. The Development shall be constructed in strict accordance with the content of the Final Plan, notes on the Plan and the terms and conditions of this Resolution and the Resolution of Final Plan Approval.
 - K. The cost of accomplishing, satisfying and meeting all of the terms and conditions and requirements of the Plans, notes to the Plans, this Resolution, the Final Approval Resolution, and any required agreements shall be borne entirely by the Applicant, and shall be at no cost to the Township.
 - L. Applicant shall provide the Township Manager and the Township Engineer with at least seventy-two (72) hour notice prior to the initiation of any grading or ground clearing, whether for the construction of public improvements or in connection with any portion of the Development.
 - M. Applicant understands that it will not be granted Township building or grading permits until the Final Plan, financial security, and all appropriate development and financial security agreements, easements, and other required legal documents are approved by the Township and recorded with the Montgomery County Recorder of Deeds and all appropriate approvals and/or permits from Township or other agencies for the above mentioned project are received. Any work performed on this project without the proper permits, approvals, and agreements in place will be stopped.
3. Waivers. Unless stated otherwise in this Resolution, this Preliminary Plan Approval shall not constitute the granting of any additional waivers or deferrals except as set forth herein. All additional requested waivers and deferrals will be considered at the time of Final Plan Approval. If the Final Plan is not

compliant with the Zoning or Subdivision and Land Development Ordinance of the Township, then this approval does not grant permission for said noncompliance because at the time of Final Plan Approval, the Township will either permit the noncompliance by additional waivers or will deny the additional waiver request and, possibly, deny the Final Plan.

The Worcester Township Board of Supervisors hereby grants the following waivers requested with respect to this Plan:

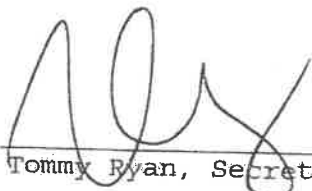
- A. § 130-16.B.2.a of the Worcester Township Subdivision and Land Development Ordinance - minimum centerline radius of 150 feet;
 - B. § 130-16.B.4.d and Section 130-16.E.7 of the Worcester Township Subdivision and Land Development Ordinance - maximum street grade of three percent within 50 feet of an intersection to a main thoroughfare, at Road B;
 - C. § 130-16.C.1.a.4 of the Worcester Township Subdivision and Land Development Ordinance - minimum roadway width;
 - D. § 130-17.B.2. of the Worcester Township Subdivision and Land Development Ordinance - minimum 40 feet between a driveway and a street intersection, at Lot 34;
 - E. § 130-24.B.3.j of the Worcester Township Subdivision and Land Development Ordinance - minimum three feet of cover for storm sewer pipes, at Storm Systems C3-C4, A9-A12, A9-A10 and A10-A11;
 - F. § 130-28.G.5 of the Worcester Township Subdivision and Land Development Ordinance - minimum softening buffers along the property boundary; and,
 - G. § 130-33.B.1 of the Worcester Township Subdivision and Land Development Ordinance - show all features within 2,000 feet of the property boundary.
4. Acceptance. The Conditions of Approval set forth in paragraph 2 above shall be accepted by the Applicant, in writing, within ten (10) days from the date of receipt of this Resolution.
 5. Effective Date. This Resolution shall become effective on the date upon which the Conditions are accepted by the Applicant in writing.

BE IT FURTHER RESOLVED that the Plan shall be considered to have received Preliminary Plan Approval once staff appointed by the Worcester Township Board of Supervisors determines that any and all conditions attached to said approval have been resolved to the satisfaction of Township staff. This approval DOES NOT represent nor constitute Final Plan Approval. Any changes to the approved site Plan will require the submission of an amended site Plan for land development review by all Township review parties.

RESOLVED and ENACTED this 16th day of November, 2016 by the Worcester Township Board of Supervisors.

FOR WORCESTER TOWNSHIP

By: 
Susan G. Caughlan, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

ACCEPTANCE

The undersigned states that he/she is authorized to execute this Acceptance on behalf of the Applicant and equitable owner of the property which is the subject matter of this Resolution; that he/she has reviewed the Conditions imposed by the Board of Supervisors in the foregoing Resolution and that he/she accepts the Conditions on behalf of the Applicant and the equitable owner and agrees to be bound thereto. This Acceptance is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsifications to authorities.

WHITEHALL DEVELOPMENT PARTNERS, LP

Date: _____

By: _____

(PRINT NAME AND TITLE)

TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2018-276

AN ORDINANCE AMENDING THE TOWNSHIP CODE OF WORCESTER
TOWNSHIP, CHAPTER 150, ZONING, ARTICLE III,
DEFINITIONS, ARTICLE XXI, SIGNS, AND ARTICLE XXIV,
GENERAL REGULATIONS

WHEREAS, the Board of Supervisors of Worcester Township desires to amend the Township Code to permit and regulate certain signage in such a manner as to protect and promote the health, safety and general welfare of the community and to adhere to constitutional requirements for signage.

NOW, THEREFORE, the Board of Supervisors hereby ordains and enacts as follows:

SECTION I - The Code of the Township of Worcester, Chapter 150, Zoning, Article III, Terminology, Section 150-9, Definitions, Sign, subparagraph F. Temporary Sign, is hereby amended to read as follows,

- F. "Temporary Sign - A sign erected for a limited period of time for the purpose of advertising a product, occurrence, event or other message. Such sign must be otherwise permitted in the district and must conform to all size, height, location, and time period restrictions in this Chapter."

SECTION II - The Code of the Township of Worcester, Chapter 150, Zoning, Article XXI, Signs, Section 150-147.B., paragraph (5) is deleted in its entirety and replaced with the following amendment:

(5) Temporary signs as follows:

- (a) Temporary signs may be displayed up to a maximum of thirty (30) consecutive days. Such signs shall not be illuminated in any manner. Upon the conclusion of the thirty (30) day period, the temporary sign will be removed immediately.
- (b) All properties, residential and non-residential, shall be permitted to display temporary signage subject to the limits set forth below.

(c) Unless otherwise stated, the requirements listed below shall apply to commercial and non-commercial temporary signs.

(i) Non-Residential Properties:

((1)) Area:

a. Unless otherwise stated, each property shall be limited to a maximum of thirty-five (35) square feet of signage, the total of which can be comprised of more than one (1) sign.

((2)) Height:

a. Temporary signs that are freestanding shall have a maximum height of eight (8) feet.

(ii) Residential Properties:

((1)) Area:

a. Unless otherwise stated, each property shall be limited to a maximum of sixteen (16) square feet of signage, the total of which can be comprised of more than one (1) sign.

((2)) Height:

a. Temporary signs that are freestanding shall have a maximum height of eight (8) feet.

SECTION III. The following paragraphs shall be added to the Code of the Township of Worcester, Chapter 150, Zoning, Article XXI, Signs, Section 150-147.B.:

(7) Removal of Signs: Should any sign be determined to be in violation of this Chapter, written notice shall be given to the property owner to remove the sign. If after two days from such written notice the sign or

signs have not been removed, Worcester Township may remove signs installed in violation of this Chapter. No written notice shall be required if, in the sole discretion of the Township, a sign is deemed to constitute an immediate threat to the health, safety and/or welfare of the general public, in which instance the sign may be removed by the Township.

- (8) Municipal Notification: Temporary signs are exempt from the standard permit requirements but the date of erection of a temporary sign must be written in indelible ink on the lower right-hand corner of the sign.
- (9) Installation and Maintenance.
 - (a) All temporary signs must be installed such that in the opinion of Worcester Township's building official, they do not create a safety hazard.
 - (b) All temporary signs must be made of durable materials and shall be well-maintained.
 - (c) Temporary signs that are frayed, torn, broken, or that are no longer legible will be deemed unmaintained and required to be removed.
- (10) Illumination: Illumination of any temporary sign is prohibited.

SECTION IV. The Code of the Township of Worcester, Chapter 150, Zoning, Article XXI, Signs, Section 150-148 is hereby deleted in its entirety and replaced with the following:

§150-148. Signs permitted in residential and agricultural districts.

In residential and agricultural districts, signs may be erected and maintained only in compliance with the following provisions:

- A. Signs incident to a lawful use of the property. Such signs shall not exceed 2.083 square feet, or three hundred (300) square inches, in area. Not more than one (1) such sign shall be placed upon any property in single and separate ownership.

B. Neighborhood identification signs. In a residential development having at least fifteen (15) dwelling units and more than one (1) internal street or road, the following is allowed:

- (1) One (1) sign shall be permitted at one (1) entrance to the neighborhood. The sign shall contain no wording, logo, or information other than the name of the neighborhood (as approved by the Board of Supervisors as part of the subdivision and land development plan or otherwise) and the words "Worcester Township", which shall be in a typeface no less than half (1/2) the size of the name of the neighborhood. The sign may be double-faced, either parallel or attached at one (1) edge and with an angle of no more than forty-five degrees (45°), in which case the two (2) faces shall be identical.
- (2) The total area of the sign, or of each face of a double-faced sign, shall not exceed fifteen (15) square feet. If the sign is mounted on a monument, the area of the monument shall not exceed one and one half (1.5) times the area of the sign, and in no case shall either the monument or the sign exceed four feet in height.
- (3) The sign shall be erected only on property owned in common by the homeowners' association or other entity designated to own commonly held property in the development. If there is no commonly owned property at the entrance to the development, no sign shall be permitted. Notwithstanding the foregoing, if the development has open space near the entrance which has been dedicated to the Township, a neighborhood sign may be permitted after the Board of Supervisors has approved an agreement providing for the maintenance of the sign and the area immediately surrounding the sign.
- (4) A neighborhood identification sign shall be constructed of stone, brick, wood, or other durable material and shall be maintained in good condition at all times. Placement and maintenance of the sign shall be the responsibility of the homeowners' association or other entity

designated to own commonly held property in the development.

- (5) The depiction of any neighborhood identification sign on the subdivision or land development plans approved by the Township shall not constitute permission to erect such sign. No neighborhood identification sign is permitted to be erected until a permit is obtained from the Township and the fee is paid.
- (6) Any fence, wall, gate, or other decorative structural element in conjunction with the neighborhood identification sign shall be in conformance with other sections of this Code.
- (7) A neighborhood identification sign shall not be illuminated in any manner, nor shall it use reflective materials of any kind.

C. No sign shall exceed eight (8) feet in height.

D. No billboards are permitted except as provided in Article XXIA of this Chapter.

SECTION V. The Code of the Township of Worcester, Chapter 150, Zoning, Article XXI, Signs, Section 150-150, paragraph E is deleted in its entirety. Section F, Interior signs, will be renumbered Section E.

SECTION VI. The Code of the Township of Worcester, Chapter 150, Zoning, Article XXI, Signs, Section 150-150.1. Paragraph A(1)(a) is hereby deleted in its entirety and replaced with the following amendment:

- (a) The area of the sign shall not exceed 2.083 square feet, or 300 square inches. The sign shall be no higher than four feet, measured from the ground at the base of the sign to the top of the highest element of the sign, including the mounting post and illumination, if any.

SECTION VII. The Code of the Township of Worcester, Chapter 150, Zoning, Article XXI, General Regulations, Section 150-194.1. Paragraph D is hereby deleted in its entirety and replaced with the following amendment:

- D. Any such display shall not create a hazard for passing motorists by obstructing required views or causing a distraction. Signs for such displays shall be in accordance with Chapter 150, Zoning, Article III, Terminology, and Article XXI, Signs.

SECTION VIII. - General Provisions.

1. All other terms and provisions of Chapter 150, Zoning, Article III, Definitions, and Article XXI, Signs, of the Worcester Township Code shall remain in full force and effect.

2. The proper officers of the Township are hereby authorized and directed to do all matters and things required to be done by the Acts of Assembly and by this Ordinance for the purpose of carrying out the purposes hereof.

3. In the event that any section, subsection or portion of this Ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this Ordinance. The invalidity of section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts. It is hereby declared to be the intention of the Township that this Ordinance would have been adopted had such invalid section, clause, sentence, or provision not been included therein.

4. To the extent this Ordinance is inconsistent with the Code of Worcester Township, the provisions of this Ordinance shall take precedence. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

5. The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

6. This Ordinance shall immediately take effect and be in force from and after its approval.

ENACTED AND ORDAINED by the Supervisors of the Township of Worcester, Montgomery County, Pennsylvania on this 16th day of May, 2018.

WORCESTER TOWNSHIP

By: _____
Rick DeLello, Chairman
Board of Supervisors

Attest: _____
Tommy Ryan, Secretary

DRAFT

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE 2018-277

**AN ORDINANCE AMENDING VARIOUS
PROVISIONS OF THE TOWNSHIP CODE**

WHEREAS, from time to time, corrections and other revisions are required to be made to Township Code of Worcester Township; and,

WHEREAS, the Commonwealth of Pennsylvania mandates that municipalities have published in a newspaper of general circulation all proposed ordinances that make such corrections and revisions, at a great expense to municipalities; and,

WHEREAS, Worcester Township consolidates such corrections and revisions into one proposed ordinance, in lieu of individual ordinances, so to minimize the expense incurred by the taxpayers in meeting this unfunded advertisement mandate;

NOW, THEREFORE, the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania hereby ordains and enacts as follows:

SECTION I

1. Chapter 113, Peddling and Solicitations, Section §113-A shall be revised to include new subsection (8), which shall read as follows:

The applicant shall provide a criminal history record report from the Pennsylvania State Police, or from another law enforcement agency approved by the Township, and such report shall be dated no later than seven (7) days from the date the application to obtain a license is submitted to the Township.

2. Chapter 130, Subdivision & Land Development, Attachment 5, shall be revised so to correct the spelling of "Germantown Pike".
3. Chapter 150, Zoning, Section §9, the definition of Residential Life-Care Facility shall be deleted in its entirety, and replaced as follows:

A residential development that is restricted to persons age 65 and greater, or in the case of a couple where at least one of the persons is age 65 and greater, and that provides a complete and uninterrupted continuum of accommodations and care, from independent living units to personal care units to nursing homes, and where every resident possesses the right to move from one housing type to another housing type in order to "age in place", and to receive the medical and other care needed to properly meet that resident's physical, psychological or other requirements. An "independent living unit" is a dwelling unit located within a residential life care facility. All units and facilities in the residential development shall give priority to those residents of the residential development as to levels of care. A residential life care facility includes a continuing care facility as defined and regulated by the Continuing Care Provider

Registration and Disclosure Act and regulations set forth in the Pennsylvania Code. A nursing home is defined and regulated by the Nursing Home Administrators License Act.

4. Chapter 150, Zoning, Section §150-11.D(7) shall be deleted in its entirety, and replaced as follows:

A residential life-care facility, provided that the use is located on a lot one hundred (100) acres or larger, building coverage does not exceed 15% of the net lot area and impervious coverage does not exceed 40% of the net lot area.

5. Chapter 150, Zoning, Section §150-13.A(2)(b) shall be deleted in its entirety.
6. Chapter 150, Zoning, Section §150-21.B(2) shall be deleted in its entirety.
7. Chapter 150, Zoning, Section §150-29.B(2) shall be deleted in its entirety.
8. Chapter 150, Zoning, Section §150-27.D shall be revised to require a minimum 100-acre lot size for a residential life-care facility.
9. Chapter 150, Zoning, Section §150-37.B(2) shall be deleted in its entirety.
10. Chapter 150, Zoning, Section §150-53.B(2) shall be deleted in its entirety.
11. Chapter 150, Zoning, Section §150-54.B(1) shall be deleted in its entirety, and replaced as follows:

Twenty-five percent shall be the maximum total impervious coverage on a lot.
12. Chapter 150, Zoning, Section §150-69.B(2) shall be deleted in its entirety.
13. Chapter 150, Zoning, Section §150-77.B(2) shall be deleted in its entirety.
14. Chapter 150, Zoning, Section §150-93.B(2) shall be deleted in its entirety.
15. Chapter 150, Zoning, Section §150-107.G shall be deleted in its entirety, and replaced as follows:

A residential life-care facility, provided that the use is located on a lot one hundred (100) acres or larger, building coverage does not exceed 15% of the net lot area and impervious coverage does not exceed 40% of the net lot area.
16. Chapter 150, Zoning, Section §150-112.I(11) shall be deleted in its entirety, and replaced as follows:

Nursing homes, personal care facilities and residential life-care facilities, provided that a residential life-care facility is located on a lot one hundred (100) acres or larger.
17. Chapter 150, Zoning, Section §150-113.A shall be deleted in its entirety, and replaced as follows:

Minimum lot area. Twenty-five thousand square feet shall be the minimum lot area that shall be provided for every building and use, except a residential life-care facility, which shall be located on a lot one hundred (100) acres or larger.

18. Chapter 150, Zoning, Section §150-135.C(5) shall be deleted in its entirety.
19. Chapter 150, Zoning, Section §150-177.A(1) shall be deleted in its entirety, and replaced as follows:

In the AGR, R-175, and R-AG-175 districts, structures accessory to single-family residential uses, except those regulated in Subsection A(2) through (9) below, shall be located in the rear yard or side yard only, and no closer than 15 feet to a property line. In all other districts, structures accessory to single-family residential uses, except those regulated in Subsection A(2) through (9) below, shall be located in the rear yard or side yard only and within the building envelope, except that where the required rear yard setback is greater than 10 feet, said accessory structures may be erected in the rear yard not closer than 10 feet to the rear property line. Unless otherwise permitted below accessory structures in any zoning district shall not be higher than 15 feet.

20. Chapter 150, Zoning, Section §150-181.C shall be deleted in its entirety, and replaced as follows:

Unroofed open terraces, decks and patios may project into a required side yard not more than ten (10) feet for single-family residential use only; and into a required rear yard not more than twenty (20) feet for single-family residential use only.

21. Chapter 150, Zoning, Section §150-182 shall be amended to include new subsection (K), which shall read as follows:

Driveway pillars. Each permitted driveway may possess two driveway pillars, one on each side of the driveway. Driveway pillars must be located outside the ultimate right-of-way, and shall provide a turning radius that allows access to emergency vehicles, as determined by the Township. Each driveway pillar shall not exceed five (5) feet in height and shall not exceed sixteen (16) square feet in area.

SECTION II

1. In the event that any section, subsection or portion of this Ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this Ordinance. The invalidity of section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts. It is hereby declared to be the intention of the Township that this Ordinance would have been adopted had such invalid section, clause, sentence, or provision not been included therein.
2. To the extent this Ordinance is inconsistent with the Code of Worcester Township, the provisions of this Ordinance shall take precedence. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

3. The failure of the Township to enforce any provision of this ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.
4. This Ordinance shall become effective immediately upon enactment.

ENACTED AND ORDAINED by the Supervisors of the Township of Worcester, Montgomery County, Pennsylvania on this 16th day of May, 2018.

FOR WORCESTER TOWNSHIP

By: _____
Richard DeLello, Chair
Board of Supervisors

Attest: _____
Tommy Ryan, Secretary

DRAFT