ORDINANCE NO. 2023-03

ORDINANCE OF THE TOWNSHIP OF LOWER SALFORD AUTHORIZING EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE TOWNSHIP AND VERIZON PENNSYLVANIA LLC

WHEREAS, the Franchisee is a "cable operator" and the Township is a "local franchising authority" in accordance with Title VI of the Communications Act (see 47 U.S.C. § 522(5), (10)) and the Township is authorized to grant one or more nonexclusive cable franchises to operate a Cable System within the Township pursuant to Title VI of the Communications Act;

WHEREAS, the Township granted to the Franchisee, effective as of September 6, 2006, a nonexclusive initial Franchise to install, maintain, extend, and operate a Cable System in the Township for a term of twelve (12) years (the "Initial Franchise");

WHEREAS, the Franchisee has operated a Cable System in accordance with the Initial Franchise as of the Effective Date on its existing Telecommunications Facilities consisting of a Fiber to the Premises Telecommunications Network ("FTTP Network") in the Township which also transmits Non-Cable Services pursuant to authority granted by applicable state law and Title II of the Communications Act, and which are not subject to Title VI of the Communications Act or this Agreement;

WHEREAS, the Franchisee has requested that the Township renew the Franchisee's Franchise to provide Cable Service to residents of the Township;

WHEREAS, pursuant to and in accordance with applicable federal and state law, the Township undertook a process to determine whether it should renew the Initial Franchise and the terms for such a renewal;

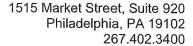
WHEREAS, the Township has examined the past performance of the Franchisee and has identified the Township's future cable-related needs and interests;

WHEREAS, following good faith negotiations between the parties, the Township and the Franchisee have agreed on the terms for a Franchise Renewal Agreement under which the Franchisee will continue to operate its Cable System in the Township; and

WHEREAS, the Township has determined that this Agreement and the process for consideration of this Agreement complies with all applicable federal, state and local laws and regulations.

NOW THEREFORE, BE IT OF Supervisors does hereby approve the cable Franchisee, including all of the terms and co	franchise agreen	nent negotiated with the
authorize the execution of such agreement.		uncrom, una doos nercey
ENACTED AND ORDAINED this	day of	2023

ENACTED AND ORDAINED this _	day of, 2023.
ATTEST:	TOWNSHIP OF LOWER SALFORD
Joseph S. Czajkowski, Secretary	Keith A. Bergman, Chairman Township Board of Supervisors





June 8, 2023 Via: FedEx – Priority

Lower Salford Township 379 Main Street Harleysville, PA 19438

Attention: Mike Beuke Phone: (215) 256-4869

Email: mbeuke@lowersalfordtownship.org

Re: Preliminary Land Development Submission

Proposed Development 355 Maple Avenue Lower Salford Township Montgomery County, PA PAC220039.00

Dear Mike:

With regard to the above referenced project, enclosed please find the following for your review and approval:

- Five (5) copies of the Traffic Evaluation prepared by Traffic Planning and Design, Inc, dated 6/8/2023.
- Five (5) copies of the Stormwater Management Conveyance Calculations dated 10/31/2022, last revised 2/16/2023.
- Five (5) copies of the Preliminary Land Development Plans dated 10/31/2022, last revised 6/8/2023.

Below please find an itemized response to the Preliminary/Final Land Development Review #2 received from McMahon Associates, Inc., dated March 30, 2023. Our responses are noted in **bold**.

General Items

The applicant's engineer must put together a letter with the land development package, etc. that provides
a response on how each comment has been addressed, and where each can be located in the submission.
For ease of reference, please refer to the overall Drawing/Page Number for any comment that addresses
a modification to the land development plan set or to the section of the traffic impact assessment, if
applicable.

Response: Acknowledged.

Land Development Plans

1. Please provide information on how the building will be used and/or subdivided to serve multiple tenants consistent with the uses within the Administrative Office Zoning District as no details are provided on the plans in accordance with Section 142-15.B.(11) of the SALDO. This information is necessary to determine if the building has been subdivided in accordance with the zoning requirements, adequate parking is provided, and/or a traffic impact study is required for the redevelopment of the site in accordance with Section 142-137 of the SALDO. Please also refer to Section 142-50.B(8) of the SALDO regarding existing buildings within non-residential districts.

According to the 355 Maple Avenue – Traffic Evaluation, the existing 119,592 square-foot building, which was previously utilized by a single office tenant, will be renovated to provide 59,800 square feet of manufacturing space, 29,300 square feet of warehouse space, and 35,892 square feet of general office space. However, the Parking Requirements table provided on Sheet 5 of 20 is based on a gross floor area

of 248,890 square feet, which is twice the size of the existing and proposed building space within the traffic evaluation. The plans must provide parking calculations based upon the three proposed uses that demonstrate that the singular office requirements are greater than the three proposed uses for the building.

Response: The revised traffic evaluation now notes that the building will be split up into 158,939 sf of office, 27,656 sf of manufacturing, and 27,656 sf of warehousing. The updated parking calculation on Sheet 5 now reflects the proposed building uses for the site.

 As previously requested, provide all dimensions, labels, etc. required for preliminary plans according to Section 142-15 of the SALDO are provided for all existing, including the existing surrounding streets (Legal Right-of-Way, Ultimate Right-of-Way, cartway widths, driveway widths, radius, etc.). Dedication of the Ultimate Right-of-Way based upon the Township requirements in Figure 4.1 of the SALDO may then be required.

Response: Acknowledged. Dimensions, labels, and other plan components required for preliminary plans have been added to the plan set.

3. A general note stating that truck vehicles accessing the site will utilize the Oak Drive access to and from the SR 0113/Oak Drive signalized intersection should be added to the Record Plan.

Response: A note has been added to the site plan stating that all trucks must utilize the Oak Drive access. See Note 3 on Sheet 5.

4. Provide painted median striping (i.e. 24" transverse yellow markings with 4" DY) in the area that the concrete is being removed in the full movement access to Oak Drive.

Response: Striping provided at the access to Oak Drive is shown on the site plan. See Sheet 5.

- 5. Our office received a trail sketch plan on March 29, 2023. We offer the following comments based on the initial review of plan below, which include, but are not limited to:
 - A. Trail geometry (including longitudinal grades) should be provided on a construction plan in accordance with Township and AASHTO Guide for the Development of Bicycle Facilities, 2012, Fourth Edition requirements. Should these requirements not be met, advance warning signage may be required.

Response: Acknowledged. Trail updates are to be provided as part of a separate submission to the township at a later date. Owner, owner's consultants, and township staff surveyed the property on May 24th, 2023. As discussed, the results of the survey will be plotted on a plan as part of a separate plan and send to the Lower Salford Trail Committee & Township Staff for further discussion.

B. Revise the trail location at the existing right-in/right-out access to be closer to Oak Drive at the driveway (in front of stopped exiting vehicles) and modify the existing landscaped island to accommodate the trail crossing.

Response: Acknowledged. Trail updates are to be provided as part of a separate submission to the township at a later date.

C. Relocate the mid-block crossing location to be within the curb return of the site access and the curb of the existing access on the opposite side of Oak Drive. Avoid interference with existing utility poke and embankment.

Response: Acknowledged. Trail updates are to be provided as part of a separate submission to the township at a later date.

D. Provide ADA compliant ramps for the mid-block Oak Drive crossing (both sides) including a tie-in with the existing trail.

Response: Acknowledged. Trail updates are to be provided as part of a separate submission to the township at a later date.

E. Revise the proposed pedestrian crossing and ADA ramp at the Oak Drive/Maple Ave intersection to provide a separate receiving ramp and crossing on Oak Drive. The crossing will likely require the existing stop bar to be shifted back to accommodate the signed pedestrian crossing. It is unclear if Township R/W is available on the corner of Oak Drive and Maple Ave. The plans should clearly show the existing sidewalk, curb, and drainage features (i.e. inlet) at this location.

Response: Acknowledged. Trail updates are to be provided as part of a separate submission to the township at a later date.

F. All curb ramps and pedestrian routes are to be constructed in accordance with the current Federal and PennDOT ADA standards. McMahon will not review any ramps internal to the site.

Response: Acknowledged. Trail updates are to be provided as part of a separate submission to the township at a later date.

G. Provide ADA Design forms (i.e. CS-4401) for all ramps located within the Township Right-of-Way for review.

Response: Acknowledged. Trail updates are to be provided as part of a separate submission to the township at a later date.

H. Add a detail and typical section for the proposed trail pavement section to the plans.

Response: Acknowledged. Trail updates are to be provided as part of a separate submission to the township at a later date.

I. While it is understood that the proposed trail is to be constructed of asphalt, the proposed ADA ramps must be constructed with concrete, in accordance with the latest PennDOT RC standards.

Response: Acknowledged. Trail updates are to be provided as part of a separate submission to the township at a later date.

J. Provide a memorandum in accordance with MUTCD 2009 Chapter 3.18 and PennDOT Publication 46, Chapter 11.0 pages 1-25 that includes a complete evaluation for the Oak Drive pedestrian crossing. This memorandum can reference information shown on the plans, and should highlight that the minimum requirements of the publications are met, including vehicle speeds, sight distance measurements, etc.

Response: Acknowledged. Trail updates are to be provided as part of a separate submission to the township at a later date.

K. Provide signage for the mid-block crossing, including "Pedestrian" (W11-2) and "Downward Directional Arrow" plaques (W16-17P) in both directions of travel.

Response: Acknowledged. Trail updates are to be provided as part of a separate submission to the township at a later date.

L. Provide pavement markings and labels for the proposed crosswalk striping (i.e. 24" white continental markings for mid-block, 6" white lines for intersection crosswalk).

Response: Acknowledged. Trail updates are to be provided as part of a separate submission to the township at a later date.

M. Provide a Township Trail Easement for the areas of the proposed trail that extend beyond the Township Legal Right of Way.

Response: Acknowledged. Trail updates are to be provided as part of a separate submission to the township at a later date.

N. Provide a note indicating that the proposed trail will be maintained and cleared during the winter by the property owner since it is serving as a sidewalk connection for public use.

Response: Acknowledged. Trail updates are to be provided as part of a separate submission to the township at a later date.

McMahon notes the following regarding the traffic-related waivers requested in the letter. Please note the numbers correspond to the numbers utilized in the waiver request letter.

1. A waiver from SALDO Section 142-18.F to allow the submission of Preliminary/Final Land Development Plans in lieu of separate Preliminary and Final Plan Submissions. Due to the complexity of the project, it is not anticipated that the proposed use will require a separate review of preliminary and final plans.

McMahon Response: McMahon does not object to the granting of this waiver.

Bohler Response: Acknowledged.

2. A partial waiver from SALDO Section 142-41 is requested yet recognizes its part in the pedestrian connectivity plan for the Township. A waiver is requested for curbs, sidewalks and stormwater along all the frontages and proposes evaluating macadam trail connection points (with no curb and stormwater) along portions of Maple and Oak which the timing could be deferred to overlap with other sidewalk/trail improvements. This will provide the most meaningful contribution in addition to the existing trail system on the property.

McMahon Response: As indicated in Comment #5 above, additional information regarding the proposed trail is needed. This portion of the trail is recommended to be constructed as part of the project and not deferred to overlap with other sidewalk/trail improvements.

Bohler Response: Acknowledged. Trail updates are to be provided as part of a separate submission to the township at a later date.

Transportation Impact Fee Assessment

In accordance with the Lower Salford Township Impact Fee Ordinance, the new weekday afternoon peak hour trip generation associated with the redevelopment and change in use for the subject parcel is subject to the Township's Transportation Impact Fee, since it is located in the Transportation Service Area. This area has an impact fee of \$2,948 per new weekday afternoon peak hour trip. There is a revision that is needed for the 355 Maple Avenue – Traffic Evaluation before a determination on the impact fee can be made. This revision must be addressed, prior to recording the plans, so that a determination can be made regarding the amount of any required traffic impact fee, which shall be paid, if any, prior to the issuance of a building permit.

Response: Noted.

Below please find an itemized response to the Preliminary/Final Land Development, Second Review received from CKS Engineers, dated March 31, 2023. Our responses are noted in **bold**.

I. ZONING ISSUES

The following comments are based upon the provisions of the Lower Salford Township Zoning Ordinance:

- 1. Sheet 5 (C-301) notes an "office" use for the site. The plan should be revised to state the specific uses planned for the development. We note that the Preliminary Traffic Evaluation from TPD shows the following uses:
 - a. 59,800 s.f. of Manufacturing -"Assembly and Light Manufacturing" is permitted by-right in the AO Zoning District. (164-62.2.H and 164-5)
 - b. 23,900 s.f. of Warehousing- Warehousing is only permitted in the AO Zoning District as an accessory use to Assembly and Light Manufacturing, Life Sciences, Technology and Engineering, and Microbrewery uses. (164-62.4.H)
 - c. 35,892 s.f. of Office-We note that offices for administrative, executive and/or professional purposes are permitted by-right in the AO Zoning District. (164-62.2.A)

Response: The revised traffic evaluation now notes that the building will be split up into 158,939 sf of office, 27,656 sf of manufacturing, and 27,656 sf of warehouse. The uses proposed on Sheet 5 have been updated to reflect the traffic letter.

Warehousing uses may not comprise more than 30% of the total square footage of the primary use. The
applicant must clarify the intended primary use of the facility. If areas in the TPD traffic evaluation are
used, the area dedicated to warehousing will be approximately 40% of the manufacturing use area. (16462.4.H.2)

Response: The revised traffic evaluation now notes that the building will be split up into 158,939 sf of office, 27,656 sf of manufacturing, and 27,656 sf of warehousing. With the updated building split, the project complies since the warehousing area now only makes up 17% of the building's primary use (office).

3. The required building setback line shown from the Main Street ultimate right-of-way should be revised to 200 feet.

Response: Building setback line from the Main Street right-of-way has been updated to be 200 feet.

II. SUBDIVISION AND LAND DEVELOPMENT ISSUES

The following comments are based upon the requirements of the Lower Salford Township Subdivision and Land Development Ordinance:

 We note that the property owner listed on the plans does not match the party listed in the submitted deed, Instrument No 2022101314. (142-15.B.2)

Response: Noted. The property owner on the plans has been revised to match the owner listed in the submitted deed.

2. The land uses of immediately adjacent lands must be listed on the Site Plan. While adjacent property owners were added to Sheet 4 (C-300), some appear to be inconsistent with Montgomery County parcel records. (142-15.B.10)

Response: Land uses for the adjacent properties have been added to Sheet 4. The landowners of these properties have been updated to match the Montgomery County parcel records.

3. The rights-of-way and cartway widths of all streets bordering the parcel must be listed on the plans, including the narrower width along Oak Drive. (142-15.C.1 and 142.29.E)

Response: The rights-of-way and cartway width of all bordering streets are listed on the plans. See Sheet 4.

It appears that the existing 15-inch RCP flows under the existing building. The outlet of the existing 15-inch diameter pipe must be shown on the Existing Features Plan and Utility Plan. (142-15.C.4 and 1422-15.D.2.c)

Response: The existing 15-inch RCP flows under the existing building into a manhole in the existing courtyard area of the building. The full length of the pipe is shown on the existing features and utility plans (sheets 3 and 9). This pipe is a part of a series of stormwater pipes that outfalls into a detention basin in the eastern corner of the property.

5. The plans should show the existing sanitary lateral and water service to the building. (142-15.C.15.9)

Response: The existing sanitary sewer lateral that connects from the building to the sewer main in Maple Ave is now shown on the plans. The water service building connection and water meter is also now shown on the plans. See Sheets 3 and 4.

6. The street tie-in to the nearest intersection must be shown on Sheets 3 through 5. (142-15.D.1.a.7)

Response: The street tie-in to the intersection of Harleysville Pike and Oak Drive is now shown on Sheets 3 through 5.

7. Signature certification blocks on Sheet 1 (C-101) shall be to the satisfaction of the Township Solicitor. (142-17.C)

Response: Acknowledged.

8. It can't be determined if an accessible parking space is being removed with this development. Any accessible space that is removed should be replaced and shown on the plans. We recommend one vanaccessible space be provided in the 16-space lot by the truck entrance. (142-35.A.5.b)

Response: There are no existing ADA spaces in the parking area to be disturbed. The plans have been updated to add one van accessible ADA parking space in the lot near the truck entrance.

9. Truck turning templates are now provided on the plans. Based upon the submitted templates, we recommend signage be posted indicating "No Trucks Over 40 Feet in Length" for the section of driveway east of the four berth loading area. We defer to the Township Traffic Engineer for further evaluation. (142-35.B.2)

Response: The site plan has been revised to include a "No tractor trailer trucks over 40 feet" sign in the area east of the four berth loading area. See Sheet 5.

- 10. A mature tree can only be considered preserved only if it meets the following criteria: (142-42.B(1)(c)
 - a. The outermost branches are at least 5 feet from buildings, paving, structures, parking, utilities, and proposed changes in grade or drainage such as excavations, mounding or impoundments.

Response: Acknowledged.

b. The trunks are at least 20 feet from any proposed buildings, structures, paving, parking, utilities, and proposed changes in grade or drainage such as excavations, mounding or impoundments.

Response: Acknowledged.

Per the above, the 16 inch oak tree west of the driveway to be eliminated should not be considered as preserved. Replacement tree calculations shall be revised within the Compliance Chart on Sheet 17 (C-703) and additional trees provided. (142-42.C)

Response: The existing tree in question is now shown as to be removed on the Demo Plan. The replacement tree calculations have been revised, and additional replacement trees provided, on the Landscape Plan accordingly. See Sheets 3 and 17.

- 11. The following waivers from the Lower Salford Township Subdivision and Land Development Ordinance are listed on Sheet 1 (C-101) and within a Waiver Request letter dated March 9, 2023 (142-15.B.20 & 142-27):
 - a. Section 142-18.F, to allow submission of a concurrent preliminary/final plan

The applicant states due to the complexity of the project, it is not anticipated that the proposed use will require separate review of preliminary and final plans.

Response: Acknowledged.

b. Section 142-41, which requires the installation of sidewalks, curbs, and storm sewers along all existing public streets. The applicant requests a partial waiver. No new curb or storm sewer is proposed within the right-of-way. A bituminous trail is proposed from the driveway along Maple Avenue to the western driveway on Oak Drive.

We note a trail plan exhibit was submitted by the applicant's attorney. A blanket easement over the new trail should be supplied for the trail outside the right-of-way.

Response: Acknowledged.

 LSTES Section 107.2.D which requires storm water piping to be a minimum diameter of 18 inches.

None of the proposed stormwater pipes are within Township-owned right-of-way and are within the site. The new collection system ties in to an existing 15-inch pipe. Upstream piping is proposed to be either 6 or 12-inch diameter.

Response: Acknowledged.

d. LSTES Section 107.6.A which requires stormwater conveyance piping to be constructed of reinforced concrete material; the plans propose the use of High Density Polyethylene (HDPE) piping.

We take no exception to this request as all proposed piping will be privately owned and maintained. The ordinance section should be corrected.

Response: Acknowledged.

III. STORMWATER MANAGEMENT, GRADING, AND EROSION CONTROL

The following comments pertain to stormwater management, storm drainage, grading, and erosion and sedimentation control aspects of the current plan submission and are based upon the requirements of the Subdivision and Land Development Ordinance (SALDO), the Stormwater Management Ordinance (S.M.O) as referenced in Article IX of the SALDO, and the Lower Salford Township Engineering Standards (LSTES). The project is located within the East Branch Perkiomen watershed.

1. A Blanket Easement will be required to allow for inspection of the stormwater facilities by Township officials.

Response: Acknowledged.

2. Per the snout detail on Sheet 20 (C-901), a minimum 36 inch sump depth is required below the outlet pipe invert. Upon clarification of where snouts will be installed, compliance with the manufacturer's sump requirements must be demonstrated on the Utility Plan, Sheet 9 (C-501).

Response: A note has been added to the utility plan stating that the sump elevation must be a minimum of 36" below the outlet inverts of each manhole. See Note 2 on Sheet 9.

3. Plans note that invert B from a 12 inch RCP pipe to the existing inlet is damaged. The applicant should determine if repair is acceptable or if replacement is warranted.

Response: Noted. The applicant will assess whether repair or replacement of the inlet is warranted when the proposed pipe connections are installed during construction.

4. Once the limits of disturbance have been finalized, the limits of the protection fencing should be added to the Erosion and Sedimentation Control Plan and a Tree Protection Fence installation detail shall be provided. (142.42.B. and 142.46)

Response: Tree protection fencing has been added to the E&S Plan. The only tree that will require fencing is the pine tree on the east side of the construction entrance since all other existing trees to remain are well outside of the limits of disturbance. A detail for the tree protection fencing has been added to the E&S Details sheet. See Sheets 10 and 13.

IV. GENERAL

The following items are general engineering considerations pertaining to the project that were noted by our office during the course of review of the current plan submission:

 Signed and sealed design drawings and calculations prepared by a professional engineer licensed in the Commonwealth of Pennsylvania must be submitted to the Township for review and approval prior the construction of retaining walls. A note indicating this requirement should be placed on the record plans.

Response: A note indicating the above requirement has been added to the site plan. See Note 2 on Sheet 5.

Lower Salford Township 355 Maple Avenue June 8, 2023 PAC220039.00 Page 9 of 9

2. We recommend that a means of fall protection be installed along the retaining walls at points where the vertical elevation change exceeds thirty inches.

Response: Fences/railings shall be installed on top of all retaining and dock walls to provide fall protection. See Sheet 5.

3. Approval from the Township Fire Marshal is required.

Response: Noted.

4. Approval from the Township Traffic Engineer is required.

Response: Noted.

Upon review, should you have any questions or require additional information, please do not hesitate to contact our office.

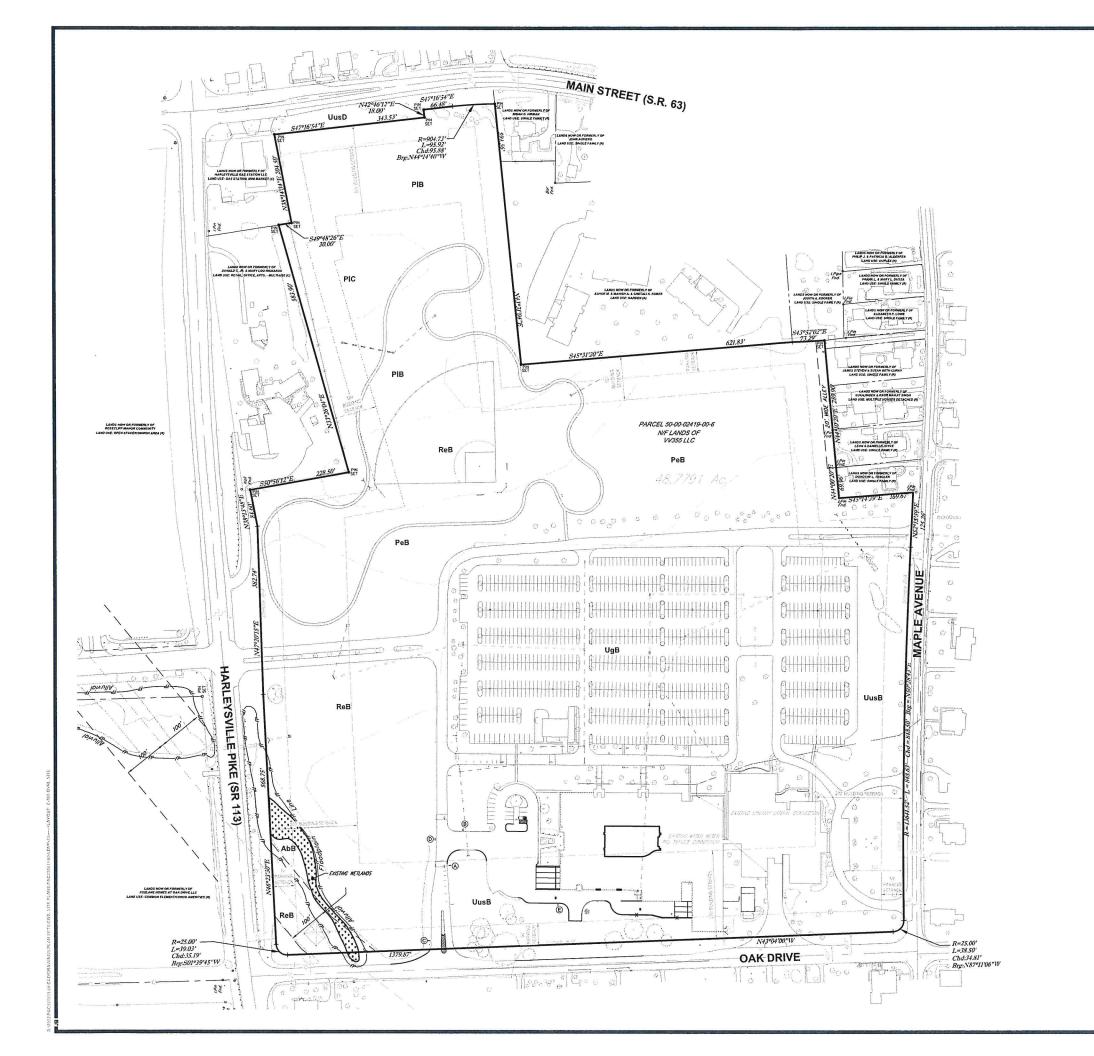
Sincerely,

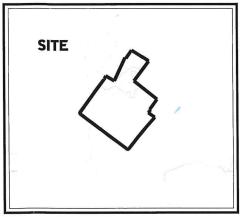
BOHLER ENGINEERING PA, LLC

cc:

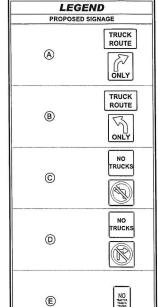
John Fiore (via Email) Christen Pionzio (via Email) Greg Richardson (via Email)
Michele A. Fountain (via Email) Patti Reimel (via Email) Stephanie L. Butler (via Email) Sandy Koza (via Email)

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LOCATION MAP SCALE: 1" = 500"



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REVIEW AND APPROVAL [DED FOR MUNICIPAL AND/OR AGENCY THE NOT INTENDED AS A CONSTRUCTION ESS INDICATED OTHERWISE.
PROJECT No.:	PAC220039,00
DRAWN BY:	JMF
CHECKED BY:	CND
DATE:	10/31/2022
CAD LD.:	PAC220039.00-LDVP-2A

PROJECT:
PRELMINARY/FINAL
LAND
DEVELOPMENT
PLANS

VV 355 LLC

PROPOSED REDEVELOPMENT

355 MAPLE AVENUE LOWER SALFORD TOWNSHIP MONTGOMERY COUNTY, PA

BOHLER

PHILADELPHIA, PA 19102
Phono: (267) 402-3400
Fax: (267) 402-3401
www.BohlerEngineering.com



SHEET TITLE:

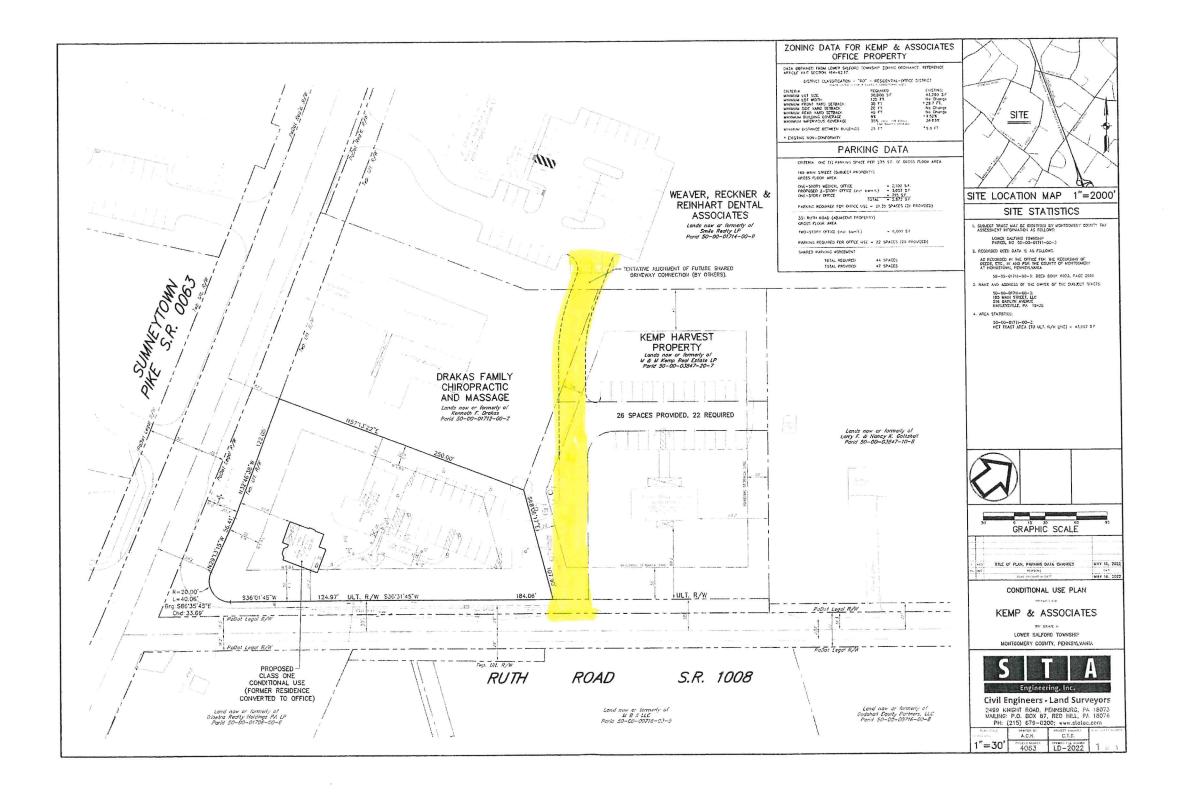
OVERALL SITE PLAN

RECORD PLAN 3 OF 4

C-300

REVISION 2 - 06/08/2023







Andrew R. Freimuth,
Wisler Pearlstine, LLP
Blue Bell Executive Campus
460 Norristown Road, Suite 110

RE: End of Project - Indian Valley Mennonite Church (aka IVFF) Harleysville

We are aware of the proposed maintenance escrow estimated by CKS for the standard 18 month "Maintenance Bond" at project closure as described in the LDA of 2018 with Lower Salford Township. That was proposed in January of 2020 by CKS when we anticipated a closure of the project and reached agreement with LST and Harleysville Bank on conversion of the existing project escrow account.

Now, over 47 months past the extensive "final" inspection of the site and facility that generated the TCO of July 19th, 2019, there is no "maintenance requirement" recognized on the site which would require the expenditure of maintenance escrow (bond) funds. For the last four years the only point that prevented closure being the function of the Storm Basin A2, now approved by MCCD in April 2023. The following request from the church seems both reasonable and better for both the township and church.

We, as Indian Valley Mennonite Church (aka IVFF), strongly propose and request that Lower Salford Township waive the requirement for the "not to exceed eighteen (18) month maintenance bond" as required in the LDA of 2018, Section 19. as copied here:

"19. MAINTENANCE BOND. Owner/Developer acknowledges that pursuant to Section 509 of the Municipalities Planning Code (53 P.S. §10509, as amended) and §142-56 of the Lower Salford Township Code, the Township is entitled to require the posting of Financial Security to secure the structural integrity of the Improvements, as well as the functioning of said Improvements in accordance with the design and specifications as depicted on the final Plans. This posting of financial security shall be for a period not to exceed eighteen (18) months from the date of entering into a Maintenance Agreement."

Clearly the LDA does not state the maintenance bond as an absolute and recognizes eighteen months as the maximum time required. As we have exceeded twice that time period without requirement of any repairs of, or judged lack of integrity in the improvements there should be no need for the continuation of a maintenance bond. The bond itself requires continued activity by the Township, bank, and church. Further, sequestering of those funds beyond these last four years is a financial burden for a church of one hundred members.

Thank you for your consideration and action on this proposal,

Nicolas C. Novak, Chairman IVFF

71 c. 71

William L. Studt, Building Committee Chair

CC: Joseph S. Czajkowski, Michael L. Beuke

ivffoffice@ivfaithfellowship.org

Indian Valley Faith Fellowship 190 Maple Ave Harleysville, PA 19438 215-256-6200 ivfaithfellowship.org

LOWER SALFORD TOWNSHIP BOARD OF SUPERVISORS

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION 2023-22

A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR THE 2023 ROUND OF THE COUNTY TRANSPORTATION PROGRAM

Whereas, Montgomery County has established the County Transportation Program as a competitive funding program to assist municipalities with improving transportation infrastructure throughout the county; and

Whereas, the County is accepting applications to fund transportation projects that meet the eligibility requirements for County Fee for Local Use Funds, including construction and repair of public roads and bridges, acquisition and maintenance of traffic signs and signals, lane and crosswalk painting and marking, and curb ramps; and

Whereas, applications and projects must meet all stated requirements within the County Transportation Program Guidebook; and

Whereas, Lower Salford Township wishes to obtain \$312,488.00 from the 2023 County Transportation Program to match the local funding commitment for the Lower Salford Harleysville Pike (SR 0113) and Maple Ave/Paterno Drive Traffic Signal Installation and Pedestrian Improvements Project; and

Whereas, Lower Salford Township is committed to providing a local funding match of \$162,488.00 towards this project, which includes the installation of a new traffic signal at the SR 113/Maple Ave (Twp)/Paterno Drive (Twp) intersection as well as ADA ramps and crossings for pedestrians.

BOARD OF SUPERVISORS LOWER SALFORD TOWNSHIP

By:		
-	Keith A. Bergman, Chairman,	THE RESERVE
	Board of Supervisors	
Attest:		
	Joseph S. Czajkowski, Secretary	

LOWER SALFORD TOWNSHIP BOARD OF SUPERVISORS

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 2023 - 23

Rittenhouse Tract

Acceptance of:
Waverly Lane Right-of-Way (newly constructed road); and
Alice Lane Right-of-Way (newly constructed road)

WHEREAS, JENNIFER J. RITTENHOUSE ("Grantor") is the owner of a certain tract of land situate in Lower Salford Township, Montgomery County, Pennsylvania (the "Premises") which land has been subdivided and developed and has frontage along Old Skippack Road; and

WHEREAS, the Grantor, for and in consideration of One Dollar (\$1.00), desires to dedicate to Lower Salford Township ("Grantee") for public use and enjoyment the area within the right-of-way for the newly constructed Waverly Lane and the newly constructed Alice Lane; and

WHEREAS, the Grantee, by accepting the Deeds of Dedication and recording said Deeds and this Resolution, accepts the parcels of ground, more particularly described in Exhibits "A" and "B" attached hereto and made a part hereof, as and for a public street, road, highway, trail, sidewalk, or utilities.

NOW, THEREFORE, BE IT RESOLVED, that the Lower Salford Township Board of Supervisors accepts the Deeds of Dedication for the described property to have and to hold, forever, as for public streets, roads, highways, trails, sidewalks, or utilities, and with the same effect as if the same had been opened by a Decree of Court of Common Pleas in and for the

County of Montgomery after proceeding	igs duly had for that purpose under and in pursuance with
the laws of the Commonwealth of Penn	sylvania.
APPROVED this day o	of, 2023, by the Board of Supervisors of
Lower Salford Township for acceptance	e and recording.
	LOWER SALFORD TOWNSHIP
Ву:	
	Keith A. Bergman, Chairman
	Board of Supervisors
Attest:	
	Joseph S. Czajkowski, Secretary

Legal Description - Waverly Lane Right-of-Way and Alice Lane Right-of-Way

EXHIBIT "A"

Description of Waverly Lane and Alice Lane Right-of-way Prepared for John Garis Homes Lower Salford Township

ALL THAT CERTAIN RIGHT-OF-WAY situate in the Township of Lower Salford, County of Montgomery, Commonwealth of Pennsylvania in accordance with a plan entitled *Plan of Subdivision*, prepared for Telvil Corporation, by Irick, Eberhardt & Mientus, Inc., dated May 12, 2017 and last revised September 14, 2018, bounded and described as follows:

BEGINNING AT A POINT, along the frontage of lands now or late of Stephen Sullivan & Mary Bonomo, said point being the terminus of an arc created by the intersection of the southwesterly sideline of Westbourne Road (50' wide) with the southeasterly sideline of Waverly Lane (50' wide);

Thence along said along said along said work and also Lot #1 as depicted on the above referenced *Plan of Subdivision* S 51°58'55" W, 222.34 to a point, a point of curvature;

Thence, along said Lot #1 and also Lots #2 & #3 along a curve to the left with a radius of 975.00 feet, an arc distance of 128.02 feet to a point, a point of tangency;

Thence along said Lot #3 and also Lot #4 S 44°27'32" W, 101.50 feet to a point, a point of curvature;

Thence, along said Lot #4 and also Lot #5 along a curve to the right with a radius of 275.00 feet, an arc distance of 129.18 feet to a point a point, a point of reverse curvature;

Thence along said Lot #5 the following three (3) courses and distances:

- 1. Along a reverse curve to the left with a radius of 15.00 feet, an arc distance of 21.50 feet to a point, a point of tangency;
- 2. S 10°44'05" E, 48.83 feet a point, a point of curvature;
- 3. Along a curve to the left with a radius of 125.00 feet, an arc distance of 81.67 feet to a point a point of tangency;

Thence continuing along said Lot #5 and also Lot #6 S 48°10'14" E, 91.62 feet to a point, a point of curvature;

Thence, along said Lot #6 along a curve to the left with a radius of 125.00 feet, an arc distance of 55.08 feet to a point, a point of compound curvature;

Revised September 14, 2018 Revised August 6, 2018 June 15, 2018 Thence, continuing along said Lot #6 along a compound curve to the left with a radius of 15.00 feet, an arc distance of 27.71 feet to a point, a point of reverse curvature;

Thence, continuing along said Lot #6 and also Lots #7, 8, 9 & 10 along a reverse curve to the right with a radius of 60.00 feet, an arc distance of 258.62 feet to a point, a point of compound curvature;

Thence, along said Lot #10 and also Lots #11, 12 & 13 along a compound curve to the right with a radius of 175.00 feet, an arc distance of 195.82 feet to a point a point of tangency;

Thence along said Lot #13 and also Lot #14 N 48°10'14" W, 91.62 feet to a point, a point of curvature;

Thence, along said Lot #14 and also Lots #15 and 16 along a curve to the right with a radius of 175.00 feet, an arc distance of 114.34 feet to a point a point of tangency;

Thence along said Lot #16 N 10°44'05" W, 48.88 feet to a point, a point of curvature;

Thence, continuing along said Lot #16 along a curve to the left with a radius of 15.00 feet, an arc distance of 21.48 feet to a point, a point of reverse curvature;

Thence, along said Lot #16 and also Open Space #2 along a reverse curve to the right with a radius of 275.00 feet, an arc distance of 221.07 feet to a point a point of tangency, a corner also to Lot #17;

Thence along said Lot #17 and also Lots #18, 19, 20 and Open Space #2 N 46°42'38" W, 305.35 feet to a point, a point of curvature;

Thence, along said Open Space #2 along a curve to the left having a radius of 15.00 feet, the long chord of which bears N 75°36'33" W for a distance of 14.49 feet for an arc length of 15.12 feet to a point, a point of reverse curvature;

Thence, along said Open Space #2 and also Lots #21, 22, 23 & 24 along a reverse curve to the right with a radius of 60.00 feet, an arc distance of 309.49 feet to a point, a point of reverse curvature;

Thence, along said Lot #24 along a reverse curve to the left with a radius of 15.00 feet, an arc distance of 15.12 feet to a point, to a point a point of tangency, a corner also to Lot #25;

Thence along said Lot #25 and also Lots #26 and #27 and also Open Space #1 S 46°42'38" E, 305.35 feet to a point, a point of curvature;

Revised September 14, 2018 Revised August 6, 2018 June 15, 2018 Thence along said Open Space #1 and also Lot #28 along a curve to the left with a radius of 225.00 feet, an arc distance of 348.84 feet to a point, a point of tangency;

Thence along said Lot #28 and also Lot #29 N 44°27'32" E, 101.50 feet to a point, a point of curvature;

Thence, along said Lot #29 and also Lot #30 along a curve to the right with a radius of 1025.00 feet, an arc distance of 134.58 feet to a point, a point of tangency;

Thence along said Lot #30 and lands now or late of Gregory M & Vanessa B. Gilkes N 51°58'55" E, 222.34 feet to a point on the sideline of the above mentioned southwesterly sideline of Westbourne Drive;

Thence along said southwesterly sideline of Westbourne Drive and crossing over Waverly lane S 38°01'08" E, 50.00 feet to the POINT OF BEGINNING.

CONTAINING: 98899 square feet or 2.2704 acres of land, more or less.

Prepared By: Andrew R. Freimuth, Esquire

Wisler Pearlstine, LLP

Blue Bell Executive Campus 460 Norristown Road, Suite 110

Blue Bell, PA 19422

Return To:

Same as above

Parcel No.

DEED OF DEDICATION

Rittenhouse Tract Alice Lane Right-of-Way Waverly Lane Right-of-Way

THIS INDENTURE is made this	day of	, 2023
		· · · · · · · · · · · · · · · · · · ·

FROM

JENNIFER J. RITTENHOUSE, an adult individual with a mailing address of 175 Waverly Lane, Harleysville, PA 19438 (hereinafter called "Grantor"), of the one part,

TO

LOWER SALFORD TOWNSHIP, a Township of the Second Class, Montgomery County, Pennsylvania (hereinafter called "Grantee"), of the other part;

WITNESSETH:

THAT the said Grantor, for and in consideration of the sum of One Dollar (\$1.00) lawful money of the United States of America unto her well and truly paid by the said Grantee at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged. has dedicated and by these presents does dedicate for public use and enjoyment as and for a public street, road, highway, trail, sidewalk, or utilities, together with the storm sewer lines constructed thereunder, unto the said Grantee, its successors and assigns,

ALL that certain tract or parcel of ground, together with the storm sewer lines constructed thereunder, situate in Lower Salford Township, Montgomery County, Pennsylvania, more particularly described in Exhibit "A" which is attached hereto and made a part hereof,

TO have and to hold the tract or parcel of land above described and hereby dedicated, or mentioned and intended to be, unto the said Grantee, its successors and assigns, forever, as and for a public street, road or highway, trail, sidewalk or utilities, together with the storm sewer lines constructed thereunder, and for no other use or purpose whatsoever, and to the same extent and with the same effect as if the said tract or parcel of land had been opened by a Decree of the Court of Common Pleas in and for the County of Montgomery after proceedings duly had for that purpose under and pursuant to the laws of the Commonwealth of Pennsylvania.

AND the said Grantor, her heirs, successors and assigns, does by these presents, covenant, promise and agree to and with the Lower Salford Township, its successors and assigns, that neither she, the said Grantor, nor her heirs, successors and assigns, shall or will at any time hereafter ask, demand, recover or receive of or from Lower Salford Township, its successors and assigns, any sum or sums of money as and for damages for or by reason of the physical grading of the said tract or parcel of ground to grade as now established, and if such grade shall not be established at the date of these presents, that neither she, the said Grantor, nor her heirs, successors and assigns, shall or will at any time thereafter ask, demand, recover or receive any damages by reason of the physical grading of the said tract or parcel of ground to conform with the grades as first thereafter established or confirmed according to law.

AND the said Grantor, for herself and her heirs, successors and assigns, does covenant, promise and agree to and with the said Grantee, its successors and assigns, that she, the said Grantor, has not heretofore done or committed any act, matter or thing whereby the premises

-2-

hereby granted, or any part thereof, is, are, shall or may be impeached, charged, or encumbered in title, charge, estate or otherwise howsoever.

AND the said Grantor, for herself and her heirs, successors and assigns, does by these presents further covenant, promise and agree to and with the said Grantee, its successors and assigns, that she, the said Grantor, shall and will warrant and forever defend the hereinabove described tract or parcel of land against her, the said Grantor, her heirs, successors and assigns, and against all and any person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under her or any of them.

AND the Grantee, by accepting and recording this Deed, accepts the tract or parcel of ground described herein as and for a public street, road, highway, trail, sidewalk, or utilities.

(Signature page follows)

IN WITNESS WHEREOF, the Grantor has caused this Deed to be signed <and its corporate seal to be affixed hereto by its duly authorized officers> on the day and year first above written.

GRANTOR:

By:

Jennifer J. Rittenhou

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA	:
COUNTY OF MONTGOMERY	: SS :
On this <u>22nd</u> day of <u>June</u>	2023 , 2022 , before me, the
undersigned officer, a Notary Public, personally	appeared Jennifer J. Rittenhouse, known to me
(or satisfactorily proven) to be the person whose n	ame is subscribed to the within instrument, and
acknowledged that she executed same for the purp	poses therein contained.
IN WITNESS WHEREOF, I have hereur	nder set my hand and official seal.
	Leavy Ryon Ding
Montgomery County My Commission Expires October 31, 2026	My Commission Expires: 10/31/2004

Legal Description

EXHIBIT "A"

Description of Waverly Lane and Alice Lane Right-of-way Prepared for John Garis Homes Lower Salford Township

ALL THAT CERTAIN RIGHT-OF-WAY situate in the Township of Lower Salford, County of Montgomery, Commonwealth of Pennsylvania in accordance with a plan entitled *Plan of Subdivision*, prepared for Telvil Corporation, by Irick, Eberhardt & Mientus, Inc., dated May 12, 2017 and last revised September 14, 2018, bounded and described as follows:

BEGINNING AT A POINT, along the frontage of lands now or late of Stephen Sullivan & Mary Bonomo, said point being the terminus of an arc created by the intersection of the southwesterly sideline of Westbourne Road (50' wide) with the southeasterly sideline of Waverly Lane (50' wide);

Thence along said lands now or late of Stephen Sullivan & Mary Bonomo and also Lot #1 as depicted on the above referenced *Plan of Subdivision* S 51°58'55" W, 222.34 to a point, a point of curvature;

Thence, along said Lot #1 and also Lots #2 & #3 along a curve to the left with a radius of 975.00 feet, an arc distance of 128.02 feet to a point, a point of tangency;

Thence along said Lot #3 and also Lot #4 S 44°27'32" W, 101.50 feet to a point, a point of curvature;

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- 2. S 10°44'05" E, 48.83 feet a point, a point of curvature;
- 3. Along a curve to the left with a radius of 125.00 feet, an arc distance of 81.67 feet to a point a point of tangency;

Thence continuing along said Lot #5 and also Lot #6 S 48°10'14" E, 91.62 feet to a point, a point of curvature;

Thence, along said Lot #6 along a curve to the left with a radius of 125.00 feet, an arc distance of 55.08 feet to a point, a point of compound curvature;

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Thence, continuing along said Lot #6 and also Lots #7, 8, 9 & 10 along a reverse curve to the right with a radius of 60.00 feet, an arc distance of 258.62 feet to a point, a point of compound curvature;

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Thence along said Lot #17 and also Lots #18, 19, 20 and Open Space #2 N 46°42'38" W, 305.35 feet to a point, a point of curvature;

Thence, along said Open Space #2 along a curve to the left having a radius of 15.00 feet, the long chord of which bears N 75°36'33" W for a distance of 14.49 feet for an arc length of 15.12 feet to a point, a point of reverse curvature;

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Thence along said southwesterly sideline of Westbourne Drive and crossing over Waverly lane S 38°01'08" E, 50.00 feet to the **POINT OF BEGINNING**.

CONTAINING: 98899 square feet or 2.2704 acres of land, more or less.

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS that JOHN GARIS HOMES, INC., (hereinafter referred to as "Seller"), for good and valuable consideration as bargained and sold, and by these presents, does hereby sell, bargain, transfer and assign to LOWER SALFORD TOWNSHIP, a township of the second class organized and existing under the Second Class Township Code, 53 P.S. § 65101, as amended (hereinafter referred to as "Buyer"), as well as its successors and assigns, its equity ownership interest in the storm sewer piping constructed by Seller located in the relocated 20' wide storm sewer easement pursuant to a Land Development and Financial Security Agreement between Seller, Buyer and Jennifer J. Rittenhouse dated September 24, 2018, a memorandum of which was recorded in the Office of the Recorder of Deeds for Montgomery County, Pennsylvania at Deed Book 6114, Page 929 (hereinafter, collectively, the "Public Storm Sewer Improvements"), as depicted on certain subdivision and land development plans entitled "Overall Plan of Subdivision" prepared by Irick, Eberhardt & Mientus, Inc., dated May 12, 2017, last revised September 14, 2018, as delivered to the Buyer, to have and to hold said Public Storm Sewer Improvements sold, bargained, transferred and assigned, and intended so to be, with the appurtenances, unto the Buyer, its successors and assigns, forever.

Seller vouches that it has full rights and lawful authority to sell, bargain, transfer, assign and dispose of the Public Sewer Improvements for itself and its assigns, and does covenant unto the Buyer, its successors and assigns, to defend the said interest in the Public Storm Sewer Improvements against the lawful claims of all others, persons and entities.

IN WITNESS WHEREOF, the Seller has 2023.	s executed this Bill of Sale on the	day of
Ву:	SELLER: JOHN GARIS HOMES, INC. John Garis, President	4/23/22
	BUYER: LOWER SALFORD TOWNSHIP	
By:	Keith A. Bergman, Chairman, Board of Supervisors	
Attest:	Joseph S. Czajkowski, Secretary	

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS that JOHN GARIS HOMES, INC., (hereinafter referred to as "Seller"), for good and valuable consideration as bargained and sold, and by these presents, does hereby sell, bargain, transfer and assign to LOWER SALFORD TOWNSHIP, a township of the second class organized and existing under the Second Class Township Code, 53 P.S. § 65101, as amended (hereinafter referred to as "Buyer"), as well as its successors and assigns, her equity ownership interest in the storm sewer piping constructed by Seller located in the proposed 20' wide drainage easement pursuant to a Land Development and Financial Security Agreement between Seller, Buyer and Jennifer J. Rittenhouse dated September 24, 2018, a memorandum of which was recorded in the Office of the Recorder of Deeds for Montgomery County, Pennsylvania at Deed Book 6114, Page 929 (hereinafter, collectively, the "Public Storm Sewer Improvements"), as depicted on certain subdivision and land development plans entitled "Overall Plan of Subdivision" prepared by Irick, Eberhardt & Mientus, Inc., dated May 12, 2017, last revised September 14, 2018, as delivered to the Buyer, to have and to hold said Public Storm Sewer Improvements sold, bargained, transferred and assigned, and intended so to be, with the appurtenances, unto the Buyer, its successors and assigns, forever.

Seller vouches that it has full rights and lawful authority to sell, bargain, transfer, assign and dispose of the Public Sewer Improvements for itself and its assigns, and does covenant unto the Buyer, its successors and assigns, to defend the said interest in the Public Storm Sewer Improvements against the lawful claims of all others, persons and entities.

IN WITNESS WHEREOF, the Seller has executed this Bill of Sale on the2023.		day of
D.,.	SELLER: JOHN GARIS HOMES, INC.	
Ву:	John Garis, President	6/23/23
•	BUYER: LOWER SALFORD TOWNSHIP	
Ву:	*	,
<i>ــــــــــــــــــــــــــــــــــــ</i>	Keith A. Bergman, Chairman, Board of Supervisors	
Attest:	Joseph S. Czajkowski, Secretary	

MAINTENANCE AGREEMENT

THIS AGREEMENT, is made this _______ day of ________, 2023, by and between LOWER SALFORD TOWNSHIP, a Township of the Second Class with offices at 379 Main Street, Harleysville, Pennsylvania 19438 (the "Township") and JOHN GARIS HOMES, INC., a Pennsylvania corporation with a registered address of 527 Main Street, Harleysville, Pennsylvania 19438 (the "Developer").

WITNESSETH:

WHEREAS, Developer has developed a certain tract of land commonly known as the "Rittenhouse Tract" situate in the Lower Salford Township, Montgomery County, Pennsylvania, which tract was originally identified as Montgomery County Tax Parcel No. 50-00-00949-00-9 (the "Property"); and

WHEREAS, Developer has developed the Property in accordance with certain plans of subdivision and land development entitled "Overall Plan of Subdivision" prepared by Irick, Eberhardt & Mientus, Inc., being plans comprising of thirty-nine (39) sheets, dated May 12, 2017 bearing several different revision dates (the "Plans"), which Plans are specifically being incorporated herein by reference; and

WHEREAS, as a condition to final subdivision and land development approval, the Developer, the Township, and Jennifer Rittenhouse, as the owner of certain ground comprising the Property, entered into a certain Land Development and Financial Security Agreement dated September 24, 2018 (the "Land Development Agreement"); and

WHEREAS, a Memorandum of Land Development Agreement was recorded in the Office of the Recorder of Deeds for Montgomery County, Pennsylvania, at Deed Book 6114, Page 929; and

WHEREAS, the Land Development Agreement requires certain security and a Maintenance Agreement to be tendered to the Township by the Developer when all required improvements called for under the Land Development Agreement (the "Improvements") were completed; and

WHEREAS, the construction of the Improvements have been completed by Developer and the Deeds of Dedication concerning same have been prepared for submittal to the Township.

NOW, THEREFORE, in consideration of the mutual promises herein contained and intending to be legally bound, the parties hereto agree as follows:

- 1. Developer has tendered to the Township a maintenance bond from Univest Bank and Trust Co. in the agreed amount of One Hundred Eighty-eight Thousand Two Hundred Eighty-six and 00/100 Dollars (\$188,286.00), which constitutes an amount equal to fifteen (15%) of the actual costs of the installation and construction of the Improvements (the "Maintenance Security").
- 2. The Maintenance Security shall be held by the Township for a period of eighteen (18) months following the Township's acceptance of a Deed or Deeds of Dedication for the Improvements (the "Maintenance Period"). The Maintenance Security shall guarantee the prompt maintenance and repair of the Improvements and the structural integrity and proper functioning of the Improvements in accordance with the design and specifications as depicted on the Plans during the Maintenance Period.

- 3. Developer hereby guarantees, during the Maintenance Period, the structural integrity and proper functioning of the Improvements in accordance with the design and specifications as depicted on the Plans.
- 4. During the Maintenance Period, in the event any Improvements require repair, Developer agrees to commence any necessary repairs within ten (10) days from the date that Township notifies Developer of the need for such repairs and shall diligently work to complete the repairs thereafter. In the event any required repair to the Improvements is needed on an emergency basis, however, Developer shall immediately commence such repair upon verbal notification from Township. In either event, if Developer fails or refuses to make such repairs, the Township may make such repairs and do whatever is necessary to maintain or repair the Improvements. The Township shall have recourse against the Maintenance Security for the expense and costs of any such repairs as well as any expense and costs (including reasonable attorney's fees) of pursuing reimbursement from the Developer (whether directly or against the Maintenance Security). Any costs incurred by the Township in repairing or maintaining the Improvements which exceed the outstanding balance of the Maintenance Security shall be recoverable from the Developer.
- 5. Prior to the expiration of the Maintenance Period, Developer shall submit to the Township a written request for a final inspection of the Improvements. The Township shall conduct a final inspection of the Improvements and upon completion of the final inspection, Township shall provide the Developer with either a "punch list" of Improvements requiring repair or replacement under this Agreement or a certification as to the structural integrity and proper functioning of the Improvements as of the date of inspection. In the event that any Improvements require repair or replacement, Developer agrees to (a) commence such work

within ten (10) days from the date of receipt of the Township's "punchlist"; (b) complete such work within thirty (30) days from the date of receipt of the Township's "punchlist"; and (c) keep the Maintenance Security in full force and effect until it is released in writing by the Township. If the Developer fails or refuses to commence and complete such work within the time limits provided herein, the Township may make such repair or replacement (using Township personnel or independent contractors) and Township shall have the same recourse against the Maintenance Security and the Developer as are provided for in Paragraph 4 above. Upon the Township Engineer's certification of the structural integrity and proper functioning of the Improvements in accordance with the design specifications as depicted on the Plans, and provided that Township has not given Developer written notice of defects in the Improvements prior to that time which have not been repaired, the Maintenance Security held by the Township shall be released to the Developer and the Developer shall have no further obligation hereunder.

- 6. Nothing herein shall be construed to impose any liability or responsibility on Township for the maintenance or upkeep of any of the Improvements during the Maintenance Period.
- 7. Developer hereby consents to the exclusive jurisdiction of the Court of Common Pleas of Montgomery County, Pennsylvania, with respect to any dispute arising in connection with this Agreement or the enforcement thereof.
- 8. This Agreement shall be construed according to the laws of the Commonwealth of Pennsylvania.
- 9. This Agreement shall be binding upon the Developer and any successor corporations.

[Signature page to follow]

IN WITNESS WHEREOF, the parties have duly executed this Agreement the day and year first above written.

	DEVELOPER:
	JOHN GARIS HOMES, INC.
Ву:	John Garis, President
	TOWNSHIP:
	LOWER SALFORD TOWNSHIP
Ву:	
	Keith A. Bergman, Chairman,
	Board of Supervisors
Attest:	
	Joseph S. Czajkowski, Secretary

GENERAL NOTES

- TITLE INFORMATION TAKEN FROM AN EXISTING FEATURES PLAN PREPARED BY STOUT, TACCONELLI & ASSOCIATES, INC., DATED FEBRUARY 3, 2010, AND LAST REVISED MARCH 15, 2010.
- TOPOGRAPHIC INFORMATION OBTAINED FROM AN EXISTING FEATURES PLAN PREFARED BY STOUT, TACCONELLI & ASSOCIATES, INC., DATED FEBRUARY 3, 2010, AND LAST REVISED MARCH 15, 2010.
- NO PART OF THE SUBJECT TRACT IS LOCATED WITHIN A 100-YEAR FLOOD PLAI BASED ON THE FLOOD INSURANCE RATE MAP (PANEL NO. 4209:C01300 EFFECTIVE DATE MARCH 2, 2016) PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- THE USE OF THE PROPOSED ACCESSORY BUILDING IS FOR STORAGE OF VEHICLES AND SUPPLIES INCIDENTAL TO THE BY-RIGHT PRINCIPAL USE.
- A TOTAL OF 22 (42%) (16 EXISTING AND 6 PROPOSED) PARKING SPACES ARE PROPOSED WITHIN THE FRONT YARD RESTRICTION LINE OR IN FRONT OF THE PRIMARY BULLONG. SECTION 164-76.B, PERMITS GREATER THAN 10% OF THE PARKING SPACES TO BE ALLOWED IN THE FRONT YARD RESTRICTION LINE OR I FRONT OF THE PRIMARY BUILDING BY SPECTION EXCEPTION, BUT IN NO CASE CAN ANY PARKING BE WITHIN THE FRONT YARD SETBACK AREA.

SPECIAL EXCEPTION APPROVAL

AT A PUBLIC HEARING WAS HELD ON JUNE 13, 2019, THE LOWER SALFORD TOWNSHING TOWN HEARING BOARD GRANTED THE APPLICATION OF EARL C. AND JEBRA X BLACIER, FOR A SPECIAL SCEPTION FROM ARTIST ON FOR EAST OF 180 OF THE LOWER SALFORD ZOWING ORDINANCE TO PERMIT THE PLACEMENT OF NOT MORE THAN 6 PARRING SPACES IN THE FRONT YABO OF THE BUILDING AT 100 CHRISTOPH LAND AS SETE FORTH IN THE PLAN ENTITLED 'SITE PLAN." PREPARED BY RICHARD C MAST ASSOCIATES, P.C. DRAWNING ON 10 FC 2, DATE DULY 11, 20 17, LAST REVISED APPIL 19, 2019, PER SECTION 164-39 OF THE ZONING ORDINANCE, THIS SPECIAL EXCEPTION MILE SPRIER IT THE APPLICANTIFS FAIL TO GOTATION A PERMIT WHITIN 1 YEAR OF THE MAILUNG OF THE MOTICE OF DECISION.

ADDITIONAL NOTE: THE ADDITIONAL SIX (6) PARKING SPACES REFERRED TO IN THE SPECIAL EXCEPTION APPROVAL ABOVE, ARE NO LONGER PART OF THE PROPOSED APPLICATION.

CONSTRUCTION NOTES

- THE DIAWWINDS AND ACTUAL HELD CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF RCMW
 WRITING BY THE CONTRACTOR AND RESOLUTED PRIOR TO PROCEEDING WITH THE WORK.
 CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING THAT ALL REQUIRED CONSTRUCTION PERM
 AND APPROVALS HAVE BEEN OBTAIN PRIOR TO COMMENCEMENT OF CONTSTRUCTION. ACTUMES. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE AND PROTECTION OF VEHICULAR AP PEDESTRIAN TRAFFIC. ALL TRAFFIC CONTROL MEASURES SHALL BE IN ACCORDANCE WITH PADO OSHA AND MUNICIPAL STRANARDS AND REQUIREMENTS.
- PSOIL TOPSOIL IS PROHIBITED FROM BEING REMOVED FROM ANY PARCEL OF LAND WITHIN WARRII TOWNSHIP

- ANY SPRING ENCOUNTERED DURING DRIVEWAY AREA CONSTRUCTION SHALL BE OUTLETTED IS U-DRAIN TO NEAREST STORM SEWER FACILITY OR WATERCOURSE, U-DRAIN PLACEMENT TO BE BY THE

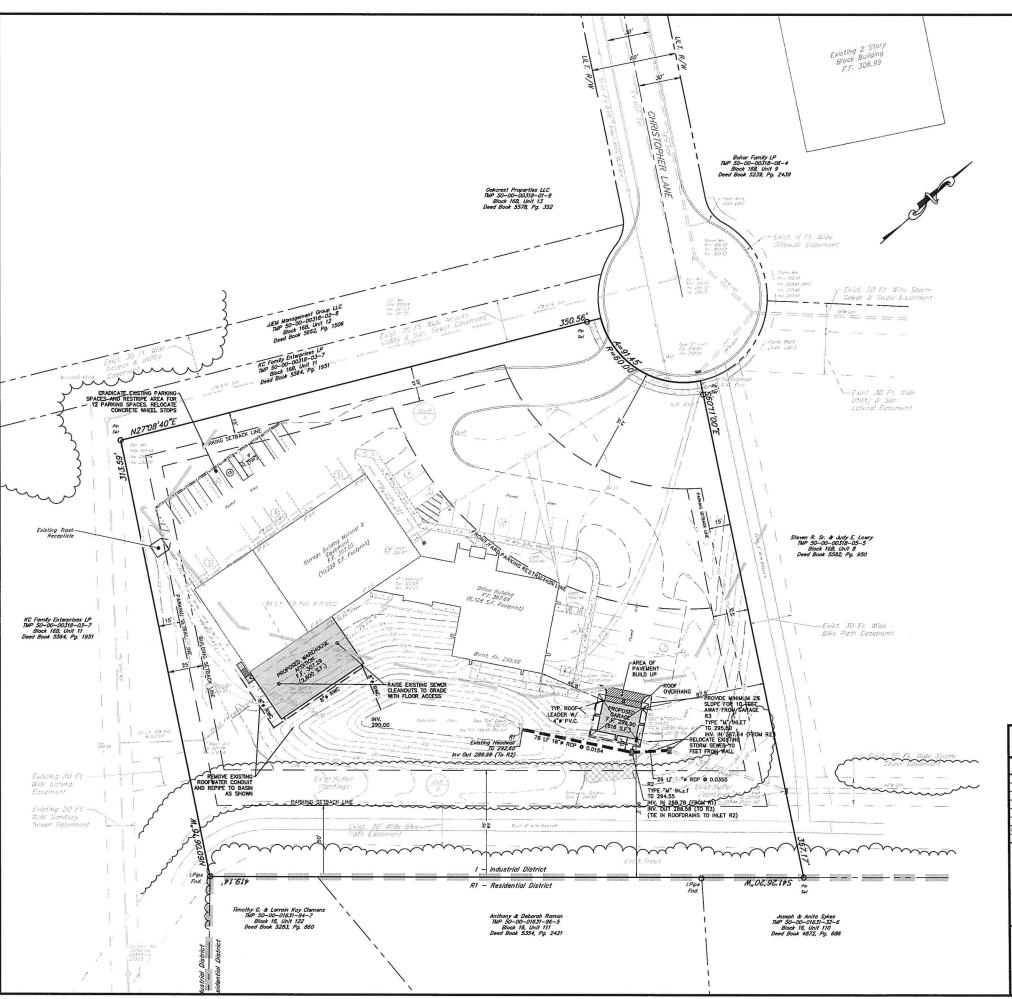
SOILS DATA

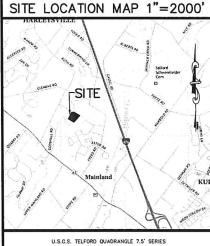
- URBAN LAND-UDORTHENTS, SHALE AND SANDSTONE COMPLEX, 0 TO 8 PERCENT SLOPES RESTRICTIONS: 20 TO 99 INCHES TO LITHIC BEDROCK

UNDERGROUND UTILITY NOTE



DESIGN SERIAL NO.: 20171991061 (JULY 18, 2017)





TAX PARCEL DATA

BLOCK & UNIT DEED: BOOK 5778, PAGE 328 PARCEL LOCATION: 100 CHRISTOPHER LANE ZONING DISTRICT: I - INDUSTRIAL DISTRICT EARL C. & DEBRA K BULGIER OWNER OF RECORD 2530 JOSIE LANE HARLEYSVILLE, PA 19438 GROSS TRACT AREA (TO TITLE LINE): 3.3790 ACRES

ZONING DATA

ING DISTRICT: I - INDUSTRIAL DISTRICT

PARCEL NO

REQUIRED	EXISTING	PROPUSED
3.00 AC	3.38 AC	3.38 AC
200 FT	204.3 FT	204.3 FT
75 FT	159.9 FT	159.9 FT
25 FT	29.7 FT	29.7 FT
40 FT	143.3 FT	102.1 FT
75 FT	143.3 FT	97.2 FT
50 FT	125.9 FT	125.9 FT
20,7% (1)	11,1%	13.4%
25%	68.3%	66.0%
25 FT	N/A	46.8 FT
75%	31.7%	34.9%
	3.00 AC 200 FT 75 FT 25 FT 40 FT 75 FT 20.7% (1) 25% 25 FT 2	3 00 AC 3.38 AC 200 FT 204 3 FT 75 FT 204 3 FT 159.9 FT 40 FT 143.3 FT 75 FT 143.3 FT 75 FT 125.9 FT 20.7% (1) 25% 68.3% 25 FT NVA

) 20%, plus 2.5% per acre, not to exceed 40%,

PARKING DATA

NING ORDINANCE, AS AMENDED. REQUIREMENT SPACES OFFICE: 8455 SF 1 SP/275 SF 30.7 10.3 MANUFACTURING: 6720 SF 1 SP/650 SF WAREHOUSE: 6300 SF 1 SP/1000 SF 48 PARKING SPACES PROVIDED

ADDED PROPOSED ADDITION AND PARKING APRIL 9, 2019 PER TOWNSHIP ENGINEER REVIEW LETTER (NOVEMBER 1, 2017) NOVEMBER 16, 20 PLAN ORIGINATION DATE

DRAWING SCALE: 1"= 30"

SITE PLAN

BEC MACHINE PRODUCTS

EARL C. AND DEBRA K. BULGIER

LOWER SALFORD TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA

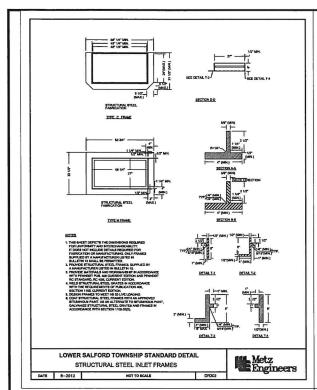


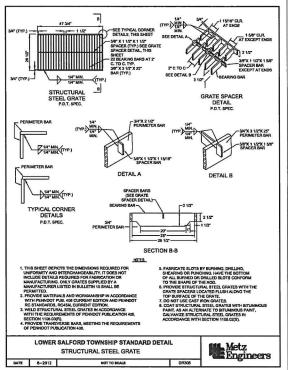
Richard C. Mast Associates, P.C Consulting Engineers and Surveyors

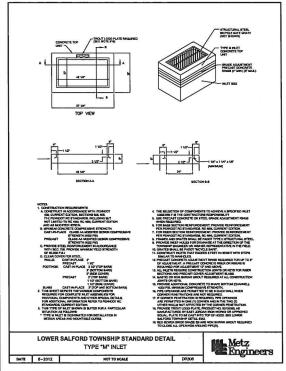
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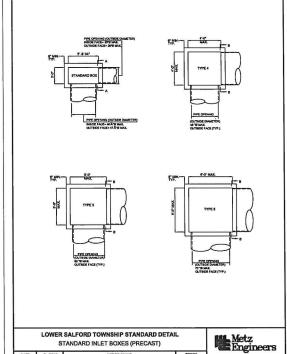
RAF RCM 3022 1 of 3

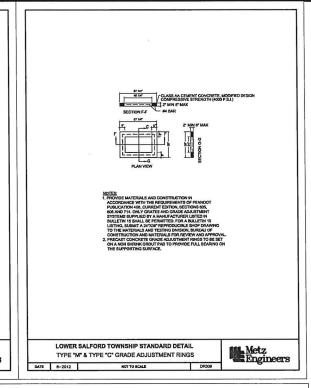
CONSTRUCTION NOTES SITE LOCATION MAP 1"=2000" CONTRACTOR SHALL VERIFY ALL BENCHMARKS, DIMENSIONS, INVERTS, ELEVATIONS AND EXIS-CONDITIONS PRIOR TO PROCEEDING WITH THE WORK. DISCREPANCIES AND VARIATIONS BETW THE DRAWINGS AND ACTUAL FIELD CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF RCN WAITING BY THE CONTRACTOR AND RESOLVED PRIOR TO PROCEEDING WITH THE WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING THAT ALL REQUIRED CONSTRUCTION PERM AND APPROVALS HAVE BEEN OBTAIN PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITIES. IN ALL CASES, WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMEN CONTRACTOR SHALL NOT USE SCALED DIMENSION FOR CONSTRUCTION WITHOUT CONFIRMATI REMA SITE CONTRACTOR IS RESPONSIBLE FOR ACQUIRING AND ACCESSING UPDATED SITE UTILITY DATA AND F REQUISTING UTILITY OWNER MANAGUIS. CONTRACTOR SHALL COMMANTE WITH AFFECTED UTIL CONSTRUCTION AREA PRIOR TO THE STAT OF CONSTRUCTION DERERORUDING UTILITIES WITHIN IT. ALL UTILITY CROSSINGS SHALL BE INSTALLED WITH A MINIMUM IS INCHES OF VERFICAL CLEARANCE A MINIMUM IN JOFOOT HORROWNIA SEPARATION OR SPOOT VERFICAL SEPARATION SHALL MAINTAINED BETWEEN SANTARY SEWER AND WATER LINES. A MINIMUM ID-FOOT HORROWNIA SEPARATION SHALL BE MINITAINED SETWER UTILITY SERVICE LINES A MINIMUM ID-FOOT HORROWNIA Exist. 6 Ft. Wide THE BURYING OF TREES, STUMPS AND DEBRIS ON-SITE IS PRO Sidewalk Easement ALL AREAS SHALL BE PROPERLY GRADED TO ENSURE PROPER DRAINAGE FLOW TO NEAREST INLET WATERCOURSE WITHOUT PONDING OR OBSTRUCTION. U.S.G.S. TELFORD QUADRANGLE 7.5' SERIES WARRICKOURSE WITHOUT FURDING DURSHINGLICHE. 10 PREVENT SURGER WATER PORDING, CONTRACTOR SHALL ENSURE CONSTRUCTED MINIMUM SLOPES OF 6.75% ALDNG ALL GUTTERS, CURES AND SLANDS, IS DO ALL CONCRETE PAYMENT SLOPES OF 6.75% ALDNG ALL GUTTERS, CURES AND SLANDS, IS DO ALL CONCRETE PAYMENT ALL GUTTERS AND SLOPES SHOWN, FOR CELLARDING AND SPECIAL PROPERTY AND SPECIAL PROPERTY OF THE CONTRACTOR OF CURES, GUTTERS STORM SEVERA AND UTLINES. TAX PARCEL DATA A TOMA SENSE AND UTLITIES. SERDING ROUGHEAPTS SECRETO MEREN ARE TO BE CONSIDERED AN IMMUNISTRO RELIABLY. ORY, STRAILE EARTH CONSIDIONS, ADDITIONAL BEDDING SHALL BE REQUIRED FOR ROCK TRENDLE AND WET REARS, CONTRACTIOS SHALL HAVE THE RESPONSIBILITY TO RROWNE SUCH ADDITIONAL BEDDING AS MAY BE REQUIRED TO PROPERLY CONSTRUCT THE WORK. FERDING AS MAY BE REQUIRED TO PROPERLY CONSTRUCT THE WORK. FERDING AS MANUAL PROPERLY CONSTRUCT THE WORK. FERDING AS MANUAL PROPERLY CONSTRUCT THE WORK. FERDING TO THE CONSTRUCT THE WORK. FERDING TO THE CONSTRUCT THE WORK. FOR THE CONSTRUCT THE WORK. FOR THE CONSTRUCT – Exist. 20 Ft. Wide Storm Sewer & Swale Easement PARCEL N BLOCK & UNIT DEED: BOOK 5778, PAGE 328 100 CHRISTOPHER LANE PARCEL LOCATION: ZONING DISTRICT: I - INDUSTRIAL DISTRICT 30 Ft. Willity EARL C. & DEBRA K BULGIER 2530 JOSIE LANE HARLEYSVILLE, PA 19438 OWNER OF RECORD CONSTRUCTION SEQUENCE Exist. 30 Ft. Wide GROSS TRACT AREA (TO TITLE LINE): 3.3790 ACRES Utility & San. INIS PLAN DEPICTS A LIMIT OF DISTURBANCE AREA FOR CONSTRUCTION ACTIVITIES THAT INTOLYSE ISS THAN I AGRE OF EARTH IDSTRUBANCE ACTIVITIES THAT INTOLYSE ISS THAN I AGRE OF EARTH IDSTRUBANCE ACTIVITIES TO PROFICE THAT INTOLYSE PRICE TO BEGINNING CONSTRUCTION ACTIVITIES TO PROFICE TIGANIST ENCROACHWENT. IF CONSTRUCTION ACTIVITIES DISTURB 1 ACRE OR MORE OF EARTH DISTURBANCE ON ANY PORTION, OF URING ANY STAGE, OF THE DEVLOPMENT PROJECT THE OWNER/APPLICANT MUST APPLY FOR A NEDES PERMIT FOR STORMWAITER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES. Lateral Easement E&S LEGEND EXIST WATER THE FOLLOWING SEQUENCE OF CONSTRUCTION MUST BE FOLLOWED FOR EACH OF THE TWO (2) AREAS OF DISTURBANCE. THE AREAS MAY BE CONSTRUCTE! INCIDENTIAL OR TOGETHER AS LONG AS THE SEQUENCE IS FOLLOWED FREEZHAREA. EXIST INDEX CONTOUR EXIST SOIL TYPE BOUNDAR PROP LOT LINE INSTALL ROCK CONSTRUCTION ENTRANCE FOR NEW CONSTRUCTION AS SHOWN ON PLAN AND IN ACCORDANCE WITH DETAIL. - PROP RIGHT-OF-WAY PROP CENTERLINE INSTALL COMPOST FILTER SOCK AS SHOWN ON PLAN. BEGIN DEMOLITION OF EXISTING FEATURES AS REQUEED FOR THE EVISTIN STORMWATER FACILITIES TO BE REMOVED. THE WORK SHALL BE DAYE DURING PERIODS OF NO PREDICTED RAINFALL. THE NEW STORM SEVER SHALL B INSTALLED AS MUCH AS POSSIBLE PRIOR TO REMOVAL OF THE EXISTIN STORMSEWER PIPING SO THAT FLOW FROM THE EXISTING DETENTION BASIN CA BE MAINTAINED AT ALL TIMES. PROP EDGE OF ROAD PROP BUILDING PROP DRIVEWAY STRIP TOPSOIL FROM THE LIMIT OF DISTURBANCE. STOCKPILE TOPSOIL WHER INDICATED ON PLAN FOR USE WITH FINAL GRADING, IMMEDIATELY APPLITEMPORARY SEEDING AND MULCHING TO THE STOCKPILE. Block 16B, Unit 8 and Book 5582, Pg. 950 PROP EASEMENT PROP CONTOUR BEGIN CONSTRUCTION OF PROPOSED BUILDING(S). CONSTRUCT UNDERGROUND UTILITIES, INCLUDING ROOFWATER PIPING, FOLLOW UTILITY LINE TRENCH EXCAVATION METHODS, STABILIZE UTILITY TRENCHE IMMEDIATELY WITH PERMANENT SEED AND MULCH. INSTALL BINDER PAVING COURSE ON DRIVEWAY AND ROUGH GRADE ENTIRE SITE PROP STORM SEWER ANI ET FINISH GRADE WITH TOPSOIL AND STABILIZE WITH PERMANENT SEED AND MULCH FOLLOWING FINAL STABILIZATION, REMOVE TEMPORARY EROSION CONTRO MEASURES AND DISTRIBUTE COLLECTED SEDIMENT ON SITE, AREAS DISTURBEDURING REMOVAL OF CONTROLS MUST BE STABILIZED IMMEDIATELY. -Exist. 30 Ft. Wide Bike Path Easement PROP WATER MAIN PROP WATER SERVICE TEMPORARY CONCRETE WASHOUT AREA TEMPORARY ORANGE CONSTRUCTION BARRIER FENCE TEMPORARY ROCK TEMPORARY TOPSOIL — 12"FS —— PROP ROCK CONSTRUCTION ENTRANCE ENTRANCE -LIMIT OF DISTURBANCE LIMIT OF DISTURBANCE (0.110 AC.) (0.336 AC.) TEMPORARY ROCK PROP TOPSOIL STOCKPILE TEMPORARY CONCRETE CONSTRUCTION WASHOUT AREA STONE INLET FILTER TEMPORARY TOPSOIL STOCKPILE (TYP.) DRAWING SCALE: 1"= 30 TEMPORARY ACCESS Exist. 20 Ft. Wide Storm Sewer Easement LOCATION Existing 20 Ft. – Wide Lateral TOWNSHIP RESUBMISSION ADDED PROPOSED ADDITION AND PARKING Existing 20 Ft. — Wide Sanitary Sewer Easement SOILS DATA APRIL 9, 2019 12" COMOST FILTER PER TOWNSHIP ENGINEER REVIEW LETTER (NOVEMBER 1, 2017) PER TOWNSHIP ENGINEER REVIEW LETTER (AUGUST 2, 2017) OCTOBER 26, 20 Exist. 30' Wide Bike-Path Easement SOCK (TYP.) OIL INFORMATION FOR THE SITE WAS OBTAINED FROM THE US DEPARTMENT OF JULY 18, 2017 RB - PENN SILT LOAM, 3 TO 8 PERCENT SLOPES RESTRICTIONS: 20 TO 27 INCHES TO PARALITHIC BEDROCK; 27 TO 33 INCHES TO LITHIC BEDROCK EROSION AND SEDIMENTATION CONTROL PLAN Exist. Trees / - Industrial District 88 - URBAN LAND-UDORTHENTS, SHALE AND SANDSTONE COMPLEX, 0 TO 6 PERCENT SLOPES RESTRICTIONS: 20 TO 99 INCHES TO LITHIC BEDROCK BEC MACHINE PRODUCTS ,71.61× M.OZ,9Z.1+S R1 - Residential District UNDERGROUND UTILITY NOTE EARL C. AND DEBRA K. BULGIER LOWER SALFORD TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA Block 16, Unit 122 Deed Book 5283, Pa. 860 Richard C. Mast Associates, P.C RCMA Consulting Engineers and Surveyors The Village at Lederach 8 Harleysville Pike, Suite 1: Harleysville, PA 19438 (215) 513-2100 RAF RCM 3022 2 of 3

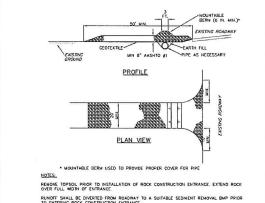


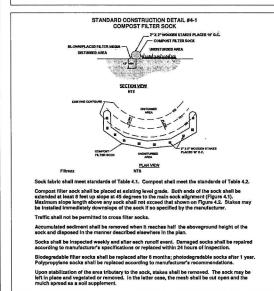


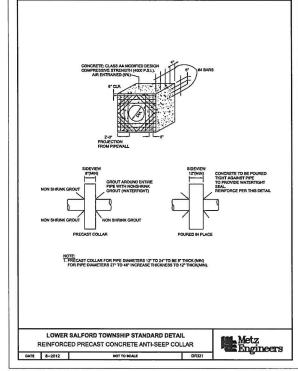


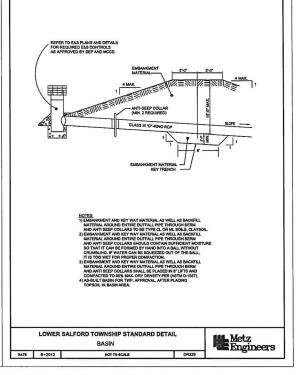


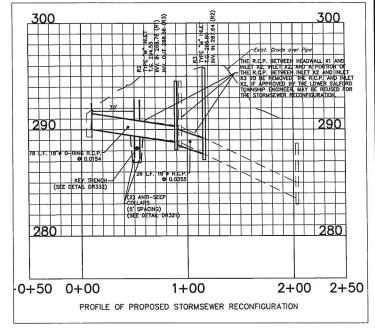


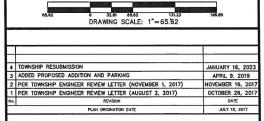












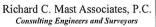
STORM SEWER PROFILE AND DETAIL PLAN

BEC MACHINE PRODUCTS

EARL C. AND DEBRA K. BULGIER

LOWER SALFORD TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA





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