Bowman

September 27, 2024

Mr. Joseph Czajkowski Township Manager Lower Salford Township 379 Main Street Harleysville, PA 19438

RE: Recommendation of Award

Multi-Road Safety Restriping and Signing Upgrades Lower Salford Township, Montgomery County, PA Bowman Project No. 311345-01-001

Dear Mr. Czajkowski:

Bowman Consulting Group, Ltd. (Bowman) has reviewed the bids received for the above referenced project associated with the PennDOT – Automated Redlight Enforcement Transportation Enhancements (ARLE) Agreement No. C920003082. The bids were received on September 24, 2024 at 10:00 AM. Below is a summary of the bids received from the two (2) contractors:

	Company	Total Base Bid	Status
1	Quick Lot, LLC	\$119,480.60	Verified
2	Alpha Space Control, LLC	\$290,310.00	Verified

The summary tab from PennBID is also attached for your records. In conjunction with Township Staff, our office recommends that the governing body consider awarding a **MODIFIED**** contract to the qualified low bidder, Quick Lot, LLC, of 1850 County Line Road Suite 210, Huntingdon Valley, PA 19006 at the October 2, 2024 Board of Supervisors meeting in the amount of **\$102,330.60**.

** Per Note 11 "Award of Contract" in the Bid Specification Page B-3, "The owner will have the right to reject any or all proposals or any parts thereof or items therein", which allows for the modification to scope of awarded work. Additionally, the Form of Proposal specifies "Lower Salford Township also reserves the right to reduce, increase, delete or supplement items or quantities from the low Bidder when making the award, without negotiating the total lump sum, unit price or item with the low Bidder".

Based on the amount of the ARLE Grant Funding and committed match for this project (\$96,200), our office recommends a reduction in the scope of work. The reduction in scope of work removes the signage items listed below from the contract. This signage work will be completed independently by the Township Department of Public Works. *The reduction in contract price is \$17,150*.

Type B Signs	SF	250	\$65.00	\$16,250,00
Type F Signs	SF	9	\$100.00	\$900.00
Subtotal for Signage				\$17,150.00

If you have any questions, concerns, or require additional information, please contact me at sbutler@bowman.com/267-419-1256.

Respectfully,

Stephanie Butler, P.E. Senior Project Manager

Stephanie I, Luther

SLB/DLS

Attachment

cc: Doug Jones, Public Works Director, Lower Salford Township

Q:\PA-FTWA-MC\MCM\eng\LOWERSA1\311345_Old 823058_On-Road Bike Lanes\Const_Services\09_Correspondence\2024-09-27_Recommendation of Award.docx

Alpha Space	Quick Lot, LLC
Control, LLC ★ ② ۞ [2]	* 0 0 B
\$290,310.00	\$119,448.60
0	0
\$0.00	\$0.00

LOWER SALFORD TOWNSHIP BOARD OF SUPERVISORS

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 2024-17

A Resolution Authorizing Application to the
2024 PECO Green Region Open Space Program – BONUS ROUND
for the Green and Glow: Solar LED's and Tree Plantings at Park Ave. Fields Project
– Montgomery County

WHEREAS, the Township of Lower Salford desires to undertake the Green and Glow: Solar LED's and Tree Plantings at Park Ave. Fields project; and,

WHEREAS, the Township of Lower Salford desires to apply to the PECO Green Region Open Space Program for a grant for the purpose of carrying out this project; and,

WHEREAS, the Township of Lower Salford has received and understands the 2024 PECO Green Region Open Space Program Guidelines.

THEREFORE, BE IT RESOLVED THAT the Lower Salford Township Board of Supervisors hereby approves this project and authorizes application to the PECO Green Region Open Space Program in the amount of \$50,953.85 and,

BE IT FURTHER RESOLVED, THAT, if the application is granted, the Township of Lower Salford commits to the expenditures of any remaining expenses over and above \$50,000 to ensure a successful project.

SO RESOLVED this day of 2024.

	BOARD OF SUPERVISORS LOWER SALFORD TOWNSHIP
By:	
	Keith A. Bergman, Chairman,
	Board of Supervisors

Attest:

Joseph S. Czajkowski, Secretary

BEFORE THE BOARD OF SUPERVISORS OF LOWER SALFORD TOWNSHIP, PENNSYLVANIA

IN THE MATTER OF:

THE CONDITIONAL USE APPLICATION OF MAINLAND V, LLC

DECISION AND ORDER

FINDINGS OF FACT

- 1. Applicant, Mainland V, LLC (hereinafter referred to as the "Applicant") is the legal owner of property located at 196 Main Street in Lower Salford Township, Montgomery County, Pennsylvania (the "Property").
- 2. The Property consists of approximately 5.19 acres (gross) and is presently zoned RO Residential-Office District. (Notes of Testimony, April 3, 2024, hereinafter "N.T." p. 16; Exhibit T-4).
- 3. In the subject conditional use application (the "Application"), the Applicant has requested conditional use approval to permit the redevelopment of the Property with a one-story bank building with drive-through facilities, a one-story retail building and four, two-story apartment buildings containing a total of thirty-six (36) dwelling units (the "Proposed Use") in accordance with Section 164-62.16.C of the Lower Salford Township Zoning Ordinance (the "Zoning Ordinance"). (Exhibits T-1, T-3 and T-4).
- 4. A hearing on the Application was advertised for and held on April 3, 2024 ("Hearing"). The Hearing was attended by the Chairman of the Board of Supervisors, Keith A. Bergman, Vice-Chairman Christopher R. Canavan, and by members Kevin Shelly, David Scheuren, and Kent Krauss. Township Manager, Joseph Czajkowski, Assistant Township Manager, Holly Hosterman, Township Engineer Michele Fountain, P.E., Director of Building

and Zoning Michael Beuke and Township Solicitor, Andrew Freimuth, Esquire also attended the Hearing. The Applicant was represented by Carl Weiner, Esquire of Hamburg, Rubin, Mullin and Maxwell, P.C. with offices located at 1684 S Broad St Suite 230, Lansdale, PA 19446.

5. The following Exhibits were admitted into evidence:

From the Township:

- T-1 Conditional Use Application submitted by Mainland V, LLC submitted May 24, 2023;
- T-2 Letter from the Applicant dated May 24, 2023 granting an extension of the time requirements in the Pennsylvania Municipalities Planning Code to conduct an initial hearing on the Application;
- T-3 Letter dated February 16, 2024 from the Applicant's Attorney, Carl Weiner, Esquire, amending the Application to request 36 residential apartments instead of the 29 residential apartments initially proposed;
- T-4 Plan prepared by Richard C. Mast Associates, P.C. titled "Conditional Use Plan for 196 Main Street prepared for Mainland V, LLC" dated May 24, 2023, last revised March 8, 2024;
- T-5 Review letter from CKS Engineers dated March 21, 2024;
- T-6 Review letter from McMahon dated June 21, 2023;
- T-7 Review letter dated March 18, 2023 from Claire Warner of the Montgomery County Planning Commission;
- T-8 The meeting minutes of the Lower Salford Township Planning Commission Meeting which occurred on January 24, 2024;
- T-9 The meeting minutes of the Lower Salford Township Planning Commission Meeting which occurred on February 28, 2024;
- T-10 The meeting minutes of the Lower Salford Township Planning Commission Meeting which occurred on March 27, 2024;
- T-11 Proof of Publication of Notice from *The Souderton Independent* verifying that the Hearing was advertised on March 17, 2024 and March 24, 2024;
- T-12 Verification by Michael Beuke, Director of Building and Zoning, that the Property was posted with notice of the Hearing on March 20, 2024;

- T-13 List of properties and persons that were mailed Notice of the Hearing by first class mail;
- T-14 Rendering of Proposed Exterior Renovations by Core States Group for Chase dated March 6, 2024;
- T-15 Two-page document with page 1 titled "196 Main Street Retail Building B Front Elevation" and page 2 titled "196 Main Street Retail Building B Side Elevation" both dated March 8, 2024;
- T-16 Rendering titled "196 Main Street 10-Unit Apartment Building Perspective" dated March 8, 2024;
- T-17 Floor plan document titled "196 Main Street 10-Unit Apartment Building Floor Plans" dated March 8, 2024;
- T-18 Three-page document with page 1 titled "196 Main Street 10-Unit Apartment Building Front Elevation", page 2 titled "196 Main Street 10-Unit Apartment Building Side Elevation", and page 3 titled "196 Main Street 10-Unit Apartment Building Rear Elevation" all dated March 8, 2024.

From the Applicant:

- A-1 Resume of Robert C. Mast, P.E;
- A-2 Plan prepared by Richard C. Mast Associates, P.C. titled "Conditional Use Plan for 196 Main Street prepared for Mainland V, LLC" dated May 24, 2023, last revised March 8, 2024;
- A-3 Apartment Building Rendering;
- A-4 Retail Building Renderings;
- A-5 Bank Elevations;
- A-6 Review letter dated January 28, 2024 from Claire Warner of the Montgomery County Planning Commission.
- 6. Robert C. Mast, P.E. testified on behalf of the Applicant. Mr. Mast was recognized by the Board as an expert in civil engineering. (N.T. p. 15).

- 7. The Property is presently improved with a single-family dwelling served by public water and public sewer with driveway access from both Main Street and Quarry Road. (N.T. p. 16).
- 8. The existing dwelling and accessory structures will be demolished in connection with the Proposed Use. (N.T. p. 16).
- 9. Mr. Mast testified that the primary vehicular access to the Proposed Use will be a full movement access drive from Quarry Road and a secondary access from Main Street with limited turning movements. (N.T. pp. 17-18).
- 10. The secondary access has been located at the eastern-most point of the Property's frontage on Main Street and will require approval from the Commonwealth of Pennsylvania, Department of Transportation. (N.T., pp. 17-18).
- 11. Mr. Mast testified that residential-type building materials will be used for all the buildings to provide a residential character for the Proposed Use and the materials used for construction will be consistent throughout both the residential and nonresidential portions of the development on the Property. (N.T. p. 18-19, 22, 39); (Exhibits A-3, A-4 and A-5).
- 12. The proposed residential buildings will have varied roof lines and the end units will be side entry units. (N.T. p. 19).
- 13. The rear elevations show proposed decks for the apartment units. Views of the rear elevation of the apartment building that will face Quarry Road will be softened by grading and landscaping. (N.T. pp. 20-21).
- 14. The windows and doors of the nonresidential buildings will be residentially scaled with proportions similar to and consistent with residential structures. (N.T. p. 21-23); (Exhibits A-3, A-4 and A-5).

- 15. The proposed retail building with be situated along Main Street and will be oriented to face the proposed bank building. (N.T. p. 22; Exhibit T-4).
- 16. The proposed 3,366 square foot bank will be situated at the corner of Main Street and Quarry Road with a proposed drive-through facility. (N.T. p. 23).
- 17. The architecture of the proposed bank building and the proposed building materials for the bank will match the architecture and building materials of the other buildings proposed on the Property. (N.T. p. 23).
- 18. Mr. Mast testified that the proposed bank will have a drive-up ATM only (no teller service), with six-car stacking, a bypass lane, and one-way circulation. The proposed drive-through does not conflict with any parking space, parking area, drive isle or loading area. (N.T. pp. 25-26).
- 19. The proposed bank building will not have an external trash/dumpster area. Refuse service for the building will be handled internally. (N.T. p. 25).
- 20. The Applicant proposes seventy-six (76) parking spaces in the immediately vicinity of the thirty-six (36) apartment units. Adequate parking is also provided in close proximity to the retail building and bank building, with an opportunity for shared parking within the development. (N.T. p. 27-28).
- 21. Mr. Mast testified that the Applicant will submit a lightning plan in compliance with the Lower Salford Township Code of Ordinances as part of the land development plan application. (N.T. pp. 26-27).
- 22. Mr. Mast testified that the Applicant will submit a landscaping plan in compliance with the Lower Salford Township Code of Ordinances as part of the land development plan application. (N.T. pp. 26-27, 34).

- 23. Emergency access is provided along the southern most point of the frontage along Quarry Road between the parking spaces for the apartments and Quarry Road. (N.T. p. 28).
- 24. A shared access easement and a driveway extension for the potential future connection with the adjoining property on Main Street are provided. A secondary point of connection to the adjoining property is also provided south of the proposed apartment units. (N.T. pp. 28-29, 42; Exhibit T-4).
- 25. Sidewalks are proposed in the following locations: (1) along the frontage of Quarry Road and Main Street; (2) along the parking areas for the nonresidential uses; (3) on one side of the main access drive from Quarry Road. A pedestrian connection will also be provided between the nonresidential and residential uses and from Main Stret into and throughout the Property. (N.T. pp. 29-30).
- 26. Mr. Mast testified that he did not anticipate any adverse impact on the surrounding properties. (N.T. p. 30).
- 27. Mr. Mast testified that the Proposed Use will not cause undue traffic congestion. (N.T. p. 30-31).
- 28. Mr. Mast testified that the Proposed Use will not have an unanticipated impact on Township public services, water, sewer, police, and fire protection. (N.T. p. 31).
- 29. Two stormwater basins are proposed as part of the Development, in addition to the existing drainage feature and an existing retention basin on the Property. (N.T. p. 31-32).
- 30. In response to a question from Supervisor Canavan, Mr. Mast testified that the southwester boundary line will be planted with a medium-intensity landscape buffer consisting of a mix of evergreen trees, shade trees, ornamental trees and shrubs in accordance with the Township's Subdivision and Land Development Ordinance. (N.T. pp. 32-33).

- 31. The rear elevation of the proposed bank building will contain parapet walls for the purpose of hiding the HVAC equipment for the building. However, the Applicant is committed to softening the appearance of that elevation to make it more residential in character in accordance with the requirements of the RO Residential-Office District. (N.T. pp. 36-37).
- 32. The siding materials for the proposed bank building will be a Hardy-like cement board and the siding materials for the residential buildings and retail buildings will be vinyl. (N.T. pp. 38-39).
- 33. Public access will be provided to all of the sidewalks constructed as part of the Proposed Use. (N.T. p. 41).
- 34. The Proposed Use will be serviced with public water and sewer. (Exhibits T-4, T-5 and A-2).
 - 35. The bank roof system will be pitched at 82%. (Exhibit A-5).
- 36. In response to questions from the public, Mr. Mast responded that part of the land development plan will include improvement of the drainage design along Quarry Road. (N.T. p. 54-55).
- 37. In response to a question from the public, the trash enclosure for the apartment use will be addressed during the land development plan review process for the development of the Property. (N.T. p. 59-60).

DISCUSSION AND CONCLUSIONS OF LAW

1. A conditional use is a special exception "which falls within the jurisdiction of the municipal body rather than the zoning hearing board." Williams Holding Grp., LLC v. Board of Supervisors of W. Hanover Twp., 101 A.3d 1202, 1212 (Pa. Commw. 2014) (discussing Section 603(c) of the Pennsylvania Municipalities Planning Code (MPC), Act of July 31, 1968, P.L. 805, as amended, 53 P.S. §10603(c)).

- 2. A municipal body may grant a conditional use pursuant to its police powers to regulate land use. <u>Id.</u>; <u>Clinton County Solid Waste Authority v. Wayne Township</u>, 643 A.2d 1162, 1168 (Pa. Commw. 1994).
- 3. The fact that a use is permitted as a conditional use, rather than prohibited, reflects a legislative decision that the use is not *per se* adverse to the public interest. <u>K. Hovnanian Pennsylvania Acquisitions, LLC v. Newtown Township Board of Supervisors</u>, 954 A.2d 718, 725 (Pa. Commw. 2008); <u>Susquehanna Township Board of Commissioners v. Hardee's Food Systems, Inc.</u>, 430 A.2d 367, 369 (Pa. Commw. 1981).
- 4. In order to demonstrate that the Applicants are entitled to the conditional use, the Applicants initially bear the burden of establishing that the Application complies with the objective standards and criteria for the particular conditional use. <u>Visionquest National, Ltd. v. Board of Supervisors of Honey Brook Township, Chester County</u>, 569 A.2d 915, 917 (Pa. 1990); <u>City of Hope v. Sadsbury Township Zoning Hearing Board</u>, 890 A.2d 1137, 1147 (Pa. Commw. 2006).
- 5. Satisfaction of the Applicants' burden establishes a legislative presumption that the use is consistent with the health, safety, and welfare of the community. *Id.*; Susquehanna Township, 430 A.2d at 369.
- 6. If the Applicants satisfy this initial burden, the burden shifts to any objectors to rebut this presumption by establishing that the use will have a detrimental impact on the surrounding community. <u>Joseph v. North Whitehall Township Board of Supervisors</u>, 16 A.3d 1209, 1215 (Pa. Commw. 2011); <u>Sheetz v. Phoenixville Borough Council</u>, 804 A.2d 113, 115 (Pa. Commw. 2002).

- 7. Pursuant to Section 164-62.16.C. of the Zoning Ordinance, the Proposed Use is a permitted use on the Property upon conditional use approval as Class Three conditional uses. *Zoning Ordinance*, Section 164-62.16.C.
- 8. The Proposed Use complies with the dimensional criteria for Class Three conditional uses set forth in Section 164-62.17 of the Zoning Ordinance. (Exhibits T-4, T-5 and A-2).
- 9. The Applicant's drive-through component of the bank complies, and/or will comply, with the Zoning Ordinance conditions for a drive-through for non-residential uses. (Exhibit T-4, T-5 and A-2); *Zoning Ordinance*, Section 164-62.16.C.7.(a)-(d).
- 10. The apartments and retail space satisfy the pitched roof, overall dimension, and architectural requirements for buildings greater than 4,000 square feet. (Exhibits T-4, T-5, T-14-18, A-3 and A-5); *Zoning Ordinance*, Section 164-62.18.E.
- 11. The proposed bank building, as conditioned in the following Order, satisfies the pitched roof, overall dimension, and architectural requirements for buildings less than 4,000 square feet. (Exhibits T-4, T-5, T-14-18, A-3 and A-5); *Zoning Ordinance*, Section 164-62.18.D.
- 12. Future shared access and driveway easements are provided. (Exhibits T-4, T-5 and A-2); Zoning Ordinance, Section 164-62.18.G.
- 13. After reviewing all of the testimony and exhibits submitted, the Board finds that the Applicants have met their burden by demonstrating compliance with the specific criteria of Section 164-62.16.C, Section 164-62.17, and Section 164-62.18 of the Township's Zoning Ordinance. In the opinion of the Board, the testimony and evidence presented at the Hearing

establish that that the requested conditional use (as conditioned in the following Order) will not adversely affect the public health, safety and welfare of the community.

14. It is our specific finding therefore that the requested conditional use to redevelop the Property as a mixed-use development with a one-story bank building with drive-through facilities, a one-story retail building and four, two-story apartment buildings containing a total of thirty-six (36) dwelling units (as conditioned in the following Order) is in the best interest of this Township and is not likely to result in any unanticipated adverse effect to the public, safety and welfare.

(Order of the Board follows on the succeeding page)

ORDER

AND NOW, this day of da

- 1. Nothing in this Decision of the Board of Supervisors on this Conditional Use Application shall be construed as either an express or implied waiver of any provision of any applicable ordinance of Lower Salford Township. No level of development is guaranteed by virtue of this conditional Approval and the proposed development shall be permitted only if the fully-engineered Plans for the Property can demonstrate compliance with all applicable zoning and subdivision regulations of the Township as well as any relevant statutes or regulations of any other governmental entity having jurisdiction over development on the Property.
- 2. All development permitted by this conditional Approval shall be consistent with the testimony and exhibits submitted to the Board of Supervisors at the public hearing held on April 3, 2023.
- 3. As a part of the land development plan submission for the development of the Property for the Proposed Use, the Applicant shall incorporate pedestrian connections via additional sidewalk and crossings to connect the proposed sidewalk along Main Street to the commercial and residential portions of the development. Such additional pedestrian connections shall be subject to the review and approval of the Township as a part of the land development approval process.

- 4. The southwester boundary line shall be planted with a medium-intensity landscape buffer consisting of a mix of evergreen trees, shade trees, ornamental trees and shrubs in accordance with the Township's Subdivision and Land Development Ordinance.
- 5. Applicant shall revise the rear elevation of the proposed bank building to include similar architectural features to the front elevation or some other acceptable architectural features so that the appearance of the rear elevation is more residential in character to the satisfaction of the Board of Supervisors as required by the Lower Salford Township Zoning Ordinance.
- 6. Applicant shall submit a lighting plan and a landscaping plan in accordance with the requirements of Sections 164-62.16.C.7.(d) and 164-62.18.L. of the Township Zoning Ordinance as part of the land development approval process, which plans shall be reviewed and approved by the Board of Supervisors.
- 7. At the time of recording of an approved land development plan for the Proposed Use on the Property, a deed restriction shall be recorded to preserve the architectural features of the facades of all buildings proposed as part of the development so that such features are appropriately maintained and may not be changed in the future from the renderings approved as part of this Conditional Use Application and any subsequent land development plan approval. Such deed restriction shall be subject to the review and approval of the Township Solicitor.
- 8. The proposed commercial portion of the development shall not be converted at any time in the future to residential use.
- 9. A sidewalk easement shall be provided for access by the general public to all sidewalks constructed as part of the development of the Proposed Use on the Property. The sidewalk easement agreement shall be reviewed and approved by the Township Solicitor and recorded with the final land development plans for the development of the Property.

10. Cross-access easement agreements and an emergency access easement agreement shall be provided during the land development plan review process. Such easement agreements shall be reviewed and approved by the Township Solicitor and recorded with the final land development plans for the development of the Property.

LOWER SALFORD TOWNSHIP BOARD OF SUPERVISORS

y: Keith A. Bergman, Chairman

Board of Supervisors

Joseph S. Czajkowski, Secretary



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

The Village at Lederach | 658 Harleysville Pike, Suite 150 | Harleysville, PA 19438 | 215-513-2100 | Fax 215-513-2101

May 17, 2024; Revised September 25, 2024

Lower Salford Township 345 Main Street Harleysville, PA 19438

ATTN: Mr. Michael Beuke, Director of Building and Zoning

SUBJ: 196 Main Street – Request for Waivers

Lower Salford Township, Montgomery County, PA

RCMA Project Number 3179

Dear Mike:

We respectfully request the following Waivers from the Lower Salford Township Subdivision and Land Development Ordinance in conjunction with the above referenced Land Development Application. I have listed the section for each Waiver request along with an explanation of the request below.

§142-35.D.4 and 142-42.D.1 Parking Lot Perimeter Landscaping

A waiver is requested to not provide plantings around the perimeter of the proposed residential parking lot, where buildings are located. We believe the intent of the ordinance is to provide buffering of the parking lot from neighboring properties or roadways. The proposed buildings will completely block the parking area from neighboring properties or roadways. Similarly, non-residential properties do not require perimeter planting "where buildings, driveways and walkways are located" (SALDO Section 142-35.E.(1).

§142-41 Sidewalks

A waiver, to the extent necessary, is requested to not provide sidewalk all the way to the property lines along Quarry Road and Main Street, to allow for grade transitions at the end of the sidewalk.

§142-42.B.(1)(c) – Existing Tree Preservation

A waiver to allow trees that are proposed to remain to be considered "preserved" where construction is proposed within twenty (20) feet of a trunk. This will allow the development to maximize the amount of trees being preserved on the site.

§142-42.F.2.d.1 Basin Side Slopes

A waiver is requested to allow a maximum of 3:1 side slope on the outside of the basin (toward Quarry Road and the proposed entrance drive) of Basin (BMP) 1 (within the non-residential portion of the site), and on the outside slope (toward Quarry Road) of Basin (BMP) 2 (within the residential portion of the site). The basins will be professionally and commercially mowed and the greater side slope allows the basins to be designed with a larger bottom area and shallower depth.

LSTES 107.2.D and 107.5 Minimum Pipe Sizes

A waiver is requested to allow a pipe size of 15 inches for the pipe run between inlet A3 and A2 (70 feet) and B8 and B7 (24 feet).

LSTES 107.1.E Stormsewer Design

A waiver is requested to allow a lesser design storm and the use of HDPE Pipe for the existing cross pipe under Quarry Road, provided an acceptable design is agreed to with the Township Engineer.

Please feel free to contact me if you have any questions.

Sincerely:

Richard C. Mast Associates, P.C.

Ry: Richard C Mart PE President

Cc: Mainland Pointe, L.P.

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