



BOROUGH OF AMBLER

COUNCIL MEETING AGENDA

July 19, 2016

7:00 p.m.

CALL TO ORDER: Mr. Sal Pasceri
PLEDGE OF ALLEGIANCE: Mayor Jeanne Sorg
ROLL CALL: Ms. Mary Aversa

PROCLAMATION PRESENTATION

In recognition of the service of Administrative Sgt. John Keefer

MINUTES APPROVED
June 21, 2016

COMMITTEE REPORTS:

PUBLIC SAFETY
PUBLIC UTILITIES
FINANCE & PLANNING
PARKS & RECREATION
SALARY & PERSONNEL



**BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA
A PROCLAMATION RECOGNIZING THE DEDICATED SERVICE OF
ADMINISTRATIVE SERGEANT JOHN C. KEEFER**

AMBER BOROUGH POLICE DEPARTMENT

WHEREAS, Administrative Sergeant John C. Keefer has served in Law Enforcement for over 34 years; and

WHEREAS, Sgt. Keefer began his career as a sheriff with the Montgomery County Sheriff's Department in June 1981, and after completing training at the Temple University Police Academy on April 28, 1983, he transitioned to the Conshohocken Police Department as a Patrol Officer; and

WHEREAS, Sgt. Keefer started as a patrol officer with the Ambler Borough Police Department on February 29, 1988 and was promoted to Sergeant on March 31, 1993; and

WHEREAS, in June 2008 Sgt. Keefer was appointed as Emergency Management Coordinator and promoted to Administrative Sergeant; and

WHEREAS, during his career, Sgt. Keefer has served his community under several chiefs of police as a hard working dedicated member of the Ambler Borough Police Department and is recognized for his cooperation, teamwork and professionalism providing significant and outstanding service to this community; and

WHEREAS, his performance in the line of duty has enhanced the community welfare and contributed to the accomplishments of the Department.

NOW THEREFORE, this ____ day of _____ 2016, **Ambler Borough Council & the Mayor of Ambler** express our appreciation to Administrative Sergeant John C. Keefer for his performance in the line of duty and his commitment to this community, and do recognize Sgt. Keefer for his years of dedicated service to the Ambler Borough Police Department and congratulate him on his retirement.

Salvatore Pasceri, Council President

Jeanne Sorg, Mayor of Ambler

Edward Curtis, Sr., Public Safety Chairman

Mary Aversa, Secretary

Public Safety Committee

Council Meeting, July 19, 2016 at 7:00 p.m. in Borough Council Chambers located at 131 Rosemary Avenue. Committee members: Edward Curtis (Chair), Sharon Mc Cormick, Jonathan Sheward.

The Committee will consider the following recommendation.

1. A recommendation is requested to adopt **Ordinance 1100** making Mattison Avenue one way and to restrict Euclid Avenue to local traffic during certain hours. (**attached**).

The following business will be discussed.

1. The Police Department report is **attached**.
2. The Fire Department report is **attached**.
3. The Community Ambulance report is **attached**.
4. The Public Works report and Code Enforcement reports are **attached**.
5. The monthly Safety Committee meeting minutes are **attached**.

**BOROUGH OF AMBLER
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE 1100

**AN ORDINANCE OF THE BOROUGH OF AMBLER AMENDING CHAPTER 15 OF
THE CODIFIED ORDINANCES AT SECTIONS 15-207 (ONE WAY TRAFFIC) AND
15-221 (TURNING RESTRICTIONS AT CERTAIN TIMES) TO MAKE MATTISON AVENUE
A ONE WAY STREET AND TO RESTRICT EUCLID AVENUE TO LOCAL TRAFFIC**

WHEREAS, in order to keep the Borough traffic regulations responsive to the needs of the public as the situation warrants, and in response to proposed development in neighboring Upper Dublin Township that could have a great impact on motor vehicle traffic within the Borough (such development to take place on the opposite side of the Borough's Bethlehem Pike boundary), Chapter 15 of the codified ordinances is amended as follows:

1. **15-207**, "One Way Streets Established", shall be modified by the addition of the following street to the existing list:

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Direction of Travel</u>
Mattison Avenue	Park Avenue	Bethlehem Pike	Eastbound (toward Bethlehem Pike)

2. **15-221**, "Turning Restrictions", shall be modified by adding a new section "1.A" called "Local Traffic Only" and which shall read as follows:

The following streets are restricted to local traffic only (Borough residents or persons traveling to a destination within the Borough) during the hours listed:

<u>Street</u>	<u>Hours in Effect</u>
Euclid Avenue	7:00 - 9:00 a.m; 4:00 - 6:00 p.m.

The remainder of the Ordinance remains in full force and effect, unaffected by these amendments. Effective upon adoption.

SO ORDAINED this ____ day of _____, 2016.

Salvatore Pasceri, Council President

ATTEST: Mary Aversa, Secretary

APPROVED: Jeanne Sorg, Mayor



WISSAHICKON FIRE COMPANY

245 E. RACE ST, AMBLER, PENNSYLVANIA 19002-4424
Station (215) 646-1266 – Office (215) 646-5692 – Fax (215) 628-3057
www.Station7.org

*Volunteers Protecting
Ambler Borough and
Lower Gwynedd
Township Since 1891*

Fire Chief Monthly Report June 2016

Total Calls: 43

13 Ambler Boro
16 Lower Gwynedd
14 Mutual Aid

Attendance to Fire Calls: 654

Attendance to Weekly Fire Schools: 159

Respectfully Submitted,

Fire Chief Phil Koller

**Wissahickon Fire Company
Year 2016 Summary**

Types of Calls	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Total
Accident Standby	1			1	1								3
AFA Actual	12	9	3	9	6	4							43
AFA False	5	10	5	7	7	7							41
Brush				3	1	2							6
CO Detector	4	2			2	2							10
Commercial Building	3	1	4	1	2	5							16
Elevator Rescue				1	2	2							5
EMS Assist	4				1	1							5
FAST Team Assist	2			2	2	3							9
Fluids on Highway				1	1								2
Gas Odor Inside	4	2	1	2		1							10
Gas Odor Outside	1		2		1	2							6
Hazardous Materials Incndnt													-
Helicopter Landing	1												1
LDH Drill	-												-
Non Commercial Building	6	3	2	4	1	5							21
Officer Investigation	3	3	3	1	1	4							15
Ornamental Fireplace													-
Residential Rescue	1			1									2
Search													-
Smoke in Area													-
Special Service	3												3
Standby	-	1	2		1								4
Task Force Assignment													-
Traffic Unit Assist		1		2									3
Trash				1									1
Unknown Type				1									1
Vehicle Fire	1	1	1	1									4
Vehicle Leaking Fuel	-				1								1
Vehicle Rescue	-	3	2	1	1	2							9
Water Flow Actual													-
Water Flow False													-
Water Rescue													-
Wires	1	3	5	1	1	3							14
Total	52	39	31	39	31	43	-	-	-	-	-	-	235
													100.0%

Townships	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Total
Ambler	25	15	14	14	9	13							90
Lower Gwynedd	20	13	12	16	16	16							93
Abington													-
Bridgeport													-
Bryn Athyn													-
Total													183
													100.0%



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P.O. BOX 98
AMBLER, PENNSYLVANIA 19002

EMERGENCY DIAL 911
EMAIL: info@amblerambulance.org

BUSINESS:(215)-643-6517
FAX:(215)-643-5212

Ambler Borough Statistics – 2016

<u>Month</u>	<u>Calls in Borough</u>	<u>Total Calls for CAAA</u>
January	56	223
February	34	171
March	34	214
April	51	193
May	55	218
June	57	220
<hr/>		
YTD Totals	288	1239

*Serving Ambler Borough, Lower Gwynedd Township and
Portions of Upper Dublin Township Since 1964*

**MEMO: ED CURTIS, CHAIRMAN-PUBLIC SAFETY
MARY AVERSA, BOROUGH MANAGER**

FROM: GAIL GORDON, FINANCE MANAGER

DATE: June 21, 2016

RE: MONTHLY SAFETY MEETING

The monthly safety meeting was held this morning at 1:00 PM in the Caucus Room. Those in attendance were; Mr. Ed Curtis of Borough Council, Mr. Bob Croasdale and Mr. Tony Isabella from AWWTP, Ms. Mary Aversa, Ms. Gail Gordon and Mr. Glenn Kucher from the Administration Office. Mr. Robert Rocco and Mr. James Wack from Public Works Dept. Mr. John Keefer, Mr. Rick Hummel, Mr. Phillip Benigno and Mr. Salvatore Pasceri were not available.

OLD ITEMS:

1. PENDING-UPDATE-At the 8-26-14 meeting, Mr. Bob Rocco reported the Borough Garage is in need of a couple of jalousie windows; ventilation in the garage is needed. Windows have been purchased and the Public works Department has installed one and the balance will be installed as time permits.
2. PENDING-UPDATE- The purchase of a Defibulator for the garage is being considered. Ms. Gail Gordon has received the a grant application from 2016 DVIT to purchase and is awaiting quotes from the vendors.
3. PENDING-NO CHANGE-r. Glenn Kutcher reported that PECO had removed one old pole and the two remaining poles need to be removed and he will check to be sure they have been taken care of. Per Glenn, these issues have been resolved.
4. Mr. Bob Croasdale reported that they had someone out to check for leaks reported by DVIT and none were found. He will send the report to DVIT. Bob will check to be sure DVIT has been notified.
5. Mr. Ed Curtis reported that research has been done on Flags for the Hydrants and they didn't feel they would work out. Mr. Curtis discussed with the fire department and will share his information with Phillip Benigno to determine the best action.

New Business:

No New Business

Next meeting: August 16th at 1:00 PM

cc: Bob Rocco, Jim Wack
Phil Benigno, Frank Scalfaro
Bob Croasdale
Glenn Kucher
John Keefer

Parks and Recreation Committee

Council Meeting, July 19, 2016 at 7:00 p.m. in Borough Council Chambers located at 131 Rosemary Avenue. Committee Members: Frank DeRuosi (Chair), Nancy Deininger and Sara Hertz.

The Committee will make no recommendations.

The following business will be discussed.

1. The purchase of the Edgewood property is complete; the deed restriction is being filed.

Public Utilities Committee

Council Meeting, July 19, 2016 at 7:00 p.m. in Borough Council Chambers located at 131 Rosemary Avenue. Committee Members: Sal Pasceri (Chair), Claudio Zaccone, Edward Curtis.

The Committee will consider the following recommendations.

1. Plans for the proposed Verizon Monopole to be placed on the Borough Hall property were received. Todd Bettenhausen will be present to answer any questions about the project. A recommendation from the Committee is requested. **(attached)**
2. Quotes are being obtained for a new skid-steer, details will be provided.

The following business will be discussed.

1. The Engineer's Report is **attached**.
2. The Engineer is preparing a request for proposal for the reconditioning of the T-8 Gravity Thickener.
3. An **Ordinance** for the Inter-Governmental Agreement for the TMDL and MS4 alternative will be advertised for adoption. **(attached)**



July 14, 2016

Ms. Mary Aversa
Borough Manager
Borough of Ambler
122 East Butler Ave.
Ambler, PA 19002

Re: Status Report – June 2016

Dear Mary,

The status of current active projects is as follows:

- 1.) Replacement of PS-1 Pump Controller – The Borough has issued a purchase order to Sigma Controls. The equipment is in fabrication.
- 2.) Wissahickon Creek TMDL – The Ambler WWTP and the other 3 wastewater treatment plants on the Wissahickon Creek submitted a draft proposal to PADEP on May 20, 2016 offering lowering phosphorus concentrations in the effluent.
- 3.) Replacement of VFDs – The Superintendent proposed, and EEMA agrees, that it is more prudent to have a service firm perform preventive maintenance and assess the functionality of the existing drives rather than to replace drives based solely on age.
- 4.) NPDES Permit and TMDL Compliance– EEMA is working with WWTP personnel to prioritize repair, replacement and refurbishment of certain critical process related valves and pumps. To meet the total phosphorus limits proposed by DEP, all processes at the WWTP will need to perform optimally. EEMA is also investigating additional chemical storage.
- 5.) Digester Cleaning – This year EEMA is pursuing cleaning and refurbishment of the gravity thickener (T-8). The parts have been arrived at the WWTP. EEMA has prepared the RFP for installing the parts and refurbishing the gravity thickener.

If you have any questions, please do not hesitate to contact me.

Very truly yours,
Environmental Engineering &
Management Associates, Inc.

William A. Brown II, P.E.
Principal Engineer

The following is suggested language for use by the Permittees in adopting the IGA. It is based on Intergovernmental Cooperation Law, Pennsylvania Consolidated Statutes, Title 53 - Municipalities Generally, SUBPART D - AREA GOVERNMENT AND INTERGOVERNMENTAL COOPERATION. Please feel free to use this in the preparation of your ordinance to adopt the IGA.

ORDINANCE NO. _____
(Municipality)
Montgomery County, PA

An Ordinance of (*Municipality*), Montgomery County, Pennsylvania adopting the Intergovernmental Agreement for the completion of the Alternative TMDL Plan for the Wissahickon

Section 1. Conditions of Agreement.

The Intergovernmental Agreement (Agreement) is made by and among each of the Wissahickon Creek Watershed Municipalities and Wastewater Treatment Plants executing the Agreement for the preparation of the Wissahickon Watershed Alternative TMDL Plan (Plan), collectively, the "Parties", each Party shall individually be referred to as a "Party" and shall collectively be referred to as the "Parties". The list of the Parties is as follows, and shall be updated by Addendum as necessary.

Municipalities

Abington Township	Philadelphia County
Ambler Borough	Springfield Township
Cheltenham Township	Upper Dublin Township
Horsham Township	Upper Gwynedd Township
Lansdale Borough	Upper Moreland Township
Lower Gwynedd Township	Whitemarsh Township
Montgomery Township	Whitpain Township
North Wales Borough	Worcester Township

Wastewater Treatment Plants:

Abington Township Wastewater Treatment Plant
Ambler Borough Wastewater Treatment Plant
Upper Gwynedd Township Wastewater Treatment Plant
Upper Dublin Township Wastewater Treatment Plant (Bucks County Water & Sewer Authority)

Section 2. Duration of the Term of the Agreement

The duration of the term of the Agreement (Term) shall be two years. The Agreement may be extended by those Parties desiring to participate for an additional term or terms, by resolution.

Section 3. Purpose and Objectives of the Agreement

The Agreement is the document by which the Parties signify their commitment to participate in the preparation of the Plan. The goal of the Plan is to achieve water quality standards in water bodies throughout the Wissahickon Creek watershed. Further, the Agreement establishes the role and duties of the Parties, the Consultant, the Legal Services Representation, and the Expert Panel Services, and the scope of the Plan, as defined in the Agreement and further outlined in Attachment A of the Agreement.

Section 4. Manner and Extent of Financing the Agreement

A fee not to exceed \$6,250 per year shall be provided by each Party. This fee is to cover the costs of Legal Services and Expert Panel Services.

Section 5. Organizational Structure

The Plan shall be prepared by the Consultant, with guidance and input provided through a Stakeholder Group and a Management Committee, whose roles are defined in the Agreement.

Section 6. Real or Personal Property

The Agreement does not empower any of the Parties, the Consultant, Legal Services Representation, or Expert Panel Services to acquire, manage, license or dispose of any real or personal property related to or in conjunction with the preparation of the Plan.

Section 7. Contracts

The Parties entering into the agreement shall be empowered to contract with the Consultant, Legal Services Representation, and Expert Panel Services for services pertaining to the preparation of the Plan and securing approval of the Plan from the US Environmental Protection Agency and the Pennsylvania Department of Environmental Protection.

Section 8. Effective Date

The Effective Date of this Ordinance shall be *(DATE)*.

ORDAINED AND ENACTED by the *(Board or Council)* of *(Municipal Name)*, Montgomery County, Pennsylvania, this _____ day of _____, 2016.

Finance and Planning Committee

Council Meeting, July 19, 2016 at 7:00 p.m. in Borough Council Chambers located at 131 Rosemary Avenue. Committee Members: Jonathan Sheward (Chair), Frank DeRuosi and Francine Tomlinson.

The Committee will consider the following recommendations.

1. That the June 2016 invoices be paid as follows:

#	Fund	JUNE 1ST RUN	JUNE 2ND RUN	TOTALS
1	GENERAL	\$42,287.87	\$ 99,531.46	\$141,819.33
2	STREET LGTS	\$4,856.23	\$ 4,601.25	\$9,457.48
3	FIRE		\$ 6,853.23	\$6,853.23
4	REFUSE	\$32,575.11	\$ 5,067.06	\$37,642.17
5	PARKS & REC	\$6,135.84	\$ 955.64	\$7,091.48
6	WATER	\$38,338.83	\$ 69,311.71	\$107,650.54
8	SEWER	\$2,934.46	\$ 10,473.81	\$13,408.27
9	WWTP	\$89,255.75	\$ 91,163.70	\$180,419.45
23	DEBT FUND			\$0.00
30	WATER CAPITAL		\$ 2,487.00	\$2,487.00
35	LIQUID FUELS		\$ 2,302.93	\$2,302.93
TOTALS		\$216,384.09	\$292,747.79	\$509,131.88
VOID CHECKS		\$0.00		\$0.00
GRAND TOTAL		\$ 216,384.09	\$ 292,747.79	\$ 509,131.88

2. The bid for the 2016 Paving Project were received, a recommendation to award the base bid and alternates to Associated Paving Inc., in the amount of \$259,764.00 is requested. **(attached)**
3. The **attached** agreement is for participation the Verizon Franchise Renewal with the Consortium. Authorization is requested to participate.
4. Renovation options and estimates for renovations of the Borough Hall Gym were provided, a recommendation is requested. **(attached)**

5. The **attached** lease was received from SEPTA for the Farmers Market. Authorization is requested to sign the agreement.

Hearing Scheduled

1. A hearing is scheduled for **Ordinance 1099** repealing the Riparian Buffer **Ordinance 1095**.

The Ordinances and Planning Commission letters are **attached**.

The SALDO Planting Requirements **Ordinance 1096** –was advertised.

The following business will be discussed.

1. The Borough Engineer's report is **attached**.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

July 13, 2016

Project No. 2016-05051

Mary Aversa, Borough Manager
Borough of Ambler
122 East Butler Avenue
Ambler, PA 19002

Reference: 2016 Road Program
Bid Tabulation

Dear Mary:

Bids for the above-referenced project were opened at the public meeting held 10:00 AM July 8, 2016 at Ambler Borough Hall. The base bid includes mill and overlay of N. Maple Avenue and Grist Mill Court along with two curb ramps. Alternate Bid 1 includes mill and overlay of S. Spring Garden St. from Butler Ave. to Orange Ave. Alternate Bid 2 includes mill and overlay of S. Spring Garden St. from Orange Ave. to Bannockburn Avenue. Two bids were received and are summarized below. A copy of the bid tabulation is attached for your review. We recommend award of the base bid and alternate bids 1 & 2 to **Associated Paving Contractors, Inc.** in the amount of **\$259,764.00**.

	Associated Paving Contractors, Inc.	GoreCon Inc.
BASE BID ONLY	\$ 129,276.00	\$ 150,763.00
BASE BID & ALTERNATE BID 1	\$ 199,415.00	\$ 227,489.00
BASE BID & ALTERNATE BID 2	\$ 189,625.00	\$ 218,313.00
BASE BID & ALTERNATE BIDS 1 & 2	\$ 259,764.00	\$ 295,039.00

As always, please call us if you have any questions or if we can be of any assistance regarding this project.

Sincerely,

James P. Dougherty, P.E.
Gilmore & Associates, Inc.
Borough Engineers

JPD

Enclosure: Bid Tabulation

cc: Joseph Bresnan, Esq., Dischell Bartle Dooley
Bidders

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_____, 2016

Daniel S. Cohen
Cohen Law Group
413 South Main Street, 3rd Floor
Pittsburgh, PA 15215

RE: Engagement for Cable Compliance Review and Franchise Renewal with Verizon

Dear Mr. Cohen:

This is to inform you that _____ has decided to engage the services of the Cohen Law Group (“CLG”) to assist in a cable compliance review and franchise renewal negotiations with Verizon Pennsylvania, Inc. This engagement is made pursuant to the Revised Proposal to Perform Verizon Franchise Renewal Services submitted to the Montgomery County Consortium (“Consortium”) dated June 13, 2016 (“Proposal”). The Proposal includes the scope of services for the projects as well as the cost of services on a flat fee basis.

As detailed in the Proposal, we understand that the amount of our fee depends on the population of our municipality and the number of municipalities that decide to participate. We also understand that the Consortium will subsidize our fee in the amount of \$1,000 per municipality. CLG will bill our municipality the remaining fee, minus the amount of the subsidy, as follows: one-third of each project upon engagement, one-third at the middle of each project, and one-third upon completion of each project. We further understand that out-of-pocket expenses on our behalf will also be invoiced and divided among all participating municipalities.

While we are engaging the Cohen Law Group individually and, upon conclusion of the project, our municipality will obtain its own individual franchise agreement, we understand that this project will be in conjunction with other participating municipalities of the Consortium. We look forward to working with your firm on this project.

Sincerely yours,

Name: _____

Title: _____

Date: _____

AMBLER BOROUGH
ORDINANCE NUMBER 1099

AN ORDINANCE REPEALING ORDINANCE 1095 IN ITS ENTIRETY. ORDINANCE 1095 CREATED A RIPARIAN BUFFER ZONE ALONG THE ROSE VALLEY CREEK AND PLACED LIMITATIONS ON ACTIVITIES WITHIN SUCH ZONE.

WHEREAS, Ordinance 1095 was adopted by vote of Borough Council on May 3, 2016 (tie vote of 4-4, one absent, Mayor voting to adopt), and

WHEREAS, after the vote, a member of Council expressed confusion whether the adoption of the ordinance was compelled by various requirements imposed under the MS4 stormwater program, and

WHEREAS, thereafter, a motion was duly made by a member of Council who was on the prevailing side of the original vote to advertise an ordinance repealing the original ordinance, seconded, and vote taken to reconsider the ordinance

NOW THEREFORE, upon further consideration of Ordinance 1095, Ordinance 1095 is repealed in its entirety, effective immediately.

SO ORDAINED this ____ day of _____, 2016

Salvatore Pasceri, President

ATTEST: _____
Mary Aversa, Secretary

Borough Of Ambler

131 ROSEMARY AVENUE
AMBLER, PENNSYLVANIA 19002-4476

PHONE 215-646-1000
FAX 215-641-1355 ADMINISTRATION
FAX 215-641-1921 WATER DEPARTMENT
WEBSITE: www.boroughofambler.com



June 26, 2016

Mary Aversa, Borough Manager
Borough of Ambler
122 East Butler Avenue
Ambler, PA 19002

Re: Proposed Zoning Ordinance Repealing
The Riparian Buffer Ordinance #1095

Dear Mrs. Aversa:

Please be advised that the Ambler Borough Planning Commission at its June 26, 2016, meeting voted unanimously to not recommend to Council to approve this Ordinance to repeal the Riparian Buffer Ordinance #1095.

If you have any questions, please feel free to contact our Chairman, Robert Lagreca.

Very truly yours,

Carol Ann DiPietro
Secretary
Ambler Borough Planning Commission

Borough Of Ambler

131 EAST BUTLER AVENUE
AMBLER, PENNSYLVANIA 19002-4476

PHONE 215-646-1000
FAX 215-641-1355 ADMINISTRATION
FAX 215-641-1921 WATER DEPARTMENT
WEBSITE: www.boroughofambler.com



Memorandum

To: Ambler Borough Council
Mary Aversa, Borough Manager

From: Glenn Kucher, Code Enforcement Officer

Date: July 14, 2016

Re: Ordinance #1095 – Repealing the Riparian Buffer Ordinance

As you know at the direction of Council, the Borough Planning Commission has been working on draft language for the possible adoption of environmental Ordinances to protect the Borough's natural resources since early 2015.

A hearing on the Riparian Buffer Ordinance was held on May 3rd and as per the Ordinance in front of you there was some confusion over the original intent.

Below are some clarifications of some misconceptions of the intent of this Ordinance:

- It is not to take away anyone's property or require anyone to plant a riparian buffer
- This ordinance is to encourage re-establishment of a riparian buffer NOT force anyone to do so. Even if a property owner were permitted to do the construction activity they wish to perform they would NOT have to establish a riparian buffer.
- In addition, similar to how municipalities establish rear, side, and front yard setbacks for construction within someone's property this would not be considered a taking.
- This would NOT prohibit the maintenance of the riparian corridor through the removal of invasive plants, trash, debris, fallen or dead trees, and mitigation of soil erosion problems.
- The ordinance is relatively lax in regard to permitted uses – many riparian buffer ordinances are more strict, but we relaxed them a bit in an effort to better accommodate the existing characteristics of the Borough and of the Rose Valley Creek.
- *Permitted uses* and *mandated actions* are not the same thing.

- Though the ordinance generally prohibits the clearing of existing vegetation, it DOES allow for clearing when:
 - Needed to prep land for a permitted use
 - Vegetation will be reestablished
 - The vegetation is invasive (UNLESS that invasive vegetation is essential to streambank stability etc.)
 - The presence of damaged, destroyed, or dead vegetation that poses a risk to public health, safety, or welfare
 - Trees/limbs can be removed if they pose a risk to property, public health, safety, or welfare pending approval by the Borough or Borough-appointed arborist.

- Re: plantings, the ordinance essentially asks that new plantings follow the suggested plantings list. The language here is suggestive only – “Reestablishment of forest cover and woodland habitat is encouraged to be as consistent as possible with the requirements of Appendix B...”, and is really just asking that new plantings be native and suitable for riparian areas.

Hope this is helpful. Feel free to contact me with any questions or comments. Thank you for your input and assistance with this matter.

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



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

JODY L. HOULTON, AICP
EXECUTIVE DIRECTOR

June 23, 2016

Mr. Glenn Kucher, Code Enforcement Officer
The Borough of Ambler
131 Rosemary Avenue
Ambler, PA 19002

Re: MCPC #16-0059-004
Ordinance Repealing Riparian Buffer District
The Borough of Ambler

Dear Mr. Kucher:

We have reviewed the above-referenced zoning text amendment in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on June 2, 2016. We forward this letter as a report of our review.

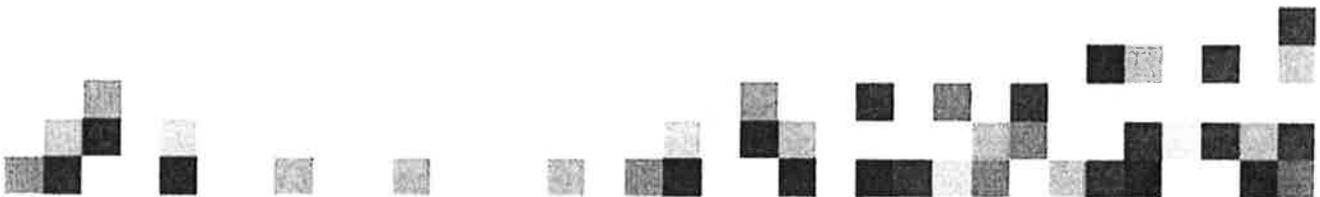
BACKGROUND

As part of an effort to create regulations for the protection of important natural features throughout Ambler Borough, the Montgomery County Planning Commission (MCPC) has worked closely with the Ambler Planning Commission and other Borough officials to develop the Rose Valley Creek Riparian Corridor Conservation District. Ambler Borough Council voted to adopt the ordinance on May 3, 2016, however Council has subsequently requested a repeal of the ordinance in its entirety. A copy of our previous letter commenting on the proposed adoption of the Rose Valley Creek Riparian Corridor Conservation District is attached for reference (see Appendix 1).

COMPREHENSIVE PLAN COMPLIANCE

As stated in our previous letter reviewing the Rose Valley Creek Riparian Corridor Conservation District (see Appendix 1), the creation of such riparian corridor protection standards would further several water quality and stormwater management objectives featured in the following comprehensive plans:

- Montco 2040: A Shared Vision (2015)



- Ambler Borough's Comprehensive Plan Update (2013)
- Ambler Borough's Comprehensive Plan (2001)

RECOMMENDATION

While the Montgomery County Planning Commission respects the Borough's desire to repeal the Rose Valley Creek Riparian Corridor Conservation District, we continue to support the intent of the ordinance and encourage the Borough to consider the merits of embracing some level of riparian corridor protection standards.

REVIEW COMMENTS

We are unsure of Ambler Borough Council's intent regarding the future of the Rose Valley Creek Riparian Corridor Conservation District; however, we wish to reiterate our support of riparian corridor protection standards within the Borough. MCPC has worked closely with the Borough over several months and through a number of reiterations of the ordinance language, subsequently modifying various drafts of the ordinance to better accommodate the unique conditions present in Ambler and, specifically, along the Rose Valley Creek. With this in mind, we offer our continued assistance if the Borough wishes to resume discussions about the ordinance language, and ways in which it could be adjusted to better fit Ambler's needs.

In addition, MCPC continues to be available to the Borough to provide further education regarding the importance of creating riparian protection standards at the municipal level. Providing protections for the Rose Valley Creek, a tributary of the Wissahickon Creek, against negative impacts like stormwater runoff and streambank erosion is critical in improving the water quality of the Wissahickon Creek. Sedimentation and other contaminants are documented concerns regarding the overall health of the Wissahickon Creek watershed, and municipalities are encouraged to help address those concerns at the local level, where stormwater runoff and erosion occur, to the best of their ability. General benefits of riparian corridor protection standards can include improved water quality, enhanced stormwater management and decreased flood risk, and furthering the goals of MS4 and TMDL requirements. More information on MS4 permits and TMDL/Alternative TMDL initiatives can be provided by MCPC Environmental Planners Drew Shaw (dshaw@montcopa.org/610-278-3733) or Jon Leshner (jlesher@montcopa.org/610-278-3750).

CONCLUSION

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

Should the governing body adopt this proposed zoning ordinance repeal, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,



Lauren Van Dyk, Community Planner
lvandyk@montcopa.org
610-278-3749

c: Mary Aversa, Borough Manager
Joseph Bresnan, Esq., Borough Solicitor

Attachments: [Appendix 1 – Copy of previous MCPC review letter.](#)

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



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

JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

March 23 2016

Mr. Glenn Kucher, Zoning Code Officer
The Borough of Ambler
131 Rosemary Avenue
Ambler, PA 19002

Re: MCPC #16-0059-002
Rose Valley Creek Riparian Corridor Conservation District
The Borough of Ambler

Dear Mr. Kucher:

We have reviewed the above-referenced zoning text amendment in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on March 4, 2016. We forward this letter as a report of our review.

BACKGROUND

The Borough of Ambler is proposing to add a new section to Chapter 27 – Zoning of the Borough's Code of Ordinances. The new section, to be called Part 31 – Rose Valley Creek Riparian Corridor Conservation District (RCCD), establishes a riparian buffer on either side of the banks of the Rose Valley Creek within the limits of the Borough. The regulations set forth by this proposed overlay zoning district will apply only to areas of at least 1,000 contiguous feet along a waterway, and only when a land development and/or subdivision plan is submitted to the Borough, or if a building permit for construction within 50 feet of the stream's bank is submitted. The proposed addition to the Zoning Ordinance is a result of collaborative work between the Borough of Ambler and the Montgomery County Planning Commission.

The intent of the proposed zoning amendment is to create and/or enhance the riparian corridor, also known as a riparian or vegetative buffer, along the Rose Valley Creek as part of a regional effort to address stormwater management and to improve water quality within the Wissahickon Creek Watershed. The proposed amendment will regulate permitted and prohibited uses within the proposed RCCD in tandem with other applicable land development regulations, with the intention of limiting disturbances within the area and of reserving riparian corridor areas primarily as open space with limited allowances for recreational uses. The proposed text includes a reference to a proposed amendment to the Borough's Subdivision and Land



Development Ordinance (SALDO) regarding planting requirements within the proposed RCCD, which provides a framework for proper landscaping within the corridor.

COMPREHENSIVE PLAN COMPLIANCE

The proposed Rose Valley Creek Conservation District zoning text amendment will further the following general objectives of County and municipal comprehensive plans:

Montco 2040: A Shared Vision (2015)

- Improve stormwater management and reduce the impact of flooding.
- Conserve natural resources, environmentally-sensitive areas, and farmland.

Ambler Borough's Comprehensive Plan Update (2013)

- The continued protection of natural resources, particularly as it relates to mitigating stormwater runoff and flooding.

Ambler Borough's Comprehensive Plan (2001)

- Establish passive open space areas adjacent to the Rose Valley Creek, particularly at the northern border of Borough Park, to protect the stream and the surrounding natural features. The Comprehensive Plan indicates this as a high-priority objective.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) supports the Borough's proposal without comment as we have found it to be generally consistent with the above-referenced comprehensive plans, as well as with the Ambler Borough Open Space Plan (2006). The Open Space Plan repeatedly encourages the protection of lands adjacent to the Borough's important natural resources, particularly the Rose Valley Creek. Specifically, the Plan calls for areas adjacent to the Rose Valley Creek, beyond those within Borough Park, to be preserved and a riparian buffer to be planted and properly maintained in an effort to both improve water quality and to mitigate stormwater and flooding impacts while allowing for some passive recreation.

Please see our brief comment below regarding the proper numbering of referenced sections within the proposed text.

REVIEW COMMENTS

CITATIONS

- A. Upon review by the Borough solicitor, the numbering scheme for the various sections and subsections within the proposed text was revised to reflect its correct placement within the Borough Zoning Ordinance, and was assigned as Part 31 as referenced above. Previous drafts of the Rose Valley Creek Riparian Corridor Conservation District were assigned an ambiguous section number as a placeholder, however; not all in-text references to other sections of the proposed RCCD have been adjusted accordingly. Please be sure to review all in-text references are reviewed to ensure that they are now properly cited.

CONCLUSION

We wish to reiterate that MCPC generally supports the Borough's proposal as the creation and enforcement of the Rose Valley Creek Riparian Corridor Conservation District will be an important step in municipal and regional efforts to address noted stormwater and water quality concerns within the Wissahickon Creek Watershed. We commend the Borough for taking the initiative to address some of the root issues associated with water pollution and flooding, and in recognizing that implementing best management practices (BMPs) such as riparian buffers is consistent with state, regional, County, and municipal objectives, as we all work together to protect our vital natural resources. As heightened state and Federal regulations regarding water quality and stormwater management continue to affect all communities in Montgomery County, we encourage municipalities to address these issues at the local level whenever possible.

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

Should the governing body adopt this proposed zoning ordinance amendment, Section 602 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,



Lauren Van Dyk, Community Planner
lvandyk@montcopa.org
610-278-3749

c: Mary Aversa, Borough Manager
Joseph Bresnan, Esq., Borough Solicitor
Jim Dougherty, Borough Engineer

THE BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER 1095

AN ORDINANCE OF THE BOROUGH OF AMBLER AMENDING THE BOROUGH ZONING ORDINANCE BY ESTABLISHING A RIPARIAN CORRIDOR CONSERVATION DISTRICT ALONG THE EDGES OF THE ROSE VALLEY CREEK; LIMITING CERTAIN TYPES OF ACTIVITY WITHIN SUCH DISTRICT; SETTING FORTH REQUIREMENTS FOR THE MANAGEMENT OF SUCH DISTRICT; DEFINING VARIOUS APPLICABLE TERMS; EFFECTIVE UPON ADOPTION.

THE BOROUGH COUNCIL OF THE BOROUGH OF AMBLER DOES HEREBY ORDAIN AS FOLLOWS:

There shall be added to the Borough Codified Ordinances, at Title 27 (Zoning), a new part, Part 31, entitled "Rose Valley Creek Riparian Corridor Conservation District", the text of which is as follows:

§31-100. Definitions

BANKFULL FLOW - The point above a stream which defines the maximum height of channel flow. It is either determined visually or computed as an elevation using the peak rate of runoff from a two-year storm event.

INVASIVE SPECIES – A non-native species whose presence in the environment causes economic or environmental harm or harm to human health.

NATIVE PLANT - A plant native to Pennsylvania, as identified in the most recent edition of The Vascular Flora of Pennsylvania, Annotated Checklist and Atlas.

REFORESTATION - The process of creating woodlands with three distinct layers of vegetation: canopy trees, understory shrubs or trees, and herbaceous groundcover plants.

RIPARIAN AREA - Land adjacent to a stream, lake, pond, or other water body. Riparian areas form the transition between the aquatic and the terrestrial environment.

SELECTIVE CUTTING - A method of removing small groups of trees scattered throughout a woodland in order to retain the biodiversity of the woodland while allowing limited harvesting of trees.

STREAM – Includes all rivers, creeks, brooks, tributaries and other flowing surface waters within a natural channel. More specifically, a perennial or intermittent water body having a defined channel

(excluding man-made ditches) which contains flow from surface and/or ground water sources during at least a portion of an average rainfall year.

STREAM, MAPPED – Streams mapped on the adopted “Ambler Borough Riparian Corridor Conservation District Map,” (Attachment A, as amended) including any adjacent wetlands, and/or water bodies draining into the identified stream.

STREAM, UNMAPPED – Any perennial stream (waterway that has continuous flow in parts of its bed all year round), located on a site survey prepared by a design professional licensed in the Commonwealth of Pennsylvania, including any adjacent wetlands and/or water bodies draining into the identified stream.

STREAM BANK STABILIZATION – A method of repairing eroded stream banks employing required grading, stone, fabric, soil, or other natural materials.

WATER BODY- An intermittent or perennial stream, pond, or lake that is either natural or man-made provided that the bed is composed primarily of substrates associated with flowing water, ponds, or lakes.

WETLANDS – Those areas that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. More specifically, an area meeting the official wetland definition of the U.S. Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1; or the Pennsylvania Department of Environmental Protection Wetlands Identification and Delineation, Chapter 105 Dam Safety and Waterways Management Rules and Regulations; or the U.S. Environmental Protection Agency Wetlands Identification Delineation Manual, Volume I, Rational, Wetland Parameters, and Overview of Jurisdictional Approach, Volume II, Field Methodology or the most recently amended reports, will be considered a wetland for the purposes of this chapter. In the event the definition of a wetland accepted by the U.S. Army Corps of Engineers conflicts with the definition of a wetland accepted by the Pennsylvania Department of Environmental Protection, or Environmental Protection Agency, the more restrictive definition shall apply.

§31-101. Legislative Intent.

It is the intent of this article to provide reasonable controls governing the conservation, management, disturbance, and restoration of riparian corridors under authority of Article I, Section 27 of the Pennsylvania Constitution, Act 247, the Municipalities Planning Code, as amended and other Commonwealth and Federal statutes. In addition, the specific intent and purposes of this article are to:

- A. Regulate the land use, siting, and engineering of all development to be consistent with accepted conservation practices, so as to respect the carrying capacity of existing natural resources as future development occurs.
- B. Reduce the amount of nutrients, sediment, organic matter, pesticides, and other harmful substances

that reach watercourses, wetlands, and other surface water bodies as well as subsurface waters by optimizing scientifically-proven processes including filtration, deposition, absorption, adsorption, plant uptake, biodegradation, denitrification through stabilizing concentrated flows and encouraging distributed sheet flow, and by improving infiltration in all watershed areas, especially important given the Wissahickon Creek Watershed's documented water quality problems.

- C. Provide for shading (i.e., cooling) of the aquatic environment so as to moderate temperatures, protect fish habitat, retain more dissolved oxygen, and encourage the growth of diatoms, beneficial algae, and aquatic insects in all watershed areas, especially important given the Wissahickon Creek Watershed's documented water quality problems.
- D. Provide organic matter through leaf debris which falls into the stream and becomes trapped by woody debris (fallen trees and limbs) and rocks where such provides food and habitat for small bottom dwelling organisms (insects, amphibians, crustaceans, and small fish), essential to maintain the food chain in all watersheds, especially important given the Wissahickon Creek Watershed's documented water quality problems.
- E. Increase stream bank stability and maintain natural fluvial geomorphology of the stream system, reducing streambank erosion and sediment production and protecting fish habitat in all watersheds, especially important given the Wissahickon Creek Watershed's documented water quality problems.
- F. Conserve the natural features important to land and water resources (e.g., headwater areas, groundwater recharge zones, floodway, floodplain, springs, streams, wetlands, woodlands, prime wildlife habitats) and other features constituting high recreational value or containing amenities that exist on developed and undeveloped land.
- G. Conserve natural, scenic, and recreation areas within and adjacent to stream areas for the community's benefit, promoting the positive functions of greenways.
- H. Work with floodplain and other ordinances that regulate environmentally sensitive areas to minimize hazards to life, property, and stream features.
- I. Assist in the implementation of pertinent state laws concerning erosion and sediment control practices.
- J. Limit the removal or fragmentation of woodlands, recognizing that healthy and contiguous woodland areas within the Riparian Corridor Conservation District contribute to stream bank stability and enhance water quality.

Section 31-102. Establishment and Width Determination of the Riparian Corridor Conservation District

A. Applicability

- (1) The Riparian Corridor Conservation District is an overlay district that applies to lands adjacent to

streams, including any adjacent wetlands, and/or naturally occurring water bodies draining into the identified stream. The District does not apply to manmade waterbodies.

(2) The RCC District regulations shall apply when:

(a) A plan is submitted for Land Development and/or the Subdivision of Land.

(b) A building Permit application is submitted for construction of a new structure and/or an expansion of an existing structure within 50' of the bank of a mapped stream.

(3) Lots containing legal structures in existenc at the time of adoption of this Article shall not be subject to the requirements of this Article unless and until they are the subject of either A.2.a and A.2.b listed above.

(4) Any lands within fifty feet of a water feature described in A.(1), above, that are wholly separated from that water feature by an existing public or private street shall be considered outside the RCC District and the regulations contained in this article shall not apply.

B. Boundary Definition, Zone Determination, and Interpretation: The Riparian Corridor Conservation District is an overlay district that applies to surface streams, wetlands, and water bodies, and the land adjacent to them, of a length no less than one-thousand (1,000) contiguous feet across any property line.

Surface Water Feature	Minimum Corridor Width
<p>1. Mapped Streams As mapped on the adopted "Ambler Borough Riparian Conservation District Map" (Attachment A, as amended), including any adjacent wetlands and/or water bodies draining into the identified stream.</p>	<p>Zone 1: Minimum width of 25 feet from each defined edge of the stream at bank full flow, measured perpendicular to the edge of the stream. Zone 2: Minimum width of 25 feet from the outer edge of Zone 1, measured perpendicular to the edge of Zone 1, or equal to the extent of the 100-year floodplain, or 25 feet beyond the outer edge of a wetland along the stream, whichever is greater. (Total minimum width of Zones 1 & 2 = 50 feet plus the width of the stream.)</p>
<p>2. Unmapped Streams Any perennial stream¹, located on a site survey prepared by a design professional licensed in the Commonwealth of Pennsylvania, including any adjacent wetlands and/or water bodies draining into the identified stream.</p>	<p>Zone 1: Minimum width of 25 feet from each defined edge of the stream at bank full flow, measured perpendicular to the edge of the stream. Zone 2: Minimum width of 25 feet from the outer edge of Zone 1, measured perpendicular to the edge of Zone 1, or equal to the extent of the 100-year floodplain, or 25 feet beyond the outer edge of a wetland along the stream, whichever is greater. (Total minimum width of Zones 1 & 2 = 50 feet plus the width of the stream.)</p>

C. Zone Designation Adjustments for Steep Slopes: If the extent of the steeply sloped area that is greater than 25% slope is more than 50 feet, Zone 1 shall extend to the 50 foot maximum corridor width and Zone 2 shall not be required. If the extent of the steeply sloped area is less

¹ A "perennial stream" shall mean any waterway that has continuous flow in parts of its bed all year round.

than 50 feet, Zone 1 shall extend to the limit of the steeply sloped area and the width of Zone 2 shall be adjusted so that the total corridor width on one side of a stream will be 50 feet maximum.

D. Boundary Adjustments: The boundaries of the Riparian Corridor Conservation District, shall be adjusted in compliance with either or both of the following:

- (1) All properties measuring less than one acre shall be permitted to reduce Zone 1 to fifteen feet (15') and Zone 2 to an additional fifteen feet (15'), measured from the edge of Zone 1, for a total buffer width of thirty feet (30') on each side of the stream bank.
- (2) If any structure legally existing at the time of the passing of this article lies within fifty feet (50') of the defined edge of a stream, in whole or in part, Zone 2 requirements shall not apply. Zone 1 requirements shall apply as specified herein (15' buffer on each side of the stream for properties located within the corridor as of the date of adoption of this ordinance; 25' buffer on each side of the stream for properties that merge and become greater than one acre as the result of an approved land development plan or other formalized demonstration of an intent to merge taking after the date of adoption of this ordinance.

E. Identification and Width Determination. The applicant shall be responsible for the following:

- (1) Identifying the streams, wetlands, and/or water bodies on and within 50 feet of the applicant's site, and locating these features accurately on the applicant's plans.
- (2) Initial width determination of the riparian corridor(s) in compliance with Section 27-6002, herein, and for identifying these areas on any plan that is submitted for subdivision, land development, or other improvements that require plan submissions or permits.

Section 31-103. Uses Permitted in the Riparian Corridor Conservation District

The following uses are permitted by right in the Riparian Corridor Conservation District in compliance with the requirements of this article.

A. Zone 1:

- (1) Open space uses that are primarily passive in character shall be permitted to extend into the area defined as Zone 1, including:
 - (a) Wildlife sanctuaries, nature preserves, forest preserves, fishing areas, passive areas of public and private parklands, reforestation, and recreational uses permitted under Section 27-1905(4) of the Borough Zoning Ordinance.
 - (b) Stream bank stabilization through revegetation or other appropriate means.

(2) Corridor Crossings:

- (a) Driveways serving one or two single-family detached dwelling units provided the mitigation requirements of Section 27-6008.B are satisfied. The corridor crossing standards of Section 27-6009 should be considered during the design of the driveway.
 - (b) Driveways serving more than two single-family detached dwelling units, or roadways, recreational trails, railroads, and utilities, provided the mitigation requirements of Section 27-6008.B and the corridor crossing design standards of Section 31-109 are satisfied.
- (3) Maintenance of the riparian corridor through the removal of invasive plants, trash, debris, fallen or dead trees, and solid waste, mitigation of soil erosion problems, and planting for the purpose of improving corridor vegetation.

B. Zone 2

- (1) Open space uses including wildlife sanctuaries, nature preserves, forest preserves, passive areas of public and private parklands, recreational trails, reforestation, and stream bank stabilization.
- (2) Agricultural uses conducted in compliance with methods prescribed in the Department of Environmental Protection's Erosion and Sediment Pollution Control Manual, as amended.
- (3) Corridor Crossings:
 - (a) Driveways serving one or two-family detached dwelling units, provided the mitigation requirements of Section 27-6008.B are satisfied. The corridor crossing standards of Section 27-6009 should be considered during design of the driveway.
 - (b) Driveways serving more than two single-family detached dwelling units, or roadways, recreational trails, railroads, and utilities, provided the mitigation requirements of Section 27-6008.B and the corridor crossing design standards of Section 27-6009 are satisfied.
- (4) Residential accessory buildings having an area equal to or less than 225 square feet.
- (5) Passive use areas such as camps, campgrounds, picnic areas, and golf courses.
- (6) Active recreation areas such as ballfields, playgrounds, and non-paved courts provided these uses are designed in a manner that will not permit concentrated flow of stormwater runoff.
- (7) Centralized sewer and/or water lines and public utility transmission lines running along the corridor. When proposed as part of a subdivision or land development, the mitigation requirements of Section 27-6008.B shall be satisfied. In all cases, these lines shall be located as far from Zone 1 as practical.
- (8) The required minimum front, side, and or rear yard setbacks on private lots.

- (9) Fencing, in compliance with 27-1906.I (floodplain district requirements)
- (10) Maintenance of the riparian corridor through the removal of invasive plants, trash, and solid waste, mitigation of soil erosion problems, planting for the purpose of improving corridor vegetation, and lawn mowing.

Section 31-104. Uses Specifically Prohibited in the Riparian Corridor District

Any use or activity not authorized within Section 27-6003 shall be prohibited within the Riparian Corridor Conservation District and the following activities and facilities are specifically prohibited:

- A. Clearing of existing vegetation, except where:
 - (1) Such clearing is necessary to prepare land for a use permitted under Section 27-6003, herein.
 - (2) Where the effects of these actions are mitigated by re-establishment of vegetation.
 - (3) For invasive species only, where vegetation contributes to the overall vigor of the corridor or has significant value for watershed erosion management.
 - (4) The presence of damaged, destroyed, or dead trees or other vegetation poses a risk to public health, safety, or general welfare. In addition, landowners may remove trees or branches of trees that present a risk to property, and the public health, safety or general welfare upon approval of the Borough's code enforcement officer or his or her agent, which may include a certified arborist or tree surgeon.
- B. Sanitary landfills, dumps, junkyards, outdoor storage structure that will be used for the production, storage, or maintenance of a supply of toxic chemicals.
- C. Use of fertilizers, pesticides, herbicides, and/or other chemicals in excess of prescribed industry standards or the recommendations of the Montgomery County Conservation District.
- D. Roads or driveways, except where permitted as stream crossings in compliance with Section 27-6003.
- E. Motor or wheeled vehicle traffic in any area not designed to accommodate adequately the type and volume.
- F. Parking lots.
- G. Any type of permanent structure, except those needed for a use permitted in Section 27-6003, herein.
- H. Onsite sewage disposal systems.
- I. Storm water basins, berms, and outfall facilities.

- J. Sod farming.
- K. Outdoor plant nursery or orchard.

Section 31-105 Nonconforming Structures and Uses in the Riparian Corridor District

Nonconforming structures and uses of land within the Riparian Corridor Conservation District shall be regulated under the provisions of §27, Part 26, Nonconforming Status, herein.

Section 31-106. Boundary Interpretation and Appeals Procedure

- A. When a landowner or applicant disputes the Zone (1 or 2) boundaries of the Riparian Corridor or the defined edge of a water body the landowner or applicant shall submit evidence to the Zoning Hearing Board that describes the boundary, presents the landowner or applicant's proposed boundary, and presents all justification for the proposed boundary change.
- B. The Municipal Engineer and/or other advisors selected by the Borough Council shall evaluate all material submitted and provide a written determination within 45 days to the Borough Council, Planning Commission, and landowner or applicant.
- C. Any party aggrieved by any such determination or other decision or determination under this section may appeal to the Zoning Hearing Board under the provisions of Part 23, Zoning Hearing Board. The party contesting the location of the district boundary shall have the burden of proof in case of any such appeal.

Section 31-107. Inspection of Riparian Corridor Conservation District

- A. Lands within or adjacent to an identified Riparian Corridor Conservation District may be inspected by a Borough representative when:
 - (1) A subdivision or land development plan is submitted.
 - (2) A building permit is requested.
 - (3) A change or resumption of nonconforming use is proposed.
- B. The district may also be inspected periodically by a Borough representative for compliance with an approved restoration plan, excessive or potentially problematic erosion, hazardous trees, or at any time when the presence of an unauthorized activity or structure is brought to the attention of Borough officials.

Section 31-108. Management of the Riparian Corridor District

- A. **Riparian Corridor Planting.** Re-establishment of forest cover and woodland habitat is encouraged to be as consistent as possible with the requirements of Appendix "B" of the Ambler Borough Subdivision and Land Development Ordinance. The integrity of woodland areas within the corridor shall be maintained consistently across any property line.
- B. **Mitigation Measures.** Uses permitted in Section 27-6003 involving stream crossings within the riparian corridor shall be mitigated by increasing the width of the corridor as replacement for the area lost due to the encroachment, so that the total corridor area (land area within Zone 1 and Zone 2) for each applicable side of the stream or water body is equal to that required by Section 2501.A. Corridor area is the product of the corridor width required by Section 2501.A and the total length for each applicable side of the stream or watercourse for which a riparian corridor is being established. Perimeter shall be used in place of length for determining wetland buffer area. The increased width shall be spread throughout the corridor to the maximum extent possible. For streams and watercourses, the increased width shall be applied along the length of the stream in blocks of 1,000 feet or more, or the full length of the corridor on the affected property, whichever is less. Measures shall be taken to minimize soil erosion until stabilization is achieved.

Section 31-109. Stream Crossing Standards

All stream crossings permitted in this ordinance, herein, shall incorporate, as required, the following design standards.

- A. The width of the right-of way should not be greater than the minimum right-of-way width required by the Subdivision and Land Development Ordinance.
- B. Crossings should be designed to cross the riparian corridor at direct right angles in order to minimize disturbance of the corridor.
- C. Bridges should be used in place of culverts when crossings would require a 72-inch or greater diameter pipe. When culverts are installed they should consist of slab, arch, or box culverts and not corrugated metal pipe. Culverts should also be designed to retain the natural channel bottom to ensure the passage of water during low flow or dry weather periods.

Section 31-110. Use of Technical Terminology

Technical terminology used in this article shall be interpreted to have the meanings used by recognized sources and experts in the fields of forestry, woodland or meadow management, stream bank protection, wetlands management, erosion and sedimentation control, or other relevant fields.

This ordinance is effective upon adoption. Should any provision hereof be found unenforceable or contrary to law, such provision shall be severable from the remainder, which shall remain valid and enforceable.

SO ORDAINED THIS ___ DAY OF _____, 2015.

Salvatore Pasceri, Council President

ATTEST: _____
Mary Aversa, Secretary

APPROVED: _____
Jeanne Sorg, Mayor

THE BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER 1096

AN ORDINANCE OF THE BOROUGH OF AMBLER AMENDING ITS SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, APPENDIX "B", BY ADDING PLANTING REQUIREMENTS WITHIN THE RIPARIAN CORRIDOR AS DEFINED IN THE BOROUGH ZONING ORDINANCE

WHEREAS, the Borough of Ambler has prepared and is in the process of adopting amendments to its floodplain ordinance, creating a riparian corridor and establishing various criteria for activities and development within such corridor, and

WHEREAS, in connection with such new regulations, the Borough wishes to establish certain specific planting requirements for those instances when the riparian corridor ordinance requires plantings on the part of property owners within such corridor,

NOW THEREFORE, there is added to Appendix "B" of the Borough Subdivision and Land Development Ordinance a new section, 1004.B, the text of which shall be as follows:

Section 100.4B Riparian Corridor Planting Requirements

- A. Purpose and Application. In areas within the Riparian Corridor Conservation District, as defined in the Ambler Borough Zoning Ordinance, the edge of water features and stream corridors shall be in forest cover to further the ecological and environmental benefits, as stated in the Riparian Corridor Conservation District (RCC). To promote re-establishment of forest cover and woodland habitat, new tree planting shall be implemented in Zone 1 wherever existing trees do not meet the minimum tree planting requirements.
- B. Planting Requirements in the RCC:
- (1) New trees shall be planted at a minimum rate of 15 feet on center or one tree per 225 square feet in staggered rows or an equivalent informal arrangement within the area defined as Zone 1 by the RCC.
 - (2) New trees shall be a variety of sizes ranging from a minimum 4 to 5 foot branched whip to an approximate 1 1/2 " balled and burlapped planting stock.
 - (3) New tree plantings shall be composed of native tree species.
 - (4) Tree plantings shall be located along the streambank to provide shade for the stream, soil erosion control and stormwater benefits, according to accepted streambank restoration practices.
 - (5) Existing trees within Zone 1 shall be preserved and retained. Existing tree cover should be surveyed and inventoried to assess the need for any new plantings.

The remainder of Appendix "B" shall remain in full force and effect, unaffected by this ordinance. Effective upon adoption.

SO ORDAINED this ____ day of _____, 2016.

Salvatore Pasceri, Council President

ATTEST: _____
Mary Aversa, Secretary

APPROVED: _____
Jeanne Sorg, Mayor

AMBLER BOROUGH

Project No.	Project Name	Status
Borough Engineer		
2001-1010	TEA-21 - Ambler Streetscape 2002	Construction underway.
2003-0122-01	Ambler-2013 NPDES MS4 Permit	Revised TMDL Strategy provided to Ambler 12/16/15 for submission to PADEP. Progress Report submitted to PADEP 5/12/2016.
2006-08054	Pedestrian Sidewalk Upgrade Program	Plan revision underway for resubmission to DVRPC. E&S Plan to be revised per MCCD review. Anticipate letting Fall 2016.
2011-01116-01	Glen Mawr Homes-Edgewood SD	Review of Lot 15, Edgewood Dr provided 5/5/16.
2011-05036	Bottom Dollar-Site	Construction complete. Punch list items to be addressed. TCO issued. LOMR-F approved, tentative effective date 4/3/15.
2012-11029	Ambler Savings Bank - Land Development	Punch list items to be addressed.
2013-02020	Ambler Crossings	Borough Council granted conditional use approval and prelim/final land development approval at the 10/15/13 public meeting. Developer to install portion of parking area Summer 2016.
2014-04103	Wissahickon Act 167 Plan (Ambler)	Act 167 Plan approved by MontCo and PADEP. New storm water ordinance required to be adopted by 1/16/16. Ordinance provided 12/4/15.
2014-11055	2015 Ambler Road Program	Project completed. Final completion report to be submitted to PennDOT Municipal Services (Liquid Fuels)
2014-12015	St Mary's Villa Residential Redevelopment- TIS	Meetings with PennDOT, Developer & Ambler held 3/2/15 & 9/15/15. TIS review provided 6/11/15.
2015-06011	2015 Growing Greener Grant Application (Ambler)	Application for installation of water quality inlets submitted 7/9/15.
2016-01010	2016 Ambler Borough-General Services	Hendricks/Rose Valley bridge evaluation.
2016-03049	2016 Ambler Borough CDBG Application	CDBG application submitted 4/15/2016. Sidewalk along Bethlehem Pike between Valley Brook and Fairview.
2016-03049-01	Ambler MontCo2040 Grant Application	Preparation of Application underway.
2016-05051	Ambler Borough 2016 Paving Program	Bids opened 7/8/16. Award to be considered at 7/19/16 Council meeting.
Sewer Engineer		
2013-02020-01	Ambler Crossings - Sewer	Plan review #3 issued 10/16/13. Borough Council granted conditional use approval and prelim/final land development approval at the 10/15/13 public meeting. Site meeting held with developer on 6/17/16.
2015-03058	2015 CDBG Application	Preliminary bid documents forwarded to Montgomery County for review on 7/7/16
2016-01050	Ambler Borough General Sewer Services	On-going
Water Engineer		

GILMORE & ASSOCIATES, INC.

AMBLER BOROUGH

Project No. Project Name

Status

Water Engineer

2013-02020-02	Ambler Crossings - Water	Plan review #3 issued 10/16/13. Borough Council granted conditional use approval and preliminary land development approval at the 10/15/13 public meeting. Site meeting held with developer on 6/17/16.
2015-02008	Montgomery County Houston Road Antennae Modifications	Antennae work completed. Antennae alignment and site restoration still required.
2015-05095	Well 8 Chlorine Contact Tank	Notice to Proceed issued to Zimmerman Environmental, LLC by letter dated 6/22/16. PADEP water supply permit issued. Preconstruction meeting held 6/22/16. Submittal reviews underway.
2015-05096	John's Lane Water Main Replacement	Water main installation completed and in service. Paving restoration completed.
2015-10079	Marion Avenue Water Main Replacement	Water main installation completed and in service. Paving restoration completed.
2015-10081	Houston Rd Verizon Antennae Modification	Plans for replacement and modification of antennae array reviewed and approved. Installation scheduled for week of 7/18/16.
2016-01049	Ambler Borough General Water Services	On-going
2016-02078	Broad Axe Tank-AT&T Antennae Modifications	First plan review and approval issued by letter dated 5/13/16.
2016-03036	Houston Road Tank-AT&T Antennae Modifications	First plan review and approval issued by letter dated 5/17/16.
2016-04009	Maple Ave Water Main Replacement	Field survey completed. Awaiting further direction from Water Superintendent.
2016-04074	Water System Sampling Plans	Updated Total Coliform Sample Siting Plan submitted to PADEP on 4/29/16. Long Term (LT2) Cryptosporidium Sampling Plan submitted to PADEP on 6/20/16.

Salary & Personnel Committee

Council Meeting, July 19, 2016 at 7:00 p.m. in Borough Council Chambers located at 131 Rosemary Avenue. Committee Members: Claudio Zaccone (Chair), Edward Curtis, Frank DeRuosi and Nancy Deininger.

The Committee will make no recommendations.

The following business will be discussed.

1. The Police Contract will expire at the end of the year. Negotiation meetings will be scheduled.

Recommendations

Public Safety Committee

A recommendation is requested to adopt **Ordinance 1100** making Mattison Avenue one way and to restrict Euclid Avenue to local traffic during certain hours.

Parks and Recreation

Public Utilities Committee

Plans for the Verizon Monopole to be placed on Borough Hall property were received. A recommendation from the Committee is requested.

Finance and Planning Committee

Recommend the June 2016 invoices be paid in the amount of \$509,131.88.

A recommendation is requested to award the base and alternate bid contract for the 2016 Paving Projects to Associated Paving Inc., in the amount of \$259,764.00.

Authorization is requested for participation in the Verizon Franchise Renewal process with the Consortium.

Renovation options and estimates for renovations of the Borough Hall Gym were provided and a recommendation is requested

A lease agreement was received from SEPTA for the Farmers Market. Authorization is requested to sign the agreement.

Salary and Personnel Committee