



## BOROUGH OF AMBLER COMMITTEE MEETING

**All matters that are deliberated could result in a vote  
to take official action.**

September 8, 2021  
7:00 p.m.

**Executive Session 6:30 p.m.**

**Public Safety Committee**

September 8, 2021

Erin McKenna Endicott - Chair

Glynnis Siskind

Sara Hertz

Nancy Deininger

**OLD BUSINESS**

**NEW BUSINESS**

1. **PUBLIC WORKS & CODE REPORT**

The Code Enforcement and the Public Works reports are **attached**.

2. **2-HOUR PARKING LIMIT / PARKING PERMIT ORDINANCE**

A Public Hearing will be held this evening to consider a recommendation to adopt **Ordinance 1123** to address the 2-hour parking limit /parking permit program for Borough residents. (**attached**)

## Borough of Ambler Code Enforcement Report for August 2021

PERMITS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
Building	13	16	21	23	19	12	18	10					132
Dumpster	3	0	6	4	0	5	5	6					29
Fire	0	0	1	0	1	1	0	0					3
Mechanical	3	1	5	8	3	1	6	5					32
Plumbing	6	1	6	7	0	5	6	2					33
Road Opening	1	1	1	1	40**	1	2	4					51
Use and Occupancy	0	2	2	2	2	3	0	3					14
Vendor Sales	0	0	0	0	0	0	0	0					0
Zoning	5	1	5	8	5	8	0	4					36
Rental Inspections	0	0	0	2	0	0	0	0					2
<b>TOTALS</b>	<b>31</b>	<b>22</b>	<b>47</b>	<b>55</b>	<b>70</b>	<b>36</b>	<b>37</b>	<b>34</b>					<b>332</b>

\* The Borough Bi-Annual Rental Inspection Program was temporarily paused in early March 2020 due to COVID-19 inspection notices will start be sent out in August

\*\*May Road Opening Permits number associated with the ongoing PECO service upgrades throughout the Borough

THE BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA

ORDINANCE NO. 1123

AN ORDINANCE OF THE BOROUGH OF AMBER, AMENDING ORDINANCE 991, BEING SECTION 15-405 OF THE BOROUGH CODIFIED ORDINANCES, ESTABLISHING A TWO HOUR PARKING LIMIT FOR ANY VEHICLE THAT DOES NOT POSSESS A RESIDENTIAL PARKING PERMIT, ON PORTIONS OF MATTISON AVENUE, ROSEMARY AVENUE, WATER STREET, RACE STREET, ORANGE AVENUE, WALNUT STREET AND GREENWOOD AVENUE BETWEEN 8 A.M. AND 6 P.M.; CONTAINING REPEALER AND SEVERANCE CLAUSES; PROVIDING AN EFFECTIVE DATE.

In a continuing effort to make the best and most efficient use of parking spaces within the Borough and in consideration of the various competing needs for parking spaces, Ambler Borough Council does hereby ORDAIN as follows:

1. Ordinance 991, as codified at Chapter 15 section 405 of the Borough Codified Ordinances, is amended by the addition of the following locations to the list of parking spaces limited to two hour parking. The two hour limit does not apply to vehicles properly displaying a residential parking permit issued by the Borough of Ambler.

<u>STREET</u>	<u>SIDE</u>	<u>BETWEEN</u>	<u>DAYS</u>	<u>HOURS</u>	<u>LIMIT</u>
Mattison	South	Poplar and Park	Mon-Fri	8am-6pm	2 hrs.
Rosemary	South	Poplar and Park	Mon-Fri	8am-6pm	2 hrs.
Water	East	Mattison and Rosemary	Mon-Fri	8am-6pm	2 hrs.
Race	Both	Lindenwold and School	Mon-Fri	8am-6pm	2 hrs.
Orange	Both	Rosemary and Main	Mon-Fri	8am-6pm	2 hrs.
Walnut	Both	Main and Ridge	Mon-Fri	8am-6pm	2 hrs.
Greenwood	West	Lindenwold and Mattison	Mon-Fri	8am-6pm	2hrs.

2. This ordinance will become effective upon the Mayor's approval within ten days of presentment, and absent such approval, then on the earliest date applicable pursuant to section 3301.3(b) of the Pennsylvania Borough Code.
3. Any provision of any ordinance inconsistent with this ordinance is hereby repealed to the extent of such inconsistency.

4. Should any part of this ordinance be found invalid by a court of competent jurisdiction, such invalid portion shall be severed to the extent reasonably possible, the remainder to continue in full force and effect.

SO ORDAINED this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Frank DeRuosi, Council President

\_\_\_\_\_  
Attest: Mary Aversa, Borough Secretary

## Public Utilities Committee

September 8, 2021  
Glynnis Siskind – Chair  
Haley Welch  
Jen Henderson  
Karen Sheedy

### OLD BUSINESS

#### 1. WATER AUTHORITY MEETING

A public meeting of the Ambler Water Authority Board will be held September 9, 2021 at 6:30 p.m. at Ambler Borough Hall at which time the business of the Authority will be discussed and possibly voted upon. The Authority will consider authorizing execution of a 'Certificate of Termination' of the Authority.

### NEW BUSINESS

#### 1. WWTP ENGINEER REPORT

The WWTP Engineer's report will be provided.

#### 2. ET-8 CLARIFIER

Quotes have been obtained by WWTP to rebuild clarifier ET #8. The Eastern Environmental quote is for \$75,100 and the Derstine Co. quote is for \$76,000. Request awarding the contract to Eastern Environmental.

#### 3. NEW VEHICLE REQUEST

Water Dept would like to trade in the 2016 GMC Sierra (trade-in quote \$20-21,000) and the 2019 Ram Classic (trade-in value \$22-23,000) to purchase a 2022 Ford F250 4x4 Utility Body Supercab Pickup. CoStars price \$44,974 (less trade in equals net cost \$3,460.50).  
**(attached)**

#### 4. SYSTEM HYDRANT FLUSHING

Water Dept. will commence routine system hydrant flushing mid- to late-September. The daily flushing schedule will be posted on the Borough website.



# PURCHASE AGREEMENT

Patrick Clarke  
 Bergey's Ford Inc.  
 700 N Bethlehem Pike  
 Ambler, PA 19002

Buyer	Co-Buyer	Vehicle
Borough of Ambler  W: (215) 646-1000 H: C: (215) 778-5769 ssmallberaer@borough.ambler.us	W: C:	H:  VIN: Stock #: Mileage: Color:

Trade Info				
Year Make Model	VIN	Mileage	Trade Allowance	Payoff
2016 GMC Sierra 1500	1GTN2LEC4GZ291614	35054	\$42,000.00	
2019 RAM 1500 Classic	3C6JR7AG4KG571060	16378		

Service Contracts	
Name	Amount

Accessory Details	
Name	Amount
8 Foot Reading ClassicII Service Bdg	\$9,890.00

Rebate Details	
Name	Amount
Government Price Concession	\$7,800.00

Purchase Details	
Retail Price:	\$44,880.00
Discount:	\$1,956.00
Selling Price:	\$42,924.00
Rebate:	\$7,800.00
Trade Allowance:	\$42,000.00
Accessories:	\$9,890.00
Service Contract:	
GAP Protection:	\$0.00
<b>Net Sale:</b>	\$3,014.00
Total Taxes:	\$0.00
Doc, Tag and Title:	\$446.50
<b>Total Sales Price:</b>	\$3,460.50
Trade Payoff:	
Deposit:	\$0.00
<b>Amount Financed:</b>	\$3,460.50

X  
 Buyer's Signature  
 08/26/2021  
 Date

X  
 Manager's Signature  
 08/26/2021  
 Date  
 12:53 PM  
 Time

Disclaimer:

\*all rates, terms and payments are subject to credit approval

Printed:

## Finance & Planning Committee

September 8, 2021

Nellie Di Pietro - Chair

Erin McKenna Endicott

Haley Welch

Karen Sheedy

### OLD BUSINESS

### NEW BUSINESS

1. **BOROUGH ENGINEER'S REPORT**  
The Borough Engineer's report is **attached**.
  
2. **MINIMUM MUNICIPAL OBLIGATION**  
The Borough Pension 2022 Minimum Municipal Obligation (MMO), prepared by Joe Duda, Borough Actuary, are **attached**.
  
3. **AMBLER LAKEVIEW REVIEW**  
Review the 9 N. Maple Street Sketch Plan proposing a 92 residential unit five story building with associated parking – Ambler Lakeview Development LP. The applicant will provide a brief presentation at the September 8<sup>th</sup> Committee meeting. (Montgomery County Planning Commission review and Borough Engineer review **attached**)
  
4. **RESOLUTION OF AGREEMENT ON SIDEWALK IMPROVEMENTS**  
Consider adoption of **Resolution 2021-09** authorizing Borough Manager to execute documents relative to the Federal Aid Reimbursement Agreement for the Ambler Sidewalks Improvement Project. (**attached**)
  
5. **WIRELESS ORDINANCE AMENDMENT**  
A draft **Ordinance** is **attached** amending the Borough's existing wireless Ordinance to comply with the FCC order as well as develop design requirements for wireless facilities in the rights-of-way to prevent aesthetically obtrusive facilities. (Montgomery County Planning Commission and Borough Planning Commission reviews are **attached**.)  
Authorization is requested to advertise for adoption.



6. **RESOLUTION ON NMCRC PROCEDURES**

Consider adoption of **Resolution 2021-10** which adopts procedures for the handling of recycling and solid waste disposal violations by haulers, businesses, institutions or residents of the Northern Montgomery County Recycling Commission member municipalities. (**attached**)

7. **LCB LICENSE TRANSFER**

A request has been made for a license transfer for Harry Tap Room in Blue Bell to 1 W. Butler. (**attached**). A motion to draft a **Resolution** is requested.

8. **HISTORIC PRESERVATION**

Council has been provided with briefing materials relative to this evening's presentation on Historic Preservation and creation of a committee to preserve Ambler's historic resources. Ms. Spross will make a presentation this evening.

# AMBLER BOROUGH

Project No.	Project Name	Status
<b>Borough Engineer</b>		
2001-1010	TEA-21 - Ambler Streetscape 2002	SEPTA completed train preemption connection completed. Traffic signal was put into operation on 1/1/5. PUC acknowledged project completion. Contractor to complete curb ramp punch list items.
2003-0122-01	Ambler-2013 NPDES MS4 Permit	2020 Annual Status Report submitted to PADEP 9/28/20. Next Annual Status Report due 9/30/21 for period 7/1/20 thru 6/30/21. PADEP review of TMDL/PRP received 5/28/21. Preparation of response underway
2006-08054	Pedestrian Sidewalk Upgrade Program	Revised Safety Report, ADA, Traffic and DM-3 (plans presentation) approved by PADOT. Revised construction and utility submissions made to DVRPC.
2013-02020	Ambler Crossings	Construction underway. Escrow release for Phase 1 (Boiler House parking) provided 9/27/18. Escrow release #1 for Phase 2 provided 6/4/20.
2014-12015	St. Mary's Villa Residential Redevelopment - TIS	UDT provided Bethlehem/Lindenwold signal concept plans for review on 7/2/21 and were discussed with UDT on 7/22/21.
2017-01010-01	Ambler Pocket Park - Ambler Square	Construction complete. Punch list items to be addressed by contractor. Application submitted to PECO Green Regions Program 11/20/20.
2017-09055	Bridge/Culvert Assessments	Load rating reports Hendricks/Rose Valley provided 7/31/18 & for N. Maple/Tannery Run provided 10/2/18. Condition assessment of Hendricks/Rose Valley underway. Condition assessment of N. Ridge/Rose Valley to be completed. Visual assessment of Tannery Run underway.
2020-07089	90 W. Butler Ave	Construction underway. Anticipate August 2021 completion.
2021-01010	2021 Ambler Borough General Services	MontCo2040 (2021 Round) for community garden submitted 3/1/21.
2021-03028	Lakeview CU	Pre-application meeting held with developer on 3/5/2021. Sketch plan review provided 7/21/2021 and discussed at July PC meeting.
2021-03069	34 E. Butler Minor SD (01-270-074)	Conditional approval granted at 6/15/21 Council mtg. Applicant to comply with conditions and provide plans to be recorded.
2021-04048	Edgewood Dr - PA Small Water & Sewer Program Grant Implementation	Kick-off meeting with Borough Staff held 5/14/21. Field survey completed. Anticipate bid early 2022.
<b>Sewer Engineer</b>		
2013-02020-01	Ambler Crossings - Sewer	Construction underway. Sanitary Sewer is complete; testing remains.
2021-01041	Chapter 94 Report	Annual sewer collection report submitted to EEMA on 3/18/21.
2021-01050	Ambler Borough 2021 General Sewer Services	Completing questionnaire with regard to Ambler Borough for the 2022 Ambler WWTP budget allocation.
<b>Water Engineer</b>		
2012-10043	Loch Aish Dam Annual Inspections	Annual inspection with PADEP conducted on 1/1/18/20. Report completed and transmitted to PADEP on 1/7/21.

GILMORE & ASSOCIATES, INC.

# AMBLER BOROUGH

## Status

**Project No.**      **Project Name**  
**Water Engineer**

Project No.	Project Name	Status
2013-02020-02	Ambler Crossings - Water	Construction underway. Water main is tested/complete.
2013-02073	Loch Aish Emergency Action Plan	Hydrologic & hydraulic analysis and inundation map revisions completed by Princeton Hydro (PH) per report letter dated 4/12/21. Emergency Action Plan (EAP) updated per PH report and for administrative changes. PH report and updated EAP transmitted to Borough for review on 4/23/21. Borough obtained required agencies' signatures. EAP uploaded to CEMPlanner website on 6/21/21 for PADEP & PEMA review.
2017-03128	Lafayette Ave. Water Main Replacement	Project complete. 18 month maintenance period began 12/18/18. Maintenance period punch list issued 6/1/20.
2018-01154	Gwynedd Walk (LGT)	Water main construction and testing complete. 18 month maintenance period complete. Revised water as-built plan received 8/26/21. Acceptance of water system pending Water Dept. final inspection.
2018-01171	Mattison Estates (UDT)	Water construction and testing complete. 18 month maintenance period began 7/1/20.
2019-01169-01	Butler Pike Water Main Replacement	Project complete. Final payment recommended 5/20/21. 18 month maintenance period began 5/1/20.
2020-03071	MIRIA Grant Application	Assisted Water Dept. with preparation of grant application documents, including budget cost estimate for proposed PFAS treatment piping project to connect Wells 6 and 7 to proposed Well 2 treatment system. Grant awarded by MIRIA end of December 2020. Design completed for piping between Wells 2, 6 and 7 and the treatment system and distribution system. Contract 21-01: Wells 2, 6 & 7 Water Mains awarded to KBC Construction on 8/18/21. Sample of carbon from Whitmarsh filter sent to Calgon for analysis prior to selection of carbon and scheduling of carbon replacement. Reviewed and tabulated July 2021 quarterly PFAS samples for all sources and tanks.
2020-03072	Whitemarsh Plant Operations	Assisting Water Dept. with recommendations and revisions to the Whitemarsh Plant SOPs. Prepared revised calculations with recommended settings to meet 1.0-Log Giardia Inactivation requirements. Prepared and submitted plan to DEP for review and approval of tracer test to be conducted at Whitemarsh to determine contact time and efficiency of chlorine detention facilities. Plan approved by DEP on 11/3/20. Tracer test completed 12/1/2020. Report of test results submitted to DEP on 3/18/21. Permit issued by DEP on 3/24/21. Reviewing follow-up comments received 7/14/21 from PA DEP regarding Filter Plant Performance Evaluation.
2020-06158	Wells 2, 6, and 7 PFAS Treatment System	\$1,000,000 grant awarded by PADEP. Survey complete and engineering design underway. Pre-application meeting with DEP representatives held virtually on 3/9/21 to discuss permit requirements. PA DEP PWS Permit Application submitted on 8/12/21. PA DEP Sewage Planning documents submitted to BCWSA for review on 8/6/21.
2021-01040	Ambler Borough DRBC Annual Water Audit	Annual water loss audit submitted to DRBC via email on 4/1/21.
2021-01049	Ambler Borough 2021 General Water Services	Ongoing assistance concerning PFAS issues, including regulatory activity, source monitoring, providing information and responses to the public. Preparing update to water distribution system map. Working with Water Supv. on monitoring and waiver requirements in 2021. Met with Ambler staff to review 5-year capital plan. Assisted Ambler attorneys and staff with responses to Discovery questions concerning formation of a Water Authority including providing corresponding documentation. Attended water system inspection along with Borough staff on 7/12/21 as conducted by USEPA and PADEP.

# AMBLER BOROUGH

## Status

**Project No.**      **Project Name**  
**Water Engineer**

Project No.	Project Name	Status
2021-04054	2022 MIRIA Grant Program	Assisted Water Dept. with preparation of grant application documents, including budget cost estimate for proposed PFAS treatment system facility at Well 12 or Well 14, carbon changeout at Whitemarsh treatment plant, and 2022 quarterly PFAS sampling and laboratory testing.
2021-04095	Longfield Farms Development (Whitemarsh Twp)	Plan review letter #1 issued on 6/8/21 with respect to proposed water system improvements.
2021-04121	Water System Emergency Response Plan (ERP)	Certification of ERP is due 6 months following certification of RRA. Preparation of ERP is underway.
2021-04122	Water System Risk & Resilience Assessment (RRA)	RRA and ERP for Community Water Systems is required by USEPA under America's Water and Infrastructure Act of 2018 (AWIA). RRA was completed and sent to Water Superintendent for review with certification submitted to USEPA on 6/30/21.
2021-07041	Uninterrupted System Service Plan (USSP)	PA Chapter 109 (Safe Drinking Water) requires Community Water Systems to complete a USSP and submit a certification form by 8/17/21. Preparation of USSP complete and certification submitted by Water Sup't to PA DEP on 8/17/21.

## DUDA ACTUARIAL CONSULTING



Philadelphia Office  
500 Office Center Drive  
Suite 400  
Fort Washington, PA 19034  
Phone: 267-513-1714  
Fax: 484-636-2500

Pittsburgh Office  
One Oxford Centre  
301 Grant Street  
Suite 4300  
Pittsburgh, PA 15219  
Phone: 412-255-3746  
Fax: 412-255-3701

August 25, 2021

Ms. Gail Gordon  
Finance Director  
Borough of Ambler  
131 Rosemary Avenue  
Ambler, PA 19002

RE: Borough of Ambler Police and Municipal Employees' Pension Plans  
2022 Minimum Municipal Obligations

Dear Gail:

As requested, we have completed the calculation of the 2022 Minimum Municipal Obligations for the Borough of Ambler Municipal Employees' (Defined Benefit and Defined Contribution) and Police Pension Plans. These calculations are based on the January 1, 2021 Actuarial Valuations and reflect a 3% of pay municipal employees' contribution in the Defined Benefit plan and a 5% of pay police contribution. Please keep in mind that these documents must be submitted to the governing body by September 30, 2021 (although revisions may be made up to the time the budget is finalized).

Should you have any questions or require any additional information, please feel free to contact us.

Sincerely Yours,

Joseph W. Duda, FSA, FCA, EA, MAAA  
President

Enclosures

**FINANCIAL REQUIREMENT AND MINIMUM MUNICIPAL OBLIGATION  
BUDGET FOR 2022 AT 6.50%**

NAME OF MUNICIPALITY: BOROUGH OF AMBLER

COUNTY: MONTGOMERY

	POLICE PENSION PLAN
1. TOTAL ANNUAL PAYROLL (Estimated W-2 Salary for 2021)	1,278,203
2. NORMAL COST PERCENTAGE (Derived from latest actuarial valuation 1/1/21)	20.74%
3. TOTAL NORMAL COST (Item 1 times Item 2)	265,099
4. TOTAL AMORTIZATION REQUIREMENT (Derived from latest actuarial valuation 1/1/21)	0
5. TOTAL ADMINISTRATIVE EXPENSES (Derived from latest actuarial valuation 1/1/21)	69,841
6. TOTAL FINANCIAL REQUIREMENT (Item 3 +Item 4 + Item 5)	334,940
7. TOTAL MEMBER CONTRIBUTIONS (5% OF PAY)	63,910
8. FUNDING ADJUSTMENT (Derived from latest actuarial valuation 1/1/21)	187,894
9. MINIMUM MUNICIPAL OBLIGATION (Item 6 - Item 7 - Item 8, but not less than zero)	83,136

---

Signature of Chief Administrative Officer

---

Date Certified to Governing Body

**FINANCIAL REQUIREMENT AND MINIMUM MUNICIPAL OBLIGATION  
BUDGET FOR 2022 AT 6.50%**

NAME OF MUNICIPALITY: BOROUGH OF AMBLER

COUNTY: MONTGOMERY

	MUNICIPAL EMPLOYEES' PENSION PLAN
1. TOTAL ANNUAL PAYROLL (Estimated W-2 Salary for 2021)	974,485
2. NORMAL COST PERCENTAGE (Derived from latest actuarial valuation 1/1/21)	7.85%
3. TOTAL NORMAL COST (Item 1 times Item 2)	76,497
4. TOTAL AMORTIZATION REQUIREMENT (Derived from latest actuarial valuation 1/1/21)	0
5. TOTAL ADMINISTRATIVE EXPENSES (Derived from latest actuarial valuation 1/1/21)	42,665
6. TOTAL FINANCIAL REQUIREMENT (Item 3 +Item 4 + Item 5)	119,162
7. TOTAL MEMBER CONTRIBUTIONS	29,235
8. FUNDING ADJUSTMENT (Derived from latest actuarial valuation 1/1/21)	129,574
9. MINIMUM MUNICIPAL OBLIGATION (Item 6 - Item 7 - Item 8, but not less than zero)	0

\*A funding adjustment exists only if the assets exceed accrued liability as reported in the latest actuarial valuation and is determined pursuant to Section 302 ( C ) of Act 205 of 1984.

---

Signature of Chief Administrative Officer

---

Date Certified to Governing Body

**FINANCIAL REQUIREMENT AND MINIMUM MUNICIPAL OBLIGATION  
BUDGET FOR 2022**

NAME OF MUNICIPALITY: BOROUGH OF AMBLER

COUNTY: MONTGOMERY

	NON UNIFORMED DC PLAN
1. TOTAL ANNUAL PAYROLL (Estimated W-2 Salary for 2021)	1,119,903
2. NORMAL COST PERCENTAGE *	6.9777%
3. TOTAL NORMAL COST (Item 1 times Item 2)	78,143
4. TOTAL AMORTIZATION REQUIREMENT	0
5. TOTAL ADMINISTRATIVE EXPENSES	0
6. TOTAL FINANCIAL REQUIREMENT (Item 3 +Item 4 + Item 5)	78,143
7. TOTAL MEMBER CONTRIBUTIONS	0
8. FUNDING ADJUSTMENT	0
9. MINIMUM MUNICIPAL OBLIGATION (Item 6 - Item 7 - Item 8, but not less than zero)	78,143

\* 8% for those employees whom contribute 5%. If they contribute 3%, then normal cost percentage is 4%.  
If they contribute 4%, then the normal cost percentage is 6%.

\_\_\_\_\_  
Signature of Chief Administrative Officer

\_\_\_\_\_  
Date Certified to Governing Body



APPLICATION FOR SUBDIVISION &  
LAND DEVELOPMENT REVIEW  
BOROUGH OF AMBLER  
131 Rosemary Avenue  
Ambler, PA 19002  
(215) 646-1000  
FAX (215) 641-1355



**Development Name:** The Ambler

**Site Location:** 9 N. Maple Avenue

**Legal Property Owner Name:** Ambler Lakeview Development, L.P.

**Address:** 201 S. Maple Ave., Suite 100, Ambler PA 19002

**Phone:** 484-532-7830                      **Fax:** 484-532-7833

**E-Mail Address:** jzaharchuk@summitrealtyadvisors.com

**Contact Person (to whom all correspondence will be sent):**

**Name:** John Zaharchuk

**Address:** 201 S. Maple Avenue, Suite 100, Ambler PA 19002

**Phone:** 484-532-7830                      **Fax:** 484-532-7833

**E-Mail Address:** jzaharchuk@summitrealtyadvisors.com

**Interest of applicant is:** (X)Owner    ()Equitable Owner    ()Other-explain

---

**Zoning Information:**

**District** RSC

**Tax Parcel Number** 01-00-02938-40-9

**Block** 47                      **Unit** 8

**Permitted Density** 67 untis

**Total Area** 2.669 AC.

**Type of Review Requested:**

Subdivision Plan     Land Development     Conditional Use     Amendment

**Type of Plan:**

Sketch                       Preliminary                       Final

**Type of Submission:**

New Proposal                       Revised Prior Submission

**Statement of Intent:** To prepare a text amendment, zoning overlay or new zoning district to permit our proposed use.

---

---

---

---

**Land Use/Proposed Number of Lots/Units Intended Use(s):**

<input checked="" type="checkbox"/> Residential	92 Units	Apartments
<input type="checkbox"/> Commercial	_____	_____
<input type="checkbox"/> Industrial	_____	_____
<input type="checkbox"/> Office	_____	_____
<input type="checkbox"/> Other	_____	_____

**Please complete the following items which are applicable to your project:**

**Attorney's Name:** James Garrity, Esq. (Wisler Pearlstine, LLP)

**Address:** 460 Norristown Rd., Suite 110, Blue Bell PA 19422

**Phone:** 610-825-8400                      **Fax:** 610-828-4887

**E-Mail:** jgarrity@wispearl.com

**Engineer's Name:** Bill Rearden, P.E. (Bohler)

**Address:** 1600 Manor Dr., Chalfont PA 18914

**Phone:** 215-996-9100 x2119              **Fax:**

**E-Mail:** wrearden@bohlereng.com

I certify that the plans submitted comply with the requirements of Chapter 22 of the Ambler Borough Code of Ordinances.

**Plan submitted by:** John Zaharchuk

**Applicant's Signature:**  \_\_\_\_\_

**Application Fee:** \$ \_\_\_\_\_  Attached  Under separate cover

**Escrow Amount:** \$ \_\_\_\_\_  Attached  Under separate cover

**Ambler Borough Fee Schedule (non-refundable)**  
Checks should be made payable to "Ambler Borough"

**RESIDENTIAL SUBDIVISION/LAND DEVELOPMENT: Application Fee**

Preliminary Plans	\$150.00 plus \$20.00 per unit/lot or each additional 1,000 S.F.
Final Plans	\$150.00 plus \$20.00 per unit/lot or each additional 1,000 S.F.

**NON-RESIDENTIAL SUBDIVISION/LAND DEVELOPMENT: Application Fee**

Preliminary Plans	\$150.00 plus \$20.00 per unit/lot or each additional 1,000 S.F.
Final Plans	\$150.00 plus \$20.00 per unit/lot or each additional 1,000 S.F.

**ESCROW FUND: Established based on the following calculations**

Minor Subdivisions/Land Development (4 lots or fewer)	AT COST
Major Subdivisions/Land Development (5 lots or greater)	AT COST

**CONDITIONAL USE HEARING (Council):**

Residential \$500.00; Non-Residential \$1000.00 plus costs.

# BOHLER

SITING, ENGINEERING AND CONSTRUCTION  
LANDSCAPE ARCHITECTURE  
PLANNING AND DESIGN  
TRANSPORTATION SERVICES

REV#	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

## BOHLER

SITING, ENGINEERING AND CONSTRUCTION  
LANDSCAPE ARCHITECTURE  
PLANNING AND DESIGN  
TRANSPORTATION SERVICES

**FOR CONCEPT PURPOSES ONLY**

PROJECT NO. 19-001  
SHEET NO. 1 OF 1  
DATE: 08-24-2021  
SCALE: AS SHOWN

### CONCEPT PLAN

FOR  
**SUMMIT REALTY ADVISORS, LLC**

PROPOSED DEVELOPMENT  
155 N MAPLE STREET  
SCENESHIP OF ANBER  
MONTGOMERY COUNTY, PA

---

#### BOHLER

SITING, ENGINEERING AND CONSTRUCTION  
LANDSCAPE ARCHITECTURE  
PLANNING AND DESIGN  
TRANSPORTATION SERVICES

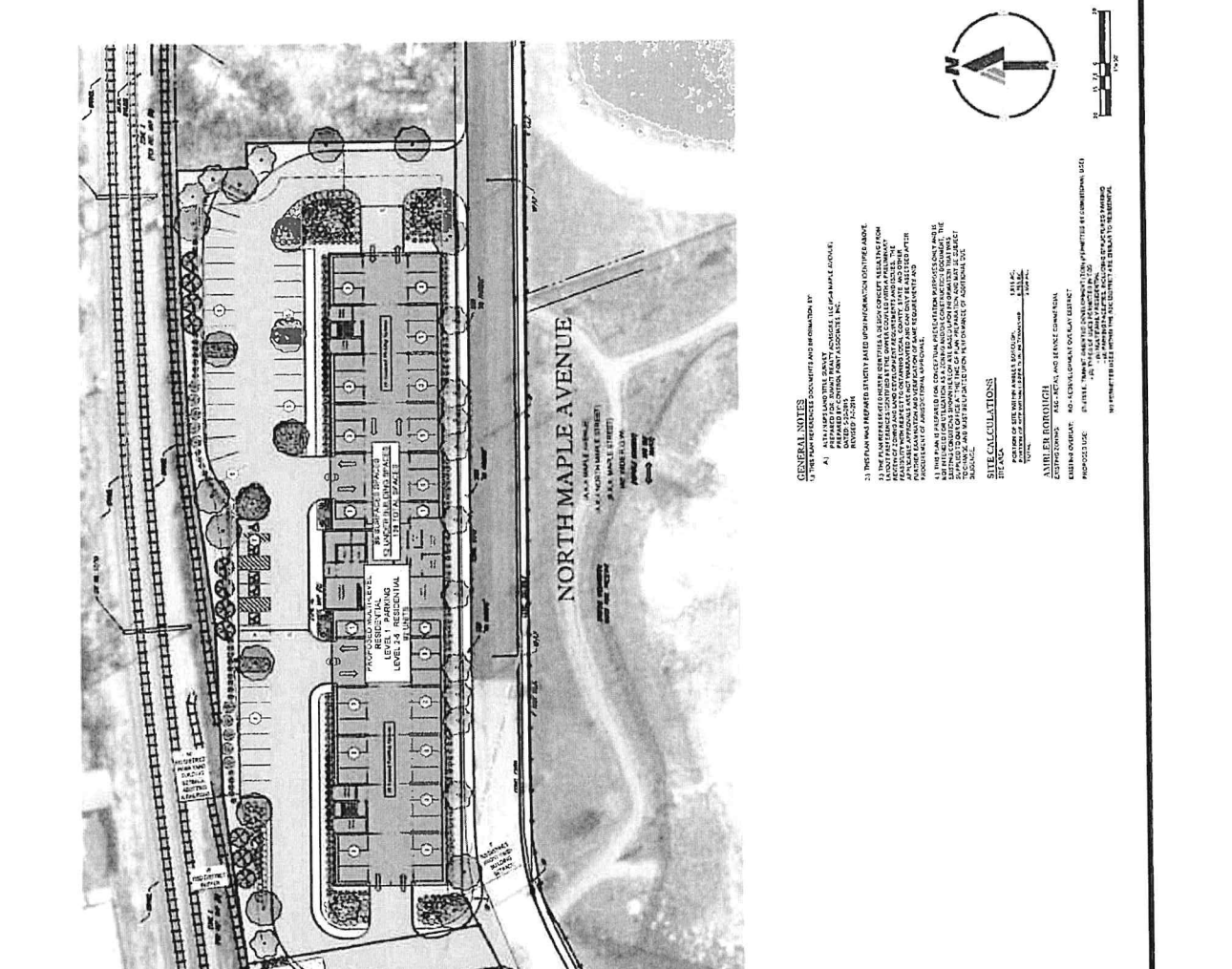
#### W.R. REARDEN

PROFESSIONAL ENGINEER  
No. 000000000000000000  
PA, EX. 000000000000000000

SHEET TITLE: **CONCEPT PLAN 'D'**

DRAWING NO: **1**

REVISION: **08-24-2021**



**GENERAL NOTES**

1. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE FOLLOWING:

A. THE DISTRICT OF MONTGOMERY COUNTY, PENNSYLVANIA, DEPARTMENT OF PUBLIC WORKS, STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, 2013 EDITION.

2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES AND AGENCIES IN CHARGE OF THE PROJECT. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES AND AGENCIES IN CHARGE OF THE PROJECT.

3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES AND AGENCIES IN CHARGE OF THE PROJECT.

4. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES AND AGENCIES IN CHARGE OF THE PROJECT.

**SITE CALCULATIONS**

THE AREA OF THE SITE IS 1.5 ACRES.

THE AREA OF THE IMPROVEMENTS IS 0.5 ACRES.

THE REMAINING AREA IS 1.0 ACRES.

**NOTES TO CONTRACTOR**

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES AND AGENCIES IN CHARGE OF THE PROJECT.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES AND AGENCIES IN CHARGE OF THE PROJECT.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES AND AGENCIES IN CHARGE OF THE PROJECT.

REV	DATE	REVISION
1	12-14-2017	ISSUE FOR PERMIT
2	12-14-2017	REVISIONS TO PERMIT
3	12-14-2017	REVISIONS TO PERMIT
4	12-14-2017	REVISIONS TO PERMIT
5	12-14-2017	REVISIONS TO PERMIT
6	12-14-2017	REVISIONS TO PERMIT
7	12-14-2017	REVISIONS TO PERMIT
8	12-14-2017	REVISIONS TO PERMIT
9	12-14-2017	REVISIONS TO PERMIT
10	12-14-2017	REVISIONS TO PERMIT
11	12-14-2017	REVISIONS TO PERMIT
12	12-14-2017	REVISIONS TO PERMIT
13	12-14-2017	REVISIONS TO PERMIT
14	12-14-2017	REVISIONS TO PERMIT
15	12-14-2017	REVISIONS TO PERMIT
16	12-14-2017	REVISIONS TO PERMIT
17	12-14-2017	REVISIONS TO PERMIT
18	12-14-2017	REVISIONS TO PERMIT
19	12-14-2017	REVISIONS TO PERMIT
20	12-14-2017	REVISIONS TO PERMIT
21	12-14-2017	REVISIONS TO PERMIT
22	12-14-2017	REVISIONS TO PERMIT
23	12-14-2017	REVISIONS TO PERMIT
24	12-14-2017	REVISIONS TO PERMIT
25	12-14-2017	REVISIONS TO PERMIT
26	12-14-2017	REVISIONS TO PERMIT
27	12-14-2017	REVISIONS TO PERMIT
28	12-14-2017	REVISIONS TO PERMIT
29	12-14-2017	REVISIONS TO PERMIT
30	12-14-2017	REVISIONS TO PERMIT
31	12-14-2017	REVISIONS TO PERMIT
32	12-14-2017	REVISIONS TO PERMIT
33	12-14-2017	REVISIONS TO PERMIT
34	12-14-2017	REVISIONS TO PERMIT
35	12-14-2017	REVISIONS TO PERMIT
36	12-14-2017	REVISIONS TO PERMIT
37	12-14-2017	REVISIONS TO PERMIT
38	12-14-2017	REVISIONS TO PERMIT
39	12-14-2017	REVISIONS TO PERMIT
40	12-14-2017	REVISIONS TO PERMIT
41	12-14-2017	REVISIONS TO PERMIT
42	12-14-2017	REVISIONS TO PERMIT
43	12-14-2017	REVISIONS TO PERMIT
44	12-14-2017	REVISIONS TO PERMIT
45	12-14-2017	REVISIONS TO PERMIT
46	12-14-2017	REVISIONS TO PERMIT
47	12-14-2017	REVISIONS TO PERMIT
48	12-14-2017	REVISIONS TO PERMIT
49	12-14-2017	REVISIONS TO PERMIT
50	12-14-2017	REVISIONS TO PERMIT



**FOR CONCEPT PURPOSES ONLY**

PROJECT: 1500 MARCEL DRIVE, SUITE 200  
 WASHINGTON COUNTY, PA  
 15360

**CONCEPT PLAN**

FOR:  
**SUMMIT REALTY ADVISORS, LLC**

PROPOSED DEVELOPMENT  
 450 W MAPLE STREET  
 WASHINGTON COUNTY, PA

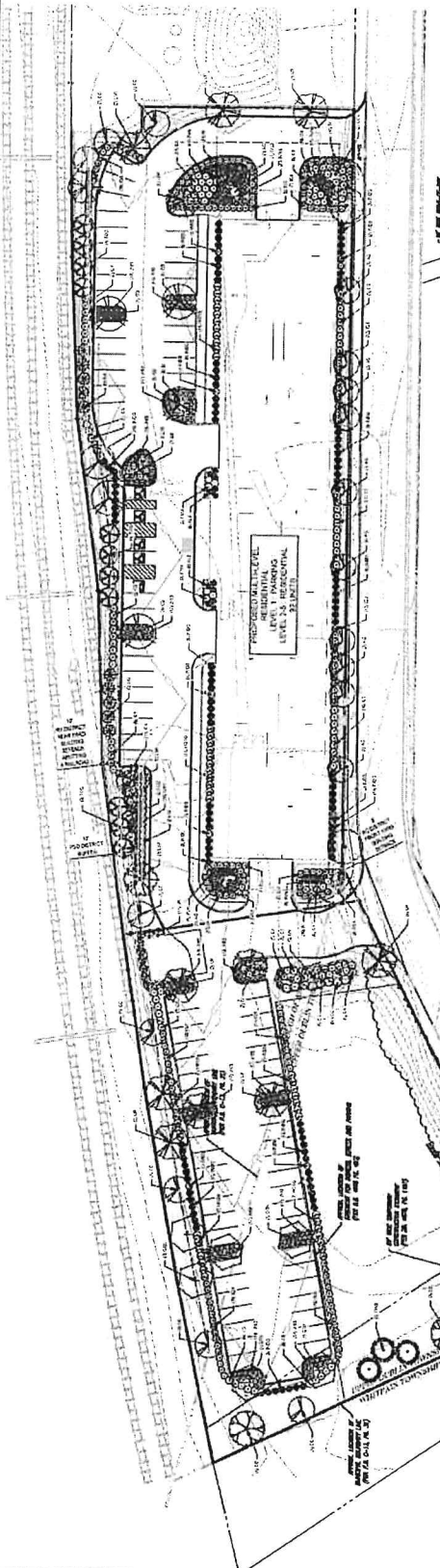
**BOHLER**  
 1500 MARCEL DRIVE, SUITE 200  
 WASHINGTON COUNTY, PA 15360  
 Phone: (717) 834-9100  
 Fax: (717) 834-9101  
 www.bohler-engineering.com



**LANDSCAPE PLAN**

PROJECT: **C-701**

REVISION: 1 - 01-14-2018



**GENERAL NOTES:**

1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE SPECIFICATIONS TO THE LANDSCAPE PLAN.

2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE SPECIFICATIONS TO THE LANDSCAPE PLAN.

3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE SPECIFICATIONS TO THE LANDSCAPE PLAN.

4. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE SPECIFICATIONS TO THE LANDSCAPE PLAN.

5. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE SPECIFICATIONS TO THE LANDSCAPE PLAN.

6. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE SPECIFICATIONS TO THE LANDSCAPE PLAN.

7. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE SPECIFICATIONS TO THE LANDSCAPE PLAN.

8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE SPECIFICATIONS TO THE LANDSCAPE PLAN.

9. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE SPECIFICATIONS TO THE LANDSCAPE PLAN.

10. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE SPECIFICATIONS TO THE LANDSCAPE PLAN.

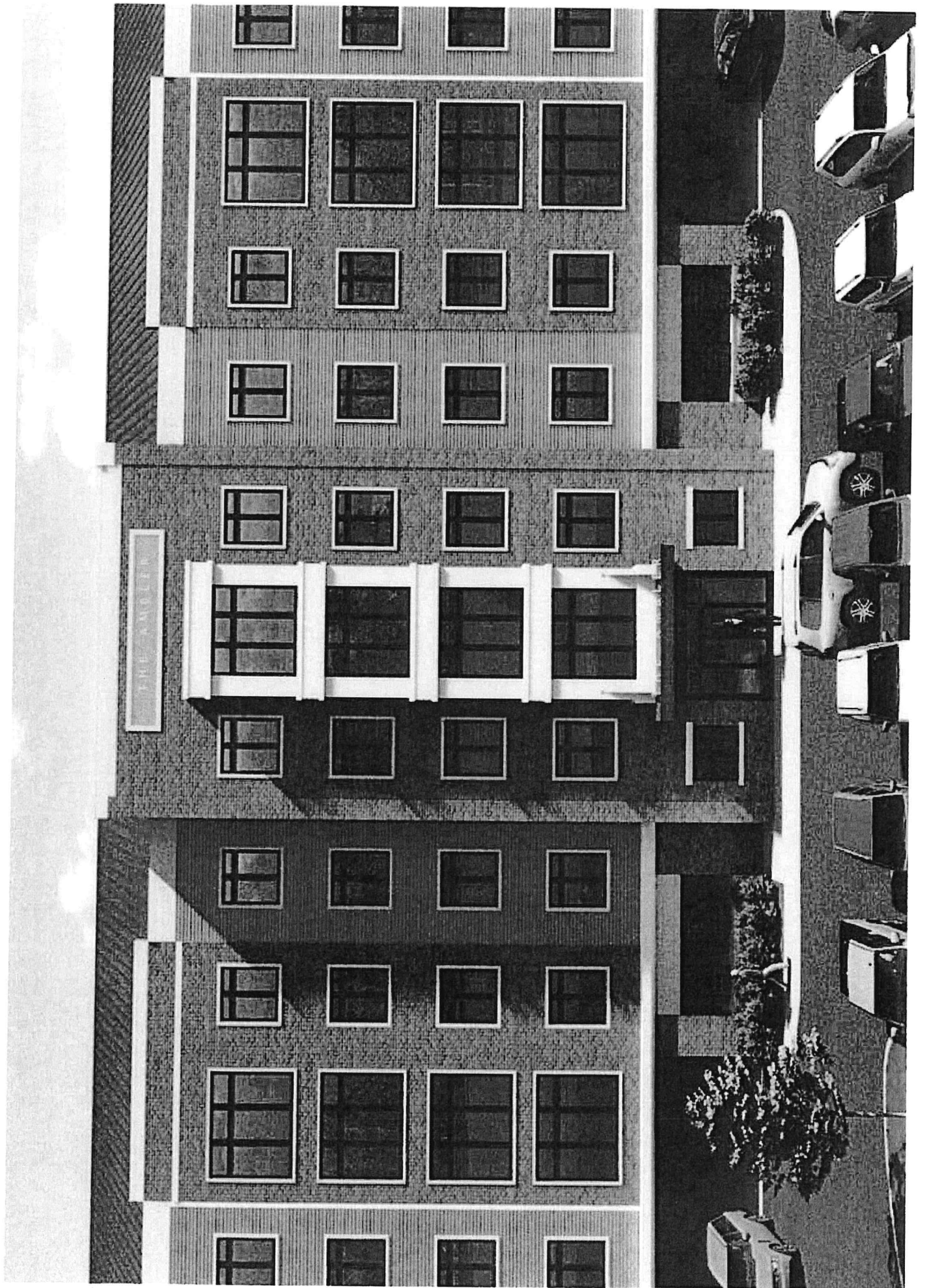
**COMPLIANCE CHART**

SECTION	DESCRIPTION	COMPLIANCE
1.00	GENERAL NOTES	COMPLIANT
2.00	PLANTING	COMPLIANT
3.00	IRRIGATION	COMPLIANT
4.00	SOILS	COMPLIANT
5.00	ROADS	COMPLIANT
6.00	UTILITIES	COMPLIANT
7.00	CONCRETE	COMPLIANT
8.00	PAVING	COMPLIANT
9.00	LANDSCAPE ARCHITECTURE	COMPLIANT
10.00	LANDSCAPE ARCHITECTURE	COMPLIANT
11.00	LANDSCAPE ARCHITECTURE	COMPLIANT
12.00	LANDSCAPE ARCHITECTURE	COMPLIANT
13.00	LANDSCAPE ARCHITECTURE	COMPLIANT
14.00	LANDSCAPE ARCHITECTURE	COMPLIANT
15.00	LANDSCAPE ARCHITECTURE	COMPLIANT
16.00	LANDSCAPE ARCHITECTURE	COMPLIANT
17.00	LANDSCAPE ARCHITECTURE	COMPLIANT
18.00	LANDSCAPE ARCHITECTURE	COMPLIANT
19.00	LANDSCAPE ARCHITECTURE	COMPLIANT
20.00	LANDSCAPE ARCHITECTURE	COMPLIANT
21.00	LANDSCAPE ARCHITECTURE	COMPLIANT
22.00	LANDSCAPE ARCHITECTURE	COMPLIANT
23.00	LANDSCAPE ARCHITECTURE	COMPLIANT
24.00	LANDSCAPE ARCHITECTURE	COMPLIANT
25.00	LANDSCAPE ARCHITECTURE	COMPLIANT
26.00	LANDSCAPE ARCHITECTURE	COMPLIANT
27.00	LANDSCAPE ARCHITECTURE	COMPLIANT
28.00	LANDSCAPE ARCHITECTURE	COMPLIANT
29.00	LANDSCAPE ARCHITECTURE	COMPLIANT
30.00	LANDSCAPE ARCHITECTURE	COMPLIANT

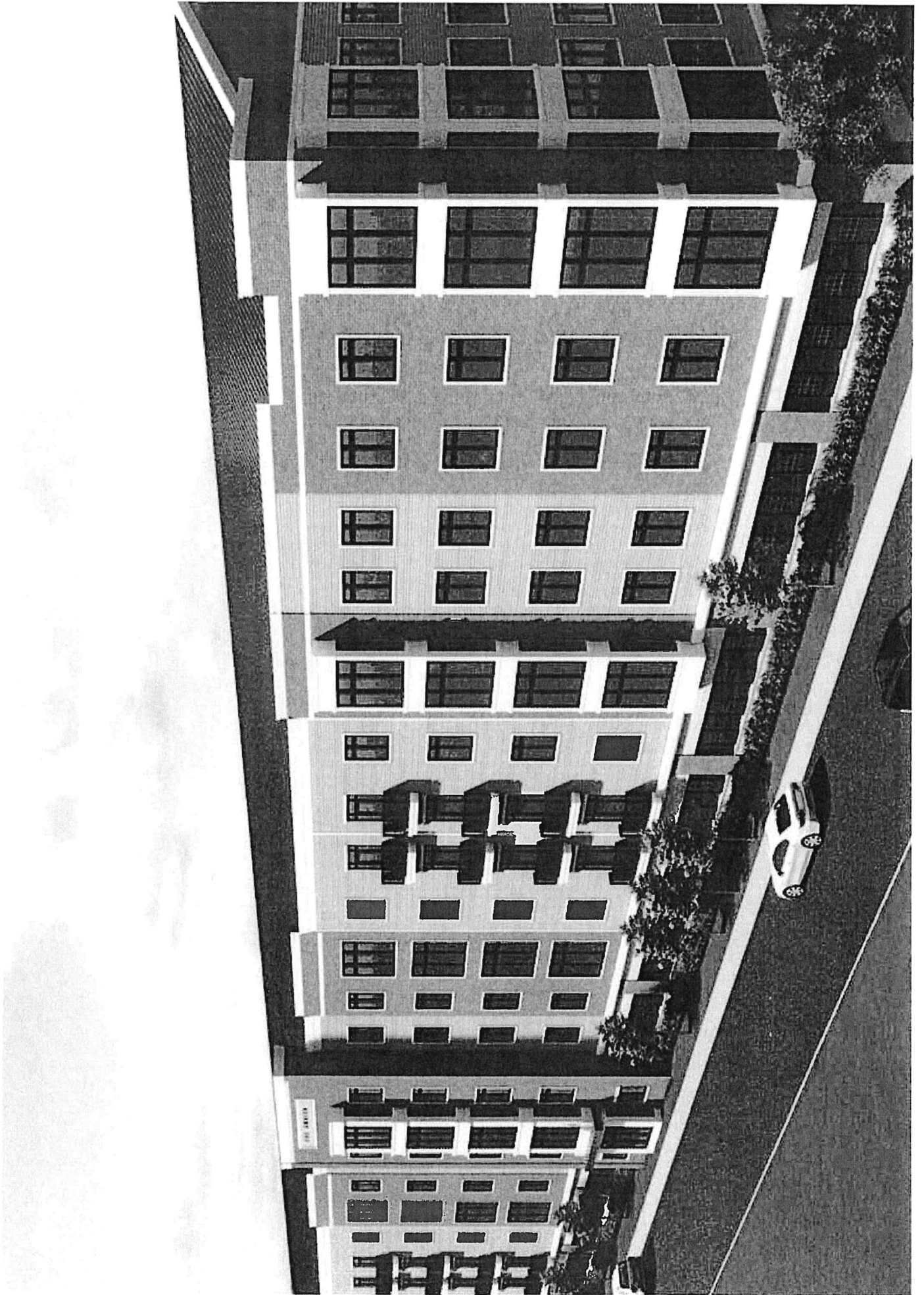
**PLANT SCHEDULE**

NO.	PLANT NAME	QUANTITY	SIZE	NOTES
1	PLANTING	100	10"	
2	PLANTING	200	12"	
3	PLANTING	300	14"	
4	PLANTING	400	16"	
5	PLANTING	500	18"	
6	PLANTING	600	20"	
7	PLANTING	700	22"	
8	PLANTING	800	24"	
9	PLANTING	900	26"	
10	PLANTING	1000	28"	
11	PLANTING	1100	30"	
12	PLANTING	1200	32"	
13	PLANTING	1300	34"	
14	PLANTING	1400	36"	
15	PLANTING	1500	38"	
16	PLANTING	1600	40"	
17	PLANTING	1700	42"	
18	PLANTING	1800	44"	
19	PLANTING	1900	46"	
20	PLANTING	2000	48"	
21	PLANTING	2100	50"	
22	PLANTING	2200	52"	
23	PLANTING	2300	54"	
24	PLANTING	2400	56"	
25	PLANTING	2500	58"	
26	PLANTING	2600	60"	
27	PLANTING	2700	62"	
28	PLANTING	2800	64"	
29	PLANTING	2900	66"	
30	PLANTING	3000	68"	











**GILMORE & ASSOCIATES, INC.**  
ENGINEERING & CONSULTING SERVICES

July 21, 2021

File No. 2021-03028

Mary Aversa, Manager  
Ambler Borough  
131 Rosemary Avenue  
Ambler, PA 19002-4476

Reference: Sketch Plan Review  
Ambler Lakeview Development, L.P.  
9 N. Maple Avenue, Ambler Borough and 5 N. Maple, Upper Dublin Township  
Tax Parcel #01-00-02938-40-9; Block 01047, Unit 008  
Tax Parcel #54-00-11581-50-6; Block 54035, Unit 014

Dear Mary:

As requested, Gilmore & Associates, Inc. has reviewed the information below regarding the sketch plan application referenced above.

- A. Application for Subdivision and Land Development, prepared by Ambler Lakeview Development LP, dated June 3, 2021.
- B. Concept Plan 'D' prepared for Summit Realty Advisors, LLC by Bohler Engineering, dated February 15, 2021, last revised June 4, 2021.
- C. Landscape Plan prepared for Summit Realty Advisors, LLC by Bohler Engineering, dated February 15, 2021, last revised March 16, 2021.
- D. Architectural Renderings.

The proposed development is located at 9 N. Maple Avenue in Ambler Borough and 5 N. Maple Avenue in Upper Dublin. The area of the project within Ambler (1.916 acres) is within the RSC Retail and Service Commercial District with the RO Redevelopment Overlay District. The existing parcels comprise a 2.669 acre area and are vacant. The Applicant, Ambler Lakeview Development, LP, propose a 5-story 92 unit apartment building. The first floor will be parking and floors 2-5 will be the residential units. A parking lot layout as well as site landscaping are included with the sketch plan. The portion within Upper Dublin Township (0.753 acres) is proposed as parking only and would be subject to Upper Dublin's ordinances and land development review and approval.

It appears that the RO Redevelopment Overlay District allows the TOD Transit-Oriented Development use, which includes multifamily residential (e.g. mid-rise apartments), as a conditional use. The Applicant's intent, as stated in the application, is to prepare a text amendment, zoning overlay, or new zoning district to permit the proposed use. We have reviewed the sketch plan in that context and offer the following comments based upon the current Ambler Ordinances for consideration.

Zoning Comments

1. §27-412 & §27-2703.E(4)(i) & §27-2705.J – The sketch plan does not include site lighting. The applicant should provide a lighting plan that complies with the Borough lighting criteria.
2. §27-413 & §27-2703.E(3) & (4) – Assuming the Borough determines that the proposed use is considered a TOD Transit-Oriented Development use and based upon the current Zoning Ordinance, the proposed use will need conditional use approval.
3. §27-1907 & 1910.G – The proposed development is directly adjacent to the floodplain (Zone AE). Proposed grading at the site could affect the floodplain. There is the potential that a special exception would be needed. This will need to be evaluated upon submission of more detailed grading plans.

65 East Butler Avenue | Suite 100 | New Britain, PA 18901 | Phone: 215-345-4330 | Fax: 215-345-8606



4. §27-2703.E – The Borough should determine if the use is considered a TOD Transit-Oriented Development. We have reviewed the plan as a TOD Transit-Oriented Development use.
5. §27-2703.A(1)(b) – The parking spaces within the garage appear to be 9 feet by 18 feet. The dimensions shall be included on future plan submissions.
6. §27-2703.A(1)(d)1 – The parking garage setback is 10 feet when in joint use with another permitted use. The plan shows the building setback at 8 feet. We defer to the Borough Code Officer to determine if this is applicable to this proposed development.
7. §27-2703.E(4)(a)1 – The applicant shall demonstrate that the proposed development is within 500 feet of the SEPTA station and that the lot has a minimum of 750 feet of frontage along the rail line and 750 feet along N Maple.
8. §27-2703.E(4)(a)2 – The minimum lot area is 8 acres or 4 acres if the road frontage is a least 750 feet. The proposed lot is less than 3 acres.
9. §27-2703.E(4)(a)5 & §27-2705.A – The development will be required to be serviced by public water and sewer. The applicant should confirm service is available.
10. §27-2703.E(4)(a)7 – TOD development shall be designed to be compatible in use with the existing Borough development. We defer to Borough Council to determine its compatibility.
11. In general, the sketch plans do not include a Zoning Compliance Table. This information should be included with future submissions.
12. §27-2703.E(4)(b) – We note the following regarding the density, mix, and bulk requirements:
  - a. The maximum allowable density is 35 units per acre. 48 DU/acre are proposed.
  - b. The maximum length of any building used exclusively for multifamily residential use is 250 feet. The proposed building is 365 feet
13. §27-2703.E(4)(b)6 & 7 & §27-2703.E(4)(c) – The sections are regarding architectural elements of the buildings. The Applicant supplied three architectural renderings of the building. We defer to Borough Council to determine if the renderings are sufficient.
14. §27-2703.E(4)(d) & §27-2705.M – Pedestrian and TOD elements.
  - a. The existing sidewalk should be evaluated at the time of preliminary plan review and made compliant with these requirements.
  - b. Site amenities should be included with the proposed project. A bike storage room is proposed within the building. Benches, trash cans and other site furnishing should be included.
15. §27-2703.E(4)(e) – It appears that the number of parking spaces proposed (138) is compliant with the requirement (1.5 space per DU). The Applicant shall provide parking calculations to demonstrate compliance with this section.
16. §27-2703.E(4)(h) & §27-402 – Green Space. The Applicant shall provide site calculations to demonstrate compliance with these sections. 20% of the gross tract area shall be set aside for open space and recreational activities.
17. §27-2703.E(4)(k) & §27-2705.C – A traffic impact study shall be completed for all development within the RO District to demonstrate the impact of the proposal on the levels of service of intersections within 1,000 feet of the property.
18. §27-2704 – The applicant should investigate if any of these development bonuses are applicable.
19. §27-2705.B – Stormwater facilities and calculations must be provided in accordance with SALDO Chapter 22.
20. §27-2705.F(3) – Off-Street Parking and Loading. The Applicant shall provide a parking needs analysis study.
21. §27-2705.G – Ownership and Maintenance of Common Open Space Facilities. O&M agreement shall be provided in accordance with §27-402.
22. §27-2705.H – The applicant should demonstrate that the proposed trash facilities will be adequate to service the proposed number of dwelling units.
23. §27-2705.I – Signs. All signage shall meet the requirements of Part 20 of Zoning.

24. §27-2705.N(1)(d) – The Applicant shall show the schematic layout of utilities and stormwater facilities on any sketch plan submission. Based on the existing impervious coverage the site may be an overall reduction in impervious.
25. §27-2705.N(2)(b) – The sketch plan should be reviewed by the Redevelopment Review Board.
26. §27-2705.N(3)(a) – The Applicant shall show an integrated and coordinated pedestrian circulation system linking the site with nearby uses and buildings, parks, transit facilities, etc.

Subdivision and Land Development Comments

27. §22-303.B.(5) – A sketch plan shall show significant topographical and physical features, such as floodplains, wetlands, steep slopes, woodlands and existing features. There are no existing features shown on the subject parcel.
28. §22-303.B.(6) – Proposals for control of drainage runoff shall be shown on the plan.
29. §22-310.3.A – A traffic impact study is required for this project.

Stormwater Management Comments

30. §26-303.B.(5) – A sketch plan shall show significant topographical and physical features, such as floodplains, wetlands, steep slopes, woodlands and existing features. There are no existing features shown on the subject parcel.
31. §26-Part D – Stormwater Management. The Applicant shall show compliance with this section during further design submissions.

General Comments

32. Given the previous uses on this site, and in this area of the Borough, the Applicant should perform Environmental Site Assessments in the event that material will need to be removed from the site.
33. We recommend that consideration be given to electric vehicle charging spaces and ride share loading areas.
34. Future submissions should include traffic circulation analysis.
35. The sketch plan application included a conceptual landscape plan. The plan generally indicates that the applicant will be able to comply with the various landscape requirements of the Borough. Upon submission of detailed development plans, the landscape plan will be reviewed in more detail. The applicant should be aware that revisions may be required.
36. The applicant will be required to show compliance with other Borough Ordinances when an application for Preliminary Land Development is submitted. Also, the Applicant will be responsible for compliance with any and all other applicable Local, County, State, and Federal requirements.

If you have any questions regarding the above, please contact this office.

Sincerely,



James P. Dougherty, P.E.  
Senior Project Manager  
Gilmore & Associates, Inc.

JPD/gja/sl

cc: Glenn Kucher, Code Enforcement Officer – Ambler Borough  
Joe Bresnan, Esq. - Solicitor  
John Zaharchuk - Ambler Lakeview Development, LP Owner/Applicant  
James Garrity, Esq. – Wisler Pearlstine, LLP  
W.R. Rearden, P.E. – Bohler Engineering

**MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS**

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



**MONTGOMERY COUNTY  
PLANNING COMMISSION**

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

SCOTT FRANCE, AICF  
EXECUTIVE DIRECTOR

Resubmittal  
July 28, 2021

Mr. Glenn Kucher, Zoning Officer & Planning Coordinator  
Ambler Borough  
131 Rosemary Avenue  
Ambler, Pennsylvania 19002

Re: MCPC #21-0200-001  
Plan Name: The Ambler  
(3 lots comprising 2.669 acres)  
Situate: 9 North Maple Street  
Ambler Borough

Dear Mr. Kucher:

We have reviewed the above-referenced sketch plan as you requested on July 16, 2021. We forward this letter as a report of our review.

## BACKGROUND

The applicant, Ambler Lakeview Development LP, has submitted for review a sketch plan for the redevelopment of three parcels totaling 2.6 acres. The primary property, Parcel #1 is located in Ambler Borough (Tax Parcel #01-00-02938-40-9) and includes a proposed multifamily building with both structured and exterior parking. Parcel #2 includes the bifurcated portion of (Tax Parcel #01-00-02938-00-4) is immediately adjacent to Parcel #1 to the northwest and located in both Ambler Borough and Upper Dublin Township. Parcel #3 in Upper Dublin Township comprises the remainder of the site (Tax Parcel #54-00-11581-50-6) to the northwest and includes both parking and open green space.

All three parcels have frontage on North Maple Avenue and border SEPTA's Lansdale/Doylestown Line Regional Rail which comprises the border of the proposal site opposite Maple Street. The Wissahickon Waterfowl Preserve portion of the EPA BoRit Asbestos Superfund site is opposite all three parcels on North Maple Avenue, and all three parcels border or are within the 100-year annual floodplain.

The applicant's plan proposes a 5-story multifamily apartment building to include 92 units with both structured and surface parking at the site. The site is approximately 650 feet from the regional passenger rail hub at Ambler Station on Butler Avenue and is located in the RSC – Retail & Service Commercial Zoning District and within the RO – Redevelopment Overlay District Zoning. The submission indicates that the applicant's intention is to seek a zoning text amendment, a zoning overlay, or a new zoning district to accommodate the proposed improvements at the site.

## COMPREHENSIVE PLAN COMPLIANCE

### MONTCO 2040: A SHARED VISION; THE COMPREHENSIVE PLAN FOR MONTGOMERY COUNTY

In many regards the applicant's proposal is consistent with the goals of *Montco2040: A Shared Vision*. In *Montco 2040*, the proposal's site is situated within a Designated Growth Area and is categorized as a Town Residential Area under the County's vision for Future Land Use. Residential uses including multifamily development are included among the recommended primary uses in these areas. *Montco 2040* also notes that these areas are oriented towards pedestrians more than automobiles. This location also fits within the County plan's vision for future development due to the site's proximity to Ambler Station which is adjacent to the intersection of Maple Street and Butler Avenue south of the proposal site.

The proposal also complies with many of themes and goals in *Montco 2040*. Under the theme of Connected Communities, the proposal reflects the goals of improving the quality of transportation options available for county residents and workers. Implementation of this goal includes encouraging transit-oriented development by providing options for residents and workers other than cars. Additionally, the plan measures success by improvements that increase both ridership and the overall percentage of commuters taking public transit. While we applaud the applicant's proposal noting this type of development at the site would facilitate public transit and support Ambler's vibrant downtown, we feel the plan could also reflect a design that incorporates more pedestrian connectivity.

The applicant's submission also reflects *Montco 2040's* theme of Sustainable Places as it would provide opportunities for residents to have healthier lifestyles via making this section of Maple Street more walkable. Conversely, we feel the design could be improved to better reflect the county plan's goals and recommendations for implementation with better connections to Ambler's existing sidewalk network. *Montco 2040's* sustainability goals also advocate for varied residential options and the reuse of former industrial sites, recommending this be implemented via new walkable housing options. We feel the applicant's design meets the plan's goal of appropriate infill especially as the proposal includes the reuse and improvement of an industrial property on Maple Street adjacent to the rail line. This also meets the plan's theme of a Vibrant Economy as *Montco 2040* specifies that "industrial sites are appropriate for multifamily development, especially at a site where infrastructure like the nearby passenger rail line already exist.

While the applicant's plan reflects many aspects of the vision in *Montco 2040*, and we applaud the plan's potential for increasing housing options, improvement to public transit access, and the creation of walkable development around train stations, we also feel the design can be improved to better reflect both Ambler's and Montgomery County's vision for development at the site.

## RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal; however, in the course of our review we have identified a number of key issues that we believe should be resolved prior to final plan approval. Our comments are as follows:

## REVIEW COMMENTS

### ZONING

The applicant's submission indicates that this sketch plan submission will be seeking a zoning text amendment, a zoning overlay, or a new zoning district in order to accommodate the proposed improvements at the site. We have noted below several of the standards in Ambler's zoning code that would need to be addressed as the design in its current form would not meet the existing requirements.

A. RSC - RETAIL AND SERVICE COMMERCIAL DISTRICT:

1. §27-2903(1). Use Regulations. Multifamily residential is not a use currently permitted under the RSC use provisions
2. §27-2904(3). Building Height. The maximum permitted in the RSC District is 65 feet. The applicant's sketch does not indicate building height.
3. §27-2904(6). Height Setback. For every building whose height (measured from finished grade to parapet) exceeds 30 feet, there shall be an additional setback from any water feature measuring five horizontal feet for every additional 10 feet in height. The applicant's proposal is across Maple Street from water features at Wissahickon Waterfowl Preserve and the design does not include height setbacks.
4. §27-2905(6). Pedestrian Circulation. A system that links "buildings parking areas open space public transportation and other nearby destinations points" is required. The plan does not appear to have sidewalk or pedestrian linkages from Maple Avenue to all of the surface parking on the site and does not include a sidewalk connection to Ambler Station.

B. RO REDEVELOPMENT OVERLAY DISTRICT:

1. §27-2701(G) & §27-2701(H) Statement of Intent. The legislative intent requires that connections to the Borough Commercial District, public transportation, and open space area are included in development plans. It also requires consistent integration of site improvements in terms of access and parking are required in the RO District. We believe the plan could be improved in terms of pedestrian safety, access, parking, and internal circulation. A design with more direct sidewalk access to North Maple Avenue and improved pedestrian connections to the internal parking as well as the natural area at Wissahickon Waterfowl Preserve would improve the design.
2. §27-2703(E)(1)(a) and §27-2703(E)(1)(f) TOD Transit-Oriented Development Intent. As 92 units are proposed and direct pedestrian connection to Ambler Station are not included in the plan, it is not clear that the applicant's design reflects an "intensity and type" that is "supportive of the use of public transportation" as well as possible at this site. The lack of any sidewalks between the proposed site and Ambler Station would present a challenge and possibly safety concerns for residents attempting to walk to the train station. Additionally, the close proximity of the building to Maple Avenue is not the ideal "provision of a pedestrian environment" on Maple Street nor does the building reflect a "pedestrian orientation" as the entrance and front facade of the building are oriented towards the rail line rather than facing Maple Street.
3. §27-2703(E)(4)(a)(1) & §27-2703(E)(4)(a)(1)(a) Conditional Use Standards. For the proposed use of multifamily residential to be permitted, the standards require the underlying zoning for tracts proposed for TOD to be in the OC – Office Commercial or Industrial Zoning District. As the site's underlying district is RSC, this would not be permitted under the current code.
4. §27-2703(E)(4)(a)(1) & §27-2703(E)(4)(a)(1)(b) Conditional Use Standards require that TOD development be located within 500 feet of a commuter rail station and have 1,250 feet of frontage on an active

passenger rail line. The applicant's submission has only  $\approx$  750 feet of rail frontage and is  $\approx$  670 feet from Ambler Station. As such, TOD development would not be permitted at the site under current conditional use standards for TOD development. Additionally, the applicant's plan would not qualify for the provision of a reduction in the required frontage requirements for both public street and public rail provided in §27-2703(E)(4)(a)(1)(b).

5. §27-2703(E)(4)(a)(2) Minimum Lot Area. As the site is a total of 2.6 acres, the applicant's plan does not meet the minimum requirement of 8 acres, nor does it meet the 4-acre threshold for a reduction in required lot area.
6. §27-2703(E)(4)(b)(1) Density, Mix, and Bulk Requirements. The maximum density permitted for TOD development is 35 dwelling units per acre. The applicant's plan proposes 48 dwelling units per acre.
7. §27-2703(E)(4)(b)(3) Building Height. The maximum permitted height under the conditional use standards is 65 feet. The applicant's submission does not include any notation of building height.
8. §27-2703(E)(4)(b)(4) The maximum building length permitted for multifamily residential use is 250 feet. The proposed structure is 356 feet in length.
9. §27-2703(E)(4)(d)(1) Pedestrian and Transit-Oriented Design Elements. Sidewalks or other walkways "acceptable to the governing body" are required along all internal streets and driveways. The plan does not include sidewalks on both sides of the access drives from Maple Avenue nor are they included at the parking lot to the northwest of the main building site.
10. §27-2703(E)(4)(e)(3) Off-street parking and garages are required to be located "such that access to such parking or garages does not unnecessarily obstruct the primary internal driveways." The four garage entries appear to be in locations that would impede circulation on the site.
11. §27-2703(E)(4)(h)(2)[3] Green Space. Green space is required to be surrounded by sidewalks, roads, or buildings with front facades oriented towards the designated green space. The green area at the north end of the site is not surrounded by sidewalks and the building is not oriented towards the green space.
12. §27-2705(M)(2) Pedestrian Design Standards. Paved pedestrian walkways, sidewalks, and trails are required to connect road frontage sidewalks to parking areas and other significant destinations including rail stations. As noted above, the plan does not include sidewalk connection to Ambler Station as the vacant property to the south does not have sidewalks. The parking at the northern end of the site adjacent to the green space does not include sidewalks. Additionally, there is no pedestrian connection to the natural area at Wissahickon Waterfowl Preserve across Maple Street.
13. §27-2705(N)(3)(a) Application and Review of Development Proposals. The plan does not include an integrated and coordinated design for pedestrian circulation that links the site with nearby parks, transit facilities and the remainder of the borough.

C. FLOODPLAIN CONSERVATION DISTRICT:

1. §27-1906 & §27-1907 Description and Special Requirements of the Floodplain Conservation District. The site is adjacent to the 100-year floodplain and does not include any detail regarding the boundaries of the floodplain or the presence of steep slopes and their locations as they relate to any of the parcels included in the proposal. Consequently, it is unclear if a special exception would be needed to permit improvement at the site. We recommend the applicant provide more detail regarding the proximity of the flood zones

to Parcel #1 in Ambler as well as any encroachment on Parcel #2 or Parcel #3 located in Upper Dublin Township.

2. §27-1910 (F)(2) Roads, Driveways, and Parking Facilities. Parking facilities are not permitted at the site “unless satisfactory evidence submitted that the parking will not be utilized during periods of flood flow and thus will pose no threat to the safety of the vehicles, their users, or downstream properties.
  3. §27-1925 (2) & §27-1925 (2)(A) Special Technical Requirements. Any proposed development within the Floodplain Conservation District requires a Special Permit requiring that the applicant’s submission show that any proposed “structure or activity will be located, constructed, and maintained in a manner” that protects the “health and safety of the general public and any occupants of the structure”
  4. §27-1925 (2)(A)(3) Approval of the Special Permit requires that the design provide that the occupants “can remain inside for an indefinite period of time and be safely evacuated at any time.”
  5. The portion of the site containing the dedicated green space next to the surface parking at the north end of the site is located in Upper Dublin Township. ARTICLE XXII, Floodplain Conservation District, of the Upper Dublin Township code §255-165(C)(14) prohibits stormwater management facilities unless the applicant is granted a variance. Although it is not detailed in the applicant’s submission, it appears that the improvement may require stormwater management facilities in this portion of the site.
- D. EMERGENCY ACCESS. Given the site’s proximity to the floodplain as well the rail line restricting access along the eastern border of the site, we believe the applicant should prepare and provide both a flood warning plan and flood evacuation plan as part of any more detailed future proposal at the site. Given the history of flood events at and around the site, the adjacent floodplain, the bordering rail line, and the proximity of both Rose Valley Creek and Tannery Run located at the north and south ends of the site respectively, we have serious concerns. Emergency evacuations might prove extremely difficult, and this would pose a substantial risk to the safety of both residents and emergency personnel. Personal property including any vehicles parked on the site would also be at risk during a flood event.
- E. DESIGN. Overall, the applicant’s proposal is difficult to evaluate as it does not meet many of the required standards for TOD in the RO – Redevelopment Overlay District Zoning. We recommend Ambler carefully consider any zoning text amendment, zoning overlay or new zoning district and consider any proposed update to the required standards applying to this site so that they reflect sound design standards at the appropriate scale.
1. Site Layout. The configuration of the parking and green space at the northern portion of the site is underutilized. These features lack internal integration and connection with both the structure and the public space across Maple Street at Wissahickon Waterfowl Preserve. We recommend the applicant amend the design in any future iterations to reflect more of an interconnection between the surface parking, the building, and the adjacent open space amenities.
  2. Building Orientation and Design:
    - a. We feel that the design would be significantly improved if the building was oriented with its entrance and front façade facing Maple Avenue. We feel the orientation towards the parking in the rear and facing the rail line is a missed opportunity and does not reflect the intent or functionality of TOD.
    - b. The architectural layout of applicant’s building could include a more robust connection and corridor through the center of the structure. We feel this is a missed opportunity to provide more transparency through the core of the structure which would benefit both pedestrian circulation and aesthetic value.

- Orienting the building to face Maple Street and including access through a lobby facing the street would provide a more transparent and inviting overall design. This would improve both overall pedestrian circulation at the site as it would provide a better link to the rear of the building and allow residents to access Maple Street more directly. Additionally, this would provide for more pedestrian activation on Maple Street as well as better overall pedestrian design more clearly reflecting the intent of TOD design.
- c. The building is located very close to the right-of-way along Maple Street. We feel that a larger setback from the street could provide space for a green verge to buffer the sidewalk along Maple Street and further aid in pedestrian activation along the frontage.
3. Vehicle Circulation. We feel that the design, inclusion, and configuration of the four entrances to the street garage on the first floor of the structure may be excessive and could be improved. A reduction in the number of access points to the structured parking could allow for a better overall building form in terms of pedestrian-oriented design and vehicle circulation at the site. This would also allow for a more complete internal sidewalk network at the site.
  4. Pedestrian Connectivity:
    - a. No sidewalk exists at the on the east side of Maple Street along the vacant property adjacent to the south, therefore there would be no direct connection from the site to the sidewalk network in the borough. Pedestrians would have to cross Maple Street in order to walk safely to Ambler Station. Additionally, the existing sidewalk on the west side of Maple Street is somewhat restrictive due to a minimal verge and the fencing around the abutting property. This condition would be a disincentive for pedestrians hoping to walk to Ambler Station. We recommend the borough consider alternate options to provide for a more robust sidewalk connection from the site to Butler Avenue.
    - b. The vehicle access points to the garage on the sides of the building do not allow for a complete pedestrian connection at the site where residents could access Maple Street directly and most safely. There are no sidewalks present at the south end of the site adjacent to the vehicle access. Residents exiting the building and walking to Ambler Station would not have sidewalks available for pedestrian connection from the front door to Maple Street along the southern portion of the building. We feel this is a missed opportunity as it results in an internal pedestrian circulation design which is disjointed and does not reflect the intent of TOD design.
    - c. The surface parking area at the northern end of the site is somewhat isolated and does not include any sidewalks. We recommend that the applicant revise the design to include pedestrian access to this parking area which can connect pedestrians walking internally at the site to the building more easily.

## CONCLUSION

We wish to reiterate that MCPC generally supports the applicant's proposal but in its current form we feel the applicant's proposal would require significant revision in order to be permitted under the borough's Zoning Codes. Redevelopment of a vacant, underutilized property at this site is a significant opportunity for Ambler to shape the revitalization of a portion of the passenger rail corridor. Furthermore, we feel our suggested revisions to the design would result in an improved plan that would better reflect Ambler's vision for TOD design and improvement along the corridor on Maple Street. We recommend the borough consider all of these comments when approaching any zoning text amendment, zoning overlay, or new zoning district relating to this sketch plan or any future submissions for development at the site.



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

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files. Please include the MCPC number-# 21-0200-001 on all future plans to aid in this recording process.

Sincerely,



Michael Lowrey, Community Planner II  
[mlowrey@montcopa.org](mailto:mlowrey@montcopa.org) – 610-278-3887

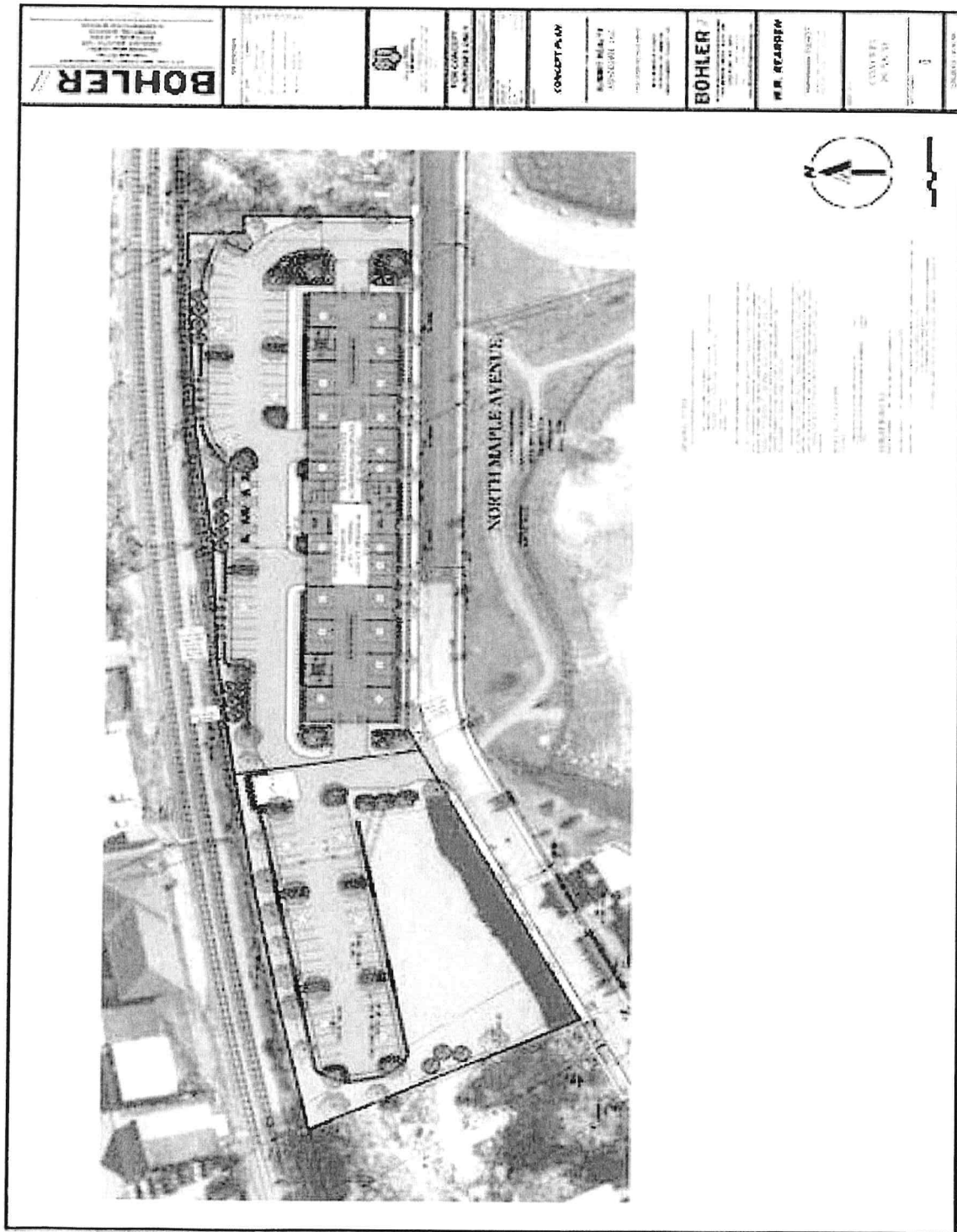
c: Ambler Lakeview Development, L.P., Applicant  
Robert LaGreca, Chair, Ambler Planning Commission  
Upper Dublin Township

Attachments: 1. Aerial Site Image  
2. Reduced Site Plan

Attachment 1 - Aerial Site Image



Attachment 2 – Reduced Site Plan



**BOHLER**



CONCEPT PLAN

BOHLER

BOHLER

BOHLER

BOHLER

**BOROUGH OF AMBLER  
MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION 2021-09**

**WHEREAS**, Ambler Borough wishes to enter into a Federal Aid Reimbursement Agreement for the *Ambler Sidewalks Improvement Project (ECMS 74813)*.

**NOW THEREFORE BE IT RESOLVED**, that the Borough Council hereby authorizes and directs any and all Documents and Agreements for the *Ambler Sidewalks Improvement* project be signed and executed by the Borough Manager, and in doing so, agree to be legally bound to the terms, conditions, and provisions set forth by the agreements.

**RESOLVED AND APPROVED** this 8th day of September, 2021

ATTEST

BOROUGH OF AMBLER

\_\_\_\_\_  
Mary Aversa, Borough Manager

\_\_\_\_\_  
Frank DeRuosi, Council President

THE BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA

ORINANCE NUMBER \_\_\_\_\_

AN ORDINANCE OF THE BOROUGH OF AMBLER THAT AMENDS ORDINANCE 1083 REGULATING TOWER-BASED AND NON-TOWER BASED WIRELESS COMMUNICATION FACILITIES, BY ADDING A DEFINITION OF SMALL WIRELESSS FACILITIES, AND ADDING OBJECTIVE AESTHETIC CRITERIA TO THE DESIGN REGULATIONS FOR ALL SUCH FACILITIES; LEAVING THE REMAINDER OF ORDINANCE 1083, CODIFIED IN CHAPTER 27 OF THE ZONING ORDINANCE, IN FULL FORCE AND EFFECT; INCLUDING A SAVINGS CLAUSE AND REPEALER; EFFECTIVE ON THE EARLIEST DATE PROVIDED FOR IN THE BOROUGH CODE

WHEREAS, Borough ordinance 1083, adopted April 21, 2015, amended Chapter 27 of Title 27 of the Borough zoning ordinance by adopting various criteria applicable to wireless communication facilities, and

WHEREAS, in January of 2019, the Federal Communications Commission issued an order that, among other things, requires that any aesthetic requirements sought to be imposed by a municipality must be objective and formally adopted, such that a facilities applicant may know at the time of application the particular aesthetic requirements that must be met,

NOW THEREFORE, Ordinance 1083, Codified at 27-2700 et. Seq., Wireless Communication Facilities, is amended as follows:

1. Ordinance 27-2702 of the Codified Ordinances is amended by adding the following definition to the existing list of definitions:

*18. Small Wireless Facility.* A facility mounted on a structure 50 feet or less in height, including antennas; or, is mounted on a structure not more than ten percent taller than other adjacent structures; or, does not extend existing structures on which they are located to a height of more than 50 feet or by more than ten percent, whichever is greater.

2. Ordinance 27-2703(D) is amended by the addition of the following language:
  - a. Section "(1)c)vii", Design Regulations, is modified by adding a new subsection (3), "Aesthetic Criteria)", the text of which is: "Non-Tower WCF shall be consistent with the design and aesthetic criteria which are attached to this Ordinance as Appendix #1."
  - b. Section "(4)b)", Design Regulations, is modified by adding a new subsection "v)", "Aesthetic Criteria)", the text of which is: "Tower-Based WCF shall be consistent with the design and aesthetic criteria which are attached to this Ordinance as Appendix #1."
  - c. Section "(5)d)", Design Regulations, is modified by adding a new subsection "v)", "Aesthetic Criteria)", the text of which is: "Tower-Based WCF shall be consistent with the design and aesthetic criteria which are attached to this Ordinance as Appendix #1."

The remainder of Ordinance 1083 remains in full force and effect. If any portion of this ordinance is found invalid by a court of competent jurisdiction, then to the extent possible the portion of the ordinance found invalid shall be severed from the remainder of the ordinance, which shall continue in full force and effect. Any provision of any existing ordinance that is inconsistent with this ordinance is, to the extent of such inconsistency, repealed.

This ordinance is effective on the earliest applicable date identified in the Pennsylvania Borough Code as it relates to ordinance adoption.

SO ORDAINED this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Frank DeRuosi, Council President

Attest: \_\_\_\_\_  
Mary Aversa, Secretary

**MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS**

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



**MONTGOMERY COUNTY  
PLANNING COMMISSION**

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

SCOTT FRANCE, AICF  
EXECUTIVE DIRECTOR

August 23, 2021

Glenn Kucher, Zoning Officer & Planning Coordinator  
Ambler Borough  
131 Rosemary Avenue  
Ambler, Pennsylvania 19002

Re: MCPC # 19-0254-002  
Plan Name: Telecommunications Ordinance  
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 October 16, 2019. We forward this letter as a report of our review.

#### BACKGROUND

The Borough of Ambler has submitted a zoning text amendment to Ordinance 1083 which provides standards for Wireless Communications Facilities. The amendment includes aesthetic design guidelines for Small Wireless Communications Facilities, which are included in the form of a referenced appendix. The purpose is to establish uniform design standards for Wireless Communications Facilities specifically defined as Small Wireless Facilities (SWF) under (2018) Declaratory Ruling and Order by the Federal Communications Commission (FCC). The amendment requires small wireless communication facilities to be aesthetically consistent with the design, schematics, and hardware components referenced in an appendix.

#### RECOMMENDATION

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



## REVIEW COMMENTS

### DEFINITIONS

- A. Definition of Small Wireless Facility. A specific definition for Small Wireless Facility (SWF) is not included in the proposed amendment. In terms of the recently issued Declaratory Ruling and Third Report and Order (“Order”) from the Federal Trade Commission (FCC), we recommend a definition for Small Wireless Facility be included in **§27-2702** Definitions section of the existing ORDINANCE NO. 1083. This would serve to address the requirements that are uniquely applicable to such facilities under the Order. The new FCC Order defines SWF specifically in terms of the height (less than 50 feet or 10% taller than adjacent structures) and the cubic volume (less than 3 ft<sup>3</sup>) of an antenna and associated equipment. Under this new unique definition for SWF, the Order sets fee ceilings for permitting, application approval timeframes or “shot clocks”, and designates a legal framework under which municipalities may codify aesthetic requirements. A definition would provide clarity in the code regarding these new guidelines as they apply to a specific subset of permit applications.
- B. Procedures and Fees. In addition to bringing specificity to the guidelines the borough wishes to apply to aesthetic criteria, a definition would clearly delineate the fees and time frames required for the approval of applications as specific to exclusively SWF. Additionally, if any new federal or state legislation is adopted, any revisions, amendments, or portions to be severed in the future would then specifically refer to SWF in borough code as well.

### DEADLINES AND FEES

- A. Deadlines. In terms of **§27-2703(D)(1)b**ii, Ordinance 1083 allows the borough (30) days to notify an applicant when an application is incomplete. The FCC Order requires a time limit of (10) days for notification of an incomplete application specific to SWF. Although the existing Ordinance 1083 is sufficient for deadlines regarding all wireless facilities’ approval under the Pennsylvania Wireless Broadband Collocation Act (WBCA), it does not address the new FCC Order of a (10) day limit specific to SWF for incomplete application notification or batch applications. Time frames could present a procedural problem or workload issue if applications are filed in batches. The Order requires that the deadline applying to a batch of SWF applications is the same one that would apply had the applicant submitted an individual application. We recommend the borough review its existing internal procedures to ensure that the review process and approvals for SWF can be accommodated reasonably by staff within the timeframes. Under the FCC Ruling, any failure to comply with deadlines is considered a presumptive violation and allows the applicant to seek expedited relief.
- B. Fee Scheduling. The municipality should remain attentive when receiving applications involving SWFs as to the specific fee limitations the FCC Order places on initial applications and recurring fees. The Order includes a threshold for what is defined as “presumptively reasonable” in terms of fees. In order



to exceed the fee ceilings, the municipality must satisfy a 3-part test and provide well documented cost studies or similar defensible methodology.

#### DESIGN REGULATIONS AND AESTHETIC CRITERIA

The applicant's amendment adequately addresses the component of the Order's requirement of establishing specific and objective aesthetic criteria and that such criteria are published in advance. The applicant's appendix items function as a guidebook for design aesthetics that meets the Order's requirements for antenna and support structures that is objective, reasonable, and allows applicants to predict a SWF permit's aesthetic requirements in advance. The appendix items also meet the requirement that any design guidelines do not prohibit technology or discriminate among service providers as outlined in Pennsylvania state law.

#### CONCLUSION

We wish to reiterate that MCPC generally supports the applicant's proposal, but we believe that our suggested revisions and policy reviews will better achieve Ambler's planning objectives for wireless facilities. We also note our general deference to the borough solicitor in terms of both this proposed text amendment as well as any Pennsylvania legislation regarding the deployment and regulatory measures applicable to Small Wireless Facilities. Furthermore, we recommend that the ordinance is updated as necessary in the future to remain consistent with any new legislation.

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 amendment, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,



Michael Lowrey, Community Planner II  
[mlowrey@montcopa.org](mailto:mlowrey@montcopa.org) – 610 -278-3887

c: Robert LaGreca, Chair, Ambler Planning Commission  
Joseph E. Bresnan Esq., Ambler Borough Solicitor

# 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.ambler.pa.us](http://www.ambler.pa.us)



August 24, 2021

Mary Aversa, Borough Manager  
Borough of Ambler  
131 Rosemary Avenue  
Ambler, PA 19002

Re: Guidelines for Changes to the Borough's  
Existing Wireless Ordinance

Dear Ms. Aversa:

At the direction of Council, the Planning Commission has been requested to review and recommend changes to the Borough's existing wireless Ordinance and fee schedule to comply with the FCC Order as well as develop design requirements for wireless facilities in the rights-of-way to prevent aesthetically obtrusive facilities.

Discussion took place at previous Planning Commission meetings. At the meeting held this date a motion was made and seconded. After a vote was taken of the six members present, the motion carried unanimously to recommend to Council to consider approving the changes to the Ordinance that had been prepared by our Solicitor in compliance with the FCC Order.

If you have any questions, please do not hesitate to contact our Chairman, Robert Lagreca, who presided over the meeting.

Very truly yours,

Carol Ann DiPietro  
Secretary  
Ambler Borough Planning Commission

**BOROUGH OF AMBLER**  
**MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION 2021-10**

**A RESOLUTION ADOPTING PROCEDURES FOR THE  
HANDLING OF RECYCLING AND SOLID WASTE  
DISPOSAL VIOLATIONS BY HAULERS, BUSINESSES,  
INSTITUTIONS OR RESIDENTS OF MEMBER  
MUNICIPALITIES OF THE NORTHERN MONTGOMERY  
COUNTY RECYCLING COMMISSION.**

**WHEREAS**, the Northern Montgomery County Recycling Commission (the “Commission”) is comprised of eleven (11) municipalities located in Montgomery County, Pennsylvania organized for the purpose of implementing the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, as amended (“Act 101”); and

**WHEREAS**, the member municipalities of the Commission have assigned and delegated their powers under Act 101 to the Commission in accordance with an Amended and Restated Intermunicipal Agreement dated May 21, 2007, as amended (the “Agreement”); and

**WHEREAS**, Section 403 of the Agreement grants to each member municipality concurrent jurisdiction with the Commission for the monitoring and enforcement of Act 101; and

**WHEREAS**, Section 4 of the Municipal Waste Collection and Recycling Ordinance adopted by each of the member municipalities authorizes the Commission to establish, by resolution, rules and regulations related to the administration of the recycling program and to administer and enforce against violations of all such rules and regulations; and

**WHEREAS**, each member municipality has delegated to the Commission pursuant to Section 8.B(2)(c) the authority to promulgate rules and regulations and to enforce those rules and regulations or to delegate such enforcement to the member municipalities; and

**WHEREAS**, the Commission and each member municipality desire to establish formal procedures for the enforcement of Act 101 and enforcement against violations by haulers, businesses, institutions and residents of its member municipalities;

**NOW, THEREFORE, IT SHALL BE RESOLVED AS FOLLOWS:**

**Section 1.** The Commission and each member municipality hereby adopt the enforcement procedures attached hereto as Schedule “A” and incorporated herein by this reference with the same effect as if they had been set out verbatim in this section, and a copy of which shall be filed with the minutes of the meeting at which this Resolution was adopted.

**Section 2.** This Resolution shall become effective at the earliest date permitted by law.

**DULY ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2021 by the Borough of Ambler.

**BOROUGH of AMBLER**

Attest: \_\_\_\_\_  
Mary Avcrsa, Secretary

By: \_\_\_\_\_  
Frank DeRuosi, Council President

## Regulation re: Violations of Act 101

### Procedures for Act 101 Violations

1. First Offense – Upon receipt of sufficient credible evidence and after consultation with the municipality in which the violation occurred, a written violation warning letter may be sent to the violator (i.e., the waste hauler, business, institution or municipal resident) by the NMCRC Solicitor, at the discretion of the NMCRC Solicitor, who may seek guidance from the Commission before moving forward with a written violation warning letter. A warning letter will include a statement that both the municipality and the NMCRC have enforcement powers for a violation of Act 101 and/or the corresponding municipal ordinance.
  - a. Written notice should be sent by certified mail, return receipt requested.
  - b. A copy of the written notice should be sent to the member municipality in which the violation occurred and to the NMCRC Chairman, for distribution to all Commission members.
  - c. Written notice should include a description of each violation, identification of the section(s) of Act 101 and/or the corresponding municipal ordinance being violated.
  - d. Whenever appropriate, initial violations shall be discussed in executive session.
  - e. If the NMCRC Solicitor declines to issue a violation warning letter, the NMCRC Solicitor shall notify the member municipality of the decision. The member municipality may move forward with a violation warning letter.
  
2. Subsequent Offense – Upon receipt of sufficient credible evidence of a subsequent offense by the same violator within two (2) years of the date of the first offense, the municipality in which the violation occurred should notify its solicitor or code official to consider commencement of enforcement action. The municipality shall notify the NMCRC Solicitor and advise the NMCRC Solicitor whether the affected municipality intends to undertake formal enforcement action on behalf of the affected municipality. In most cases, the affected municipality will be responsible to undertake the formal enforcement action pursuant to guidelines set forth in Act 101 and/or the corresponding municipal ordinance. The municipality shall periodically provide non-confidential enforcement status reports to the NMCRC Solicitor and Chairman.
  
3. Report to PADEP. If a subsequent offense occurs (as set forth in Section 2 above) and the affected municipality elects not to undertake formal enforcement action, the municipality or NMCRC Solicitor may report the occurrence of the violation to the Pennsylvania Department of Environmental Protection (“PADEP”) and request that PADEP pursue enforcement action.

4. Enforcement Action by NMCRC. If a subsequent violation impacts more than one NMCRC member municipality and PADEP decides not to pursue enforcement action, the NMCRC Solicitor may, after a vote by the Commission, take formal enforcement action on behalf of the affected municipalities, provided the affected municipalities enter into a cost-sharing agreement, prepared by the NMCRC Solicitor and satisfactory in form and substance to the NMCRC, relating to all costs and expenses, including attorneys' fees, relating to the enforcement action.

### **Recommended Documentation Evidencing Violations**

If a resident, business or institution observes an alleged waste disposal or recycling violation, the resident should contact the Municipal Manager to report the alleged violation. The Municipal Manager should obtain as many factual details as possible from the resident, business or institution and determine whether the resident, business or institution can provide any written or visual documentation to support the alleged violation. Recommended documentation would include the following:

- Written witness statement(s) describing what activities occurred, when and where they occurred, and the identity of all witnesses and other individuals who were involved. Include the name, address and contact information for each witness who observed the violation occurrence.
- Photographs/videos taken by witnesses, including the name, address and contact information for the individual(s) who created the photograph/video.
- Certification statement signed and dated by each witness certifying that the evidence provided is correct and complete. (For example: "I, \_\_\_\_\_, hereby certify that the foregoing information provided by me is correct and complete.")

### **Sample Ordinance Violations**

Some common waste disposal/recycling violations include the following:

- Commingling recyclable materials with municipal solid waste
- Commingling household hazardous waste with municipal solid waste
- Commingling leaf waste with municipal solid waste
- Outdoor burning (including leaf burning)
- Collecting waste/recyclables between the hours of 8:00 pm and 6:00 am
- Violating other time, place and manner restrictions applicable to waste/recycling disposal

### **Municipal Websites**

Each member municipality should include information on its website for reporting Act 101 violations to the municipality.

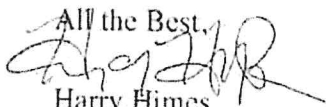


736 DeKalb Pike - Blue Bell, PA - 19422

September 2, 2021

Dear Ambler Borough Council Members,

My name is Harry Himes, I own a little neighborhood taproom Harry's Blue Bell Taproom, which is currently located in Whitpain Township at 736 DeKalb Pike, Blue Bell, PA 19422. Per the PLCB, I am writing to request approval for the transfer for my current R- Liquor License #R11772 from the above address to 1 West Butler Pike, Ambler, PA 19002. I am excited to become a part of Ambler and appreciate all your help I am looking forward to meeting everyone!

All the Best,  
  
Harry Himes

Harry's Blue Bell Taproom  
736 Dekalb Pike  
Blue Bell, PA 19422

Email : [harryhimes@gmail.com](mailto:harryhimes@gmail.com)  
Phone : 267-625-5110

**Parks & Recreation Committee**

September 8, 2021

Sara Hertz – Chair

Nancy Deininger

Erin McKenna Endicott

Nellie DiPietro

**OLD BUSINESS**

**NEW BUSINESS**

1. **AMBLER SQUARE**

A Dedication Ceremony will be planned for Ambler Square.

2. **COMMUNITY GARDEN MEETING**

The next Community Garden meeting is Sunday, September 26 at 3:30 p.m.  
at Knight Park.



## Salary & Personnel Committee

September 8, 2021

Nancy Deininger – Chair

Glynnis Siskind

Nellie Di Pietro

Jen Henderson

### OLD BUSINESS

### NEW BUSINESS

1. EXECUTIVE SESSION

An executive session was scheduled for this evening at 6:30.

2. PATROL OFFICERS

A recommendation is requested to hire Gabriela Rodriguez Fenwick and Tyler Conroy as Patrol officers.

3. FINANCE MANAGER POSITION

Authorization is requested to advertise for the position of Finance Manager. Finance Manager Gail Gordon will be retiring.

4. WATER ACCOUNT CLERK POSITION

Authorization is requested to advertise for the position of Water Account Clerk.

5. COMMITTEE VACANCIES

Vacancies exist for community volunteers to be appointed to serve on the following Committees: 1 seat on the Environmental Advisory Council and 1 seat on the Human Relations Commission. Additionally, alternate seats currently are vacant on the Civil Service Commission, Human Relations Commission and Zoning Hearing Board.

6. RECENT STORM EMERGENCY ACTIVITIES

The Committee recognizes and thanks the hard-working efforts of the Borough Police, Public Works crew, administrative staff and emergency personnel during the recent storm.

## RECOMMENDATIONS

### Public Safety Committee

1. A recommendation is requested to adopt **Ordinance 1123** on the 2-hour parking limit / parking permit program for Borough residents.

### Public Utilities Committee

1. Consider awarding contract to rebuild clarifier ET #8 at the WWTP to Eastern Environmental for \$75,100.

### Finance & Planning Committee

1. Consider authorization to draft a resolution for a license transfer for Harry Tap Room in Blue Bell to 1 W. Butler.
2. Consider a motion to acknowledge receipt of the Borough Pension Minimum Municipal Obligation – MMO's for 2022.
3. Consider adoption of **Resolution 2021-09** authorizing Borough Manager to execute documents relative to the Federal Aid Reimbursement Agreement for the Ambler Sidewalks Improvement Project.
4. Authorization is requested to *advertise for adoption* a draft **Ordinance** amending the Borough's existing wireless Ordinance to comply with the FCC order as well as develop design requirements for wireless facilities in the rights-of-way to prevent aesthetically obtrusive facilities.

### Salary & Personnel Committee

1. A recommendation is requested to hire Gabriela Rodriguez Fenwick and Tyler Conroy as Patrol officers.
2. A recommendation is requested to advertise for the position of Finance Manager.
3. A recommendation is requested to advertise for the position of Water Account Clerk.