



BOROUGH OF AMBLER COMMITTEE MEETING

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

August 1, 2023

Finance & Planning Committee

August 1, 2023

Nellie Forst - Chair

Karen Sheedy

Lisa Auerbach

Nancy Roecker Coates

OLD BUSINESS

NEW BUSINESS

1. **BOROUGH ENGINEER'S REPORT**

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

2. **RESIDENTIAL SALE INSPECTION PROGRAM**

Attached for consideration is an Ordinance for a residential inspection program for resale properties. The Committee may consider advertising the Ordinance for adoption.

3. **AMBLER ROTARY**

The Rotary Club will make a presentation at the Council meeting.

4. **AMBLER LAKEVIEW**

A presentation will be made at the Council meeting for Ambler Lakeview Development LP at 9 N. Maple Avenue for Preliminary/Final approval proposing a 92 residential unit five story building with associated parking. Borough Engineer, Borough Planning Commission, and Montgomery County Planning Commission reviews and updated Zoning hearing Board notice are **attached**. Plans will be provided.

Recommendations

1. Consideration is requested for a residential inspection program for resale properties. The Committee will consider advertising the Ordinance for adoption.

AMBLER BOROUGH

Project No. **Project Name** **Status**

Borough Engineer

2023-07052 230 N Ridge Grading Permit

Borough Engineer

2003-0122-01 Ambler-2013 NPDES MS4 Permit

2022 Annual Status Report submitted to PADEP 9/30/22. Next Annual Status Report due 9/30/23 for period 7/1/22 thru 6/30/23. PADEP review of TMDL/PRP received 5/28/21. Preparation of response and map update underway.

2006-08054 Pedestrian Sidewalk Upgrade Program

Revised Safety Report, ADA, Traffic, DM-3 (plans presentation), and Environmental Report Re-Evaluation approved by PADOT. Revised construction submission, with the reduced scope of work to accommodate the future Park Ave sidewalk, made to DVRPC on 3/28/23. Utility submission coordination with DVRPC underway.

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. Review of amended Village Green provided 4/22/22.

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. UDT & Ambler coordinating with owner of 98 S Bethlehem & 359 Lindenwold.

2017-01010-01 Ambler Pocket Park - Ambler Square

SOM 9/21/2021. EOM 3/22/2023.

2020-07089 90 W. Butler Ave

Construction complete. SOM 6/3/2022. EOM 12/2/2023

2021-01010-02 Tannery Run Repairs - 33 - 57 E Butler Ave

Design underway to replace culvert and make other repairs. Anticipate bidding late winter for bidding in spring 2023. Coordination with property owners underway.

2021-01010-01 Tannery Run Repairs (205 E Butler - Serrao)

Construction complete. SOM 11/16/22. EOM 5/16/24.

2021-01136 241 N Main Street (DeCastro Enterprises)

LD review provided 3/29/23.

2021-03028 Lakeview Development 5-9 N. Maple Ave.

Review of preliminary/final plans provided 10/18/22. PC recommended conditional use at 5/23/23 meeting.

2021-04048 Edgewood Dr - PA Small Water & Sewer Program Grant Implementation

Contract for storm sewer extension base bid award to Nyce Construction Services. The preconstruction meeting will be scheduled.

2022-03102 Ambler 2022 Paving

Constuction complete. SOM 3/16/23. EOM 9/13/24.

2022-05006 25 N Ridge - Colony Club LD Review

Council granted conditional approval at 8/23/22 meeting. Building construction underway.

2022-05007 24 & 26 N Ridge - John's Court

Council granted conditional approval at 4/18/23 meeting.

2023-03002 Court at Ambler Station (Ambler Station I, LLC)

Sketch Plan review provided 4/20/23 and discussed at 4/25/23 PC meeting.

2023-06042 Deane Lot Line - 162 E Park and 215 Mattison (01270-308)

Review provided 7/11/23.

2023-06046 109 Glen Mawr Dr Grading Permit

GP review provided 6/21/23

AMBLER BOROUGH

Project No. **Project Name** **Status**

Borough Engineer

9991010 Ambler Borough General Engineering Services

Sewer Engineer

2013-02020-01 Ambler Crossings - Sewer Construction underway. Sanitary Sewer is complete; testing remains.

9991050 Ambler Borough General Sewer Services Ongoing.

Water Engineer

2012-10043 Loch Alsh Dam Annual Inspections Annual inspection with PADEP conducted on 11/2/22. Inspection report submitted to PADEP on 11/10/22.

2013-02020-02 Ambler Crossings - Water Construction underway. Water main is tested/complete.

2018-01154 Gwynedd Walk (LGT)

Water main construction and testing complete. 18 month maintenance period complete. Acceptable water as-built plan received 9/13/21, and final inspection conducted by Water Dept. Solicitor preparing documents for acceptance of water system by Ambler Borough.

2018-01171 Mattison Estates (UDT)

Water construction and testing complete. 18 month maintenance period began 7/1/20. Assisting Ambler staff with construction concerns and project documentation. Maintenance Bond extended to 4/1/2023 based on observed water service leaks and concerns with construction of water facilities. Water as-built plans received; additional G&A comments provided to developer on 2/8/23. Developer continues to address punch list items and as-built plans. Reviewing proposed changes to water services associated with a reconfiguration of dwellings.

2020-03071 2021 MIRIA Grant Program

Construction of the water mains to connect Wells 2, 6 and 7 to the proposed PFAS treatment facility next to Well 6 was completed in 2022. Maintenance period ends 9/4/23 and punch list inspection is to be scheduled.

2020-03072 Whitemarsh Plant Operations

Assisting Water Dept. with recommendations and revisions to the Whitemarsh Plant SOPs. G&A conducted a visual assessment of the clear well tank's structural condition and provided a report dated 9/19/22 with observations and recommendations.

2020-06158 Wells 2, 6, and 7 PFAS Treatment System

\$1,000,000 grant awarded by PADEP. Project advertised for bids on December 22, 2022; pre-bid meeting held at Boro Hall on January 18, 2023; bids received February 2, 2023. General/Mechanical and Electrical/HVAC contracts awarded to Blooming Glen Contractors on 2/7/23. Pre-construction meeting held on 4/13/23. Construction expected to begin in September/October 2023. Review of shop drawing submittals underway.

2021-04054.01 2022 MIRIA Grant - Design

Initial field survey and base plan for Well 14 site completed; design and permitting underway with Greensand Plus filtration proposed for Manganese treatment and Ion Exchange proposed for PFAS treatment.

2021-04095 Longfield Farms Development (Whitemarsh Twp)

Plan review letter #3 issued 5/17/22 recommending project approval; water construction escrow recommended per letter dated 5/5/22 for use in developer's agreement. Preconstruction meeting held on 6/27/22. Water shop drawing submittals reviewed 7/22/22. Water construction and testing complete.

2022-01230 T-Mobile Upgrades at Houston Rd Tank

Plan review #2 issued 5/24/22 recommending project approval.

2022-02056 AT&T Upgrades at Houston Rd Tank

Plan review letter #2 issued 8/3/22 recommending project approval.

AMBLER BOROUGH

Project No. **Project Name** **Status**

Water Engineer

2022-02095 NWWA Water Purchase Agreement

Meeting held on 2/14/22 between NWWA staff, Ambler staff and G&A to discuss potential interconnection of respective water systems for emergency & permanent uses and wholesale purchase of water. NWWA provided a draft Water Supply Agreement to Ambler on 3/9/22 for review.

2022-02104 AT&T Upgrades at Broad Axe Tank

Plan review #2 issued 6/30/22 recommending project approval. Work to follow pre-construction tank inspection by MBA.

2022-04076 Lakeview Development 5-9 N. Maple Ave.

Water/Sewer plan review #1 issued 2/23/23.

2022-04096 2023 MIRIA Grant Program

Prepared MIRIA Application documents for submission by Borough on May 16, 2022. Attended MIRIA Board meeting on December 16, 2022 to provide update on completed, ongoing, and proposed Ambler MIRIA/PFAS projects. At the December 16th meeting, MIRIA awarded \$1,134,000 in grant funding for (2023) projects associated with 2022 application, including NWWA interconnection and associated new piping, additional cost for Whitmarsh carbon replacement, and 2023 PFAS sampling. Reviewed and tabulated January 2023 quarterly PFAS samples for all sources and tanks.

2022-04096.01 2023 MIRIA Grant - Design

Consulted with PADEP regarding permitting requirements for new NWWA Interconnection. Field survey complete. Water and interconnect design currently underway. G&A met with Water staff on 4/25/23 to review preliminary design.

2022-06066 Verizon Upgrades at Houston Rd Tank

Plan review #1 issued 6/22/22 recommending project approval.

2022-07025 Wissahickon Park (Whitpain Twp)

Coordinating with Ambler staff re: proposed improvements to Wissahickon Park and need for new or upgraded water service for site. Received plans on 6/23/23 and review is in progress with Water staff.

2023-04049 2024 MIRIA Grant Program

Prepared MIRIA Application documents including cost estimates for submission by Borough on May 15, 2023. The application included projects for a PFAS treatment system at Well 4, additional costs for current PFAS treatment system projects at Wells 2, 6 & 7 and Well 14, as well as Whitmarsh carbon changeout and quarterly PFAS sampling at all sources and tanks for 2024. Total grant request amount was \$3,525,000.

9991049 Ambler Borough 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. Met with Borough Manager and Water staff on 3/24/23 to discuss status of current projects and 2024 MIRIA Grant Program application.

BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER _____

AN ORDINANCE CREATING RESIDENTIAL RESALE OCCUPANCY PERMITS AND PRE-PERMIT INSPECTIONS WITHIN THE BOROUGH; IDENTIFYING THE SPECIFIC ITEMS THAT MUST BE INSPECTED; BEING A NEW PART 200 IN CHAPTER 11, "BUILDINGS" IN THE BOROUGH CODIFIED ORDINANCES; INCLUDING SEVERABILITY, REPEALER, AND EFFECTIVE DATE CLAUSES

In the interests of the health, safety and welfare of the Borough and its residents, the Borough of Ambler does hereby create residential occupancy permits and a requirement that certain identified items be inspected at the time of any transfer of ownership of residences within the Borough, and specifically ORDAINS as follows:

11-200. TITLE. There is hereby created a residential resale inspection obligation in the Borough of Ambler.

11-201. DEFINITIONS

- a. *Private Sewer Service Lateral*. The private sewer pipe extending from a building to the publicly owned and operated sewer system, regardless of where the sewer main is located within the street that the building fronts.
- b. *Transfer*. The conveyance of fee simple ownership of improved real estate through the execution of a recordable deed.

11-202. INSPECTIONS REQUIRED UPON TRANSFER.

1. Prior to proceeding to closing and the execution of a deed conveying ownership, the Seller (or, if agreed between the Seller and the Buyer, then the Buyer) shall obtain inspections of the following:
 - a. Sewer laterals;
 - b. Curbs and sidewalks, when the home includes such improvements;
 - c. Backflow Prevention
 - d. House Numbers
2. Prior to proceeding to closing and the execution of a deed conveying ownership, the Seller shall provide an affidavit in a form provided by the Borough which verifies the existence of working smoke detectors and carbon monoxide detectors within the residence.

11-203. SEWER LATERAL INSPECTION REQUIREMENTS

- A. A plumber must conduct a video inspection of the sanitary sewer service lateral.
- B. The plumber shall certify that there is no inflow or infiltration into the lateral, that there are no illegal connections, and that the clean-out vent is capped and not damaged.
- C. The transfer of the property does not require such plumber's certification where:
 - i. The transfer is from the builder of the home to the first owner;
 - ii. There was a previous lateral inspection by a plumber within the preceding 36 months;

- iii. The lateral has been replaced and was inspected at the time of such replacement, in which case no further inspections are required for a period of ten years.
- D. Regardless whether a plumber's certification is required pursuant to the above criteria, Seller shall submit an affidavit on a form prepared by the Borough to verify that the home does not contain a sump pump that is connected to the home's sanitary sewer lines.

11-204. SMOKE AND CARBON MONOXIDE DETECTORS

- i. Seller is required to sign a pre-closing affidavit on a form provided by the Borough which confirms the presence of working smoke and carbon monoxide detectors on each floor of the home, including the basement.

11-205. CURB/SIDEWALK REQUIREMENTS

- i. Upon being advised of the pending transfer, the Borough staff or engineer will inspect the curbs and sidewalks. Sidewalks and curbs will require repair or replacement :
 - a. When one or more sections of the sidewalk rises above or drops below the grade of the edges of immediately adjacent sections resulting in an irregular surface with depression greater than ½ inch in depth.
 - b. When the curb is out of vertical alignment with the adjacent curb or an adjacent section or slab of sidewalk in excess of ¾ inch.
 - c. When there is spalling on twenty-five percent (25%) or more of the total sidewalk surface.
 - d. When there is any crack in a sidewalk that is greater than ½ inch in width for a length of one foot or more.
 - e. When a crack in a curb is more than ¼ inch wide and extends across the full depth of the curb and also down to the grade of the street.

11-206. BACKFLOW PREVENTION REQUIREMENTS

- i. The home will be inspected by Water Department staff or Code (in the event of an emergency) for the presence of a working check valve that prevents water from flowing out of the home and back into the system;
- ii. The inspection will identify the service line as one of the following:
 - a. Lead
 - b. Non-lead
 - c. Lead status unknown

11-207. HOUSE NUMBERS

- i. Each inspected home must have the house number installed, at least three inches high, and easily visible from the street.

11-208. ADMINISTRATION

- i. When each of the inspections required by this ordinance are satisfactorily completed, the Borough will issue a use and occupancy permit for the residence.
- ii. When one or more inspections discloses that the residence is not in compliance and requires work to be brought into compliance, the Borough will issue a temporary occupancy permit, in which case the property shall be brought into compliance within twelve months of closing. When weather or other exigencies prevents a pre-closing inspection, a temporary occupancy permit will be issued and a post-closing inspection will be scheduled, with compliance required within 12 months of the inspection.
- iii. If an inspection discloses that the residence is in such a condition occupying it would be dangerous to the health, safety or welfare of the occupants, the Borough will issue an access only permit, allowing entry to the residence (but not occupancy), to bring the property into compliance within twelve months of closing.
- iv. The Borough shall not require the posting of any escrow, and the inspections set forth herein shall not serve to delay or postpone and closing scheduled between a buyer and seller.
- v. The obligations herein apply to every seller of a residence in the Borough. The obligation will pass to the Buyer if this ordinance is not complied with prior to sale.
- vi. The Borough will, to the extent possible, tie the inspection program to the issuance of water certifications associated with the sale, in order to identify homes that require inspection.

This ordinance shall be effective on the earliest effective date recognized by the Pennsylvania Borough Code, section 3301.3.

The provisions of this ordinance are intended to be read *in pari materia* with existing Borough ordinances. To the extent that any earlier Borough ordinance includes language inconsistent with any language in the within ordinance, then to the extent of such inconsistency, the prior ordinance is repealed.

Should a court of competent jurisdiction invalidate any portion of this ordinance, then such portion shall, to the extent possible, be severed from the remainder, which shall continue in full force and effect.

SO ORDAINED this _____ day of _____, 2023.

Glynnis Siskind, Council President

ATTEST: _____
Mary Aversa, Secretary

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 unts
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.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

October 18, 2022

File No. 2021-03028

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

Reference: Preliminary/Final Land Development
Residential Apartment Building - 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; Tax Parcel #01-00-02938-00-4

Dear Mary:

As requested, Gilmore & Associates, Inc. has reviewed the information below regarding the preliminary/final land development plan application referenced above.

- A. Preliminary/Final Land Development Plans (26 sheets), prepared for Amber Lakeview Development, L.P. by Bohler Engineering, dated March 3, 2022.
- B. Stormwater Management Calculations, prepared by Bohler Engineering, dated March 1, 2022.
- C. Traffic Impact Study, prepared by Traffic Planning and Design, Inc., dated March 10, 2022.
- D. Will Serve Letter, prepared by Ambler Borough Water Department, dated March 2, 2022.
- E. Proposed Transit-Oriented Development Ordinance Amendment (02555823v2)

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 (1.554 acres) is within the RSC Retail and Service Commercial District with the RO Redevelopment Overlay District. Portions of the site are also within the Floodplain Conservation District. The existing parcels comprise a 2.16-acre TOD Effective Area and are vacant. The Applicant, Ambler Lakeview Development, LP, proposes a 5-story 92-unit apartment building. The first floor will be parking and floors 2-5 will be the residential units. The portion within Upper Dublin Township (0.606 acres) is proposed as parking only and would be subject to Upper Dublin's ordinances and land development review and approval.

A Zoning Ordinance text amendment is under consideration by Ambler Borough Council. The amendment is regarding the transit-oriented development (TOD) use in the RO Redevelopment Overlay District (Chapter 27, Part 27). Our review of this application assumes the text amendment will be adopted. If the amendment is not adopted, there may be additional aspects of the plan that are not consistent with the current Ambler Zoning Ordinance. These inconsistencies, with the current Ambler Zoning Ordinance, are not identified in this review.

Zoning Comments

1. §27-413 & §27-2703.E(3) & (4) – The TOD use is permitted within the RO Redevelopment Overlay District in RSC Retail and Service Commercial District zoned areas by conditional use.
2. §27-1906.E, F, G, I, & J – A special exception is required to permit several proposed uses within the Floodplain Conservation District: sanitary or storm sewers and impoundment basins, driveways, grading or regrading of lands, and fences.
3. §27-1907.1 – A special exception is required to permit portions of proposed retaining walls with the Floodplain Conservation District.

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

4. §27-2104 & §27-2705.F(5) – The northern most parking area is located on an adjoining lot (Parcel A). It is not clear if this lot will be merged with the lot where the primary use is located. This parking area appears to be within an easement for parking. We defer to the Borough Code Officer to determine if these parking spaces are considered off-site facilities subject to the requirements of these sections. A copy of the easement for ingress, egress, & parking on Parcel A shall be provided for review by the Borough.
5. §27-2703.E(4)(a)2 & (h) & §27-402 – Given the proposed TOD Effective Tract Area of less than 8 acres and greater than 2 acres and that no green space is provide on the proposed lot, the applicant shall agree in writing, to the satisfaction of the Borough Solicitor, to be permanently responsible for the maintenance of a portion of a nature, wildlife, or other similar preserve located within 500 feet of the TOD property.
6. §27-2703.E(4)(a)1 & 2 – We recommend that the applicant provide exhibits demonstrating compliance with the various conditional use standards regarding the location of the proposed TOD in relation to other uses in the Borough (e.g. train station, nature preserve, ROW frontage, etc.)
7. §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 sewer service is available. Documentation regarding availability of water service has been provided.
8. §27-2703.E.(4).(a)7 – TOD development shall be designed to be compatible in use with the existing Borough development and in its residential and nonresidential components in terms of architecture, building materials, massing, and scale. We defer to Borough Council to determine its compatibility.
9. §27-2703.E(4)(b)6 & 7 & §27-2703.E(4)(c) – These sections are regarding architectural elements of the buildings. The Applicant supplied three architectural renderings of the building with the sketch plan submission. We defer to Borough Council to determine if the renderings are sufficient.
10. §27-2703.E(4)(d) & §27-2705.M – Pedestrian and TOD elements. New curb and sidewalk are proposed along the building frontage (Parcel B). We recommend that new curb and sidewalk be provided on Parcel A (North & South) as well. Ideally, a continuous pedestrian route should be provided from the proposed TOD to the SEPTA station on the south side of Butler Avenue.
11. §27-2703.E.(4).(e) – It appears that the number of parking spaces proposed (139) is compliant with the requirement (1.5 space per DU). Several covered parking spaces appear to be constrained by walls and/or pillars. Circulation plans shall be provided documenting vehicles can navigated the parking spaces.
12. §27-2705.F.(3) – Off-Street Parking and Loading. The Applicant proposes 1.5 parking spaces per dwelling unit per the TOD requirements. The application does not include a mixed use. We defer to the Borough regarding the need for a parking needs analysis.
13. §27-2705.H – The applicant should demonstrate that the proposed trash facilities will be adequate to service the proposed number of dwelling units.
14. §27-2705.I – Signs. All signage shall meet the requirements of Part 20 of Zoning. We defer review and approval by the Borough.

Subdivision and Land Development Comments

15. §22-305.2.D – Each sheet shall be consecutively numbered to show its relation to the total number of sheets (e.g. 1 of 25). The plans have "X of X" in the title block.
16. §22-305.4.A.(1-8) – Existing and proposed features are to be shown on the plans within 400 feet of any part of the land being developed.
17. §22-305.4.B.(2) – North Maple Avenue. The street width shall be dimensioned on the plans. The physical width of the right-of-way shall be dimensioned on the plans.
18. §22-305.4.B.(7) – The location of the Flood Hazard Area (FHA) is shown on the plans is based on the existing retaining wall that will be removed. A revised boundary based on the proposed grading and building location shall be shown to ensure the proposed building is outside the FHA area.
19. §22-305.6.B – The applicant shall provide the base flood elevation of the floodplain on the plans.
20. 22-306.A.(2).(e) – The applicant shall indicate on the plans that any future development of Parcel A must conform to existing zoning regulations and that such activity will be carried out in a logical and satisfactory manner.

21. 22-307.1.D – The applicant shall include the number of bedrooms per dwelling unit.
22. §22A-101.B(1) - The pavement cross section detail on C-302 shall be made consistent with local/residential road standards of this section.
23. 22A-102.A – Label all curb radii. Provide turning analyses for fire, trash, and moving trucks accessing the site. Increase radii as needed.
24. 22A-113.1 – Monuments must be placed at all corners of the property and changes in direction of property line.

Stormwater Management Comments

25. §26-428 – The applicant proposes redevelopment of an existing site and is therefore exempt from stream bank erosion requirements per Table 26-406.1.
26. §26-429.A – Design storm rainfall depths shall be per those in Table A-1 (Appendix A to Chapter 26).
27. §26-429.D.2 - The applicant proposed a 20% reduction in impervious cover in the post-development conditions and is therefore exempt from peak rate controls per this section.
28. §26-431.2.A.(9) – A 15-foot wide access easement is required around all stormwater BMPs that provided ingress to and egress from a public right-of-way for the Borough.
29. §26-431.2.D – A statement, signed by the landowner, acknowledging that the stormwater BMPs are fixtures that can be altered or removed only after approval by the Borough of Ambler must be added to the plans.
30. §26-438 – The applicant shall enter into an O&M agreement for privately owned stormwater facilities to the satisfaction of the Borough Solicitor.
31. §26-441 – Show the roof drains on the plans. These should discharge to the BMPs at the building corners.
32. The applicant shall include pipe calculations.
33. The boundary line between the drainage areas for Rain Garden #3 and Rain Garden #4 is not running along the high point ridge created by the proposed grading. Revise Sheet C-612 and the stormwater calculations accordingly.

General Comments

34. Given the previous uses on this site, and in this area of the Borough, the Applicant should perform Environmental Site Assessments if material will need to be removed from the site.
35. It is the applicant's responsibility to verify the property meets residential health standards.
36. PennDOT compliant curb ramps shall be provided on N. Maple at both driveways.
37. Design and details for the retaining wall in Rain Garden #3, including any required guards per IBC Section 1015, are required for review and approval by the Borough prior to construction. If these will not be provided during the land development application review process, a note shall be added to the plans stating that these will be provided to the Borough for review and approval prior to construction.
38. Spot elevation grades shall be shown around the accessible parking spaces to ensure compliance with accessibility requirements.
39. A manhole shall be provided where the proposed storm sewer connects to the existing sewer near the south driveway. A proposed manhole is noted on the profile but shall also be depicted on the plan. A doghouse manhole may be appropriate at this location.
40. Label Parcel B on the plans.
41. Due to anticipated construction vehicle traffic, we recommend that the applicant include mill and overlay of Maple Avenue in the scope of this project.
42. Detectable warning surfaces in the ROW shall be the wet-wet replaceable type.
43. The applicant shall provide documentation that Upper Dublin has approved the proposed parking area on Parcel A.
44. The Applicant should obtain all required approvals, permits, declarations of restrictions and covenants, etc. (e.g., PADEP, PennDOT, MCPC, Montgomery County Conservation District, Fire Marshal, etc.). Copies of these approvals and permits should be submitted to the Borough and our office.

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/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
Lindsey Breylinger – Bohler Engineering PA, LLC
Damon Drummond, P.E. – Gilmore & Associates, Inc.

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 3111
NORRISTOWN, PA 19404-0311
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SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

October 11, 2022

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

Re: MCPC #21-0200-002
Plan Name: The Ambler
(2 lots comprising 2.67 acres)
Situate: 9 North Maple Avenue
Ambler Borough

Dear Mr. Kucher:

We have reviewed the above-referenced land development plan in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on September 13, 2022. We forward this letter as a report of our review. We previously reviewed a sketch plan of this proposal on July 22, 2021.

BACKGROUND

The Applicant, Ambler Lakeview Development LP, proposes to develop a new five-story residential building containing 92 dwelling units on vacant land that was a former industrial site. Two parcels are involved in the development, both of which have frontage on North Maple Avenue on one side and the SEPTA regional rail tracks on the other side.

The primary parcel proposed for development (labeled "Parcel B" on the plan set; parcel ID # 01-00-02938-40-9) is 1.55 acres and proposed to contain a new building with 52 motor vehicle parking spaces on the first level and 92 residential dwelling units on floors 2 through 5. The first floor is also proposed to have a mail room, lounge, leasing office, bicycle parking room, trash room, mechanical area, and storage space. This parcel is also proposed to contain an outdoor parking area located between the building and the train tracks. The parking areas include ADA spaces and electric vehicle charging spaces.

The second parcel involved is located in three municipalities. Labeled Parcel A on the plan set (parcel ID # 01-00-02938-00-4), this 2.36 acre parcel is proposed to contain a parking lot, driveway trash enclosure, and curbing. The portions proposed for development are located within Ambler Borough and Upper Dublin Township. There is a small portion also located within Whitpain Township on which no development is proposed.



The development is proposed to have two driveways on North Maple Avenue -- one on each side of the building. The proposed parking areas inside and outside of the building provide a total of 139 parking space. The total proposed area of disturbance is 2.24 acres.

Although portions of both parcels are located within a flood hazard zone, the location of the building itself is outside the flood hazard area. The applicant is seeking two Special Exceptions from Zoning Ordinance provisions in Chapter 27, Part 19: the Floodplain Conservation District.

The portions of the parcels in Ambler Borough are located within the RSC -- Retail & Service Commercial Zoning District and within the RO -- Redevelopment Overlay District Zoning. The applicant proposes a zoning text amendment that would allow transit-oriented development, a use already defined in the borough's zoning ordinance, to be permitted on this parcel. A few other accompanying zoning changes are proposed.

COMPREHENSIVE PLAN COMPLIANCE

This proposal is generally consistent with the goals of Montgomery County's Comprehensive Plan, *Montco 2040: A Shared Vision* (2015). This plan furthers the goals to 1) improve transportation options for county residents and workers and 2) support housing choices and opportunities to meet the needs of all people and 3) encourage development and transformative investment where infrastructure already exists. Although *Montco 2040* recommends limiting development in or near the floodplain, the one exception is for brownfield sites in redevelopment areas. This site in Ambler fits that description, thus this proposal is consistent with the county's goals for flood prone areas as well.

This proposal supports the vision from Ambler Borough's Comprehensive Plan Update (2013), including the redevelopment of underutilized industrial sites, the development of new housing, and transit-oriented development.

Both the county and the borough's comprehensive plans support new pedestrian infrastructure. Although some new sidewalks are proposed, this proposal could be stronger in its support of improving the pedestrian network.

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 the applicant and Ambler Borough may wish to consider prior to final plan approval. Our comments are as follows:

REVIEW COMMENTS

PEDESTRIAN INFRASTRUCTURE

- A. Maple Avenue Property Frontages. The plan set indicates that the applicant proposes to add sidewalk along the Maple Avenue frontage of Parcel B, the parcel where the building is proposed. We strongly recommend that the applicant be required to complete the sidewalk along all frontages of both parcels with Maple Avenue.

- B. Maple Avenue Adjacent Properties. Although an applicant cannot generally be compelled to complete off-site improvements, we suggest that the transit-oriented development (TOD) use is only appropriate where pedestrian infrastructure is complete and good quality between the development and the train station. We do not recommend approval of this plan or the granting of the conditional use for the TOD use without complete pedestrian infrastructure to the train station. We do not believe that a high density TOD use such as this one is appropriate without sidewalks along the full east side of North Maple Avenue within Ambler Borough.
- C. Internal Parking Lot Circulation. We suggest that the applicant add a few more internal pedestrian connections within the site. We encourage the applicant to consider:
1. a pedestrian pathway (sidewalks plus crosswalks as needed) from the parking lot on Parcel A to the street,
 2. a pedestrian pathway (sidewalks plus crosswalks as needed) from the parking lot on Parcel A to the building,
 3. crosswalks across the driveway entrances to the site, and
 4. crosswalks across the driveway entrances to the first floor parking areas in the building.
- D. Crossing Maple Avenue to Wissahickon Waterfowl Preserve. The proposed development site is across the street from the Wissahickon Waterfowl Preserve, managed by Wissahickon Trails, a non-profit organization. The Preserve includes a short walking trail and a bench, and will be a beautiful amenity for residents of this development. We recommend that the applicant work with the borough to create a crosswalk that connects across Maple Avenue to one of the trail entrances on the preserve.
- E. Intent of Zoning Districts and Uses. We note that the RSC Zoning District, the Redevelopment Overlay District, and the TOD Use all discuss the importance of a pedestrian environment, pedestrian orientation of buildings, a pedestrian system, connections to pedestrian destinations, etc. We feel that prioritizing excellent pedestrian infrastructure and circulation is key to making applicant's proposal successful and is required in order to align with the intent of the borough's zoning ordinance.

PLAN SUBMISSION

- A. Parcel and subdivision clarity. The applicant's submitted plan set does not show the entirety of both parcels and is lacking clarity as to whether the two parcels are proposed to be merged into one as part of this proposal. We suggest that the applicant may need to join the parcels in order to comply with zoning in the municipalities. If Parcel A remains as a separate parcel, its principal use will be as a parking lot, which may not be a permitted use in the relevant zoning districts in all three municipalities.
- B. Submission to additional municipalities. We believe that this proposal needs to be submitted to Upper Dublin Township for their review and approval. We suggest the applicant consult with their solicitor as to whether Whitpain Township needs to review and approve this plan set as well.
- C. Redevelopment Overlay Additional Requirements. The TOD use requires some additional submission requirements for the TOD use. Although these are required to be submitted at the tentative sketch plan phase, we suggest that the applicant submit any of these that have been updated or were not previously submitted:

1. Conceptual architectural plans and architectural design (required by §27-2705.N.1.b and §27-2705.N.3.c in compliance with 27-2703.E.4.c.
2. Pedestrian circulation system linking the site to parks, transit facilities, and the remainder of the borough (§27-2705.N.3.a).

ZONING AMENDMENTS

- A. Maintenance of Nature Preserve. At several points in the proposed ordinance amendments the applicant references different requirements for applicants who have agreed to be responsible for the permanent maintenance of a nearby nature preserve. We do not generally recommend language such as this in zoning ordinances, though it may be appropriate in some cases. If the applicant and the borough plan to pursue this requirement, we suggest the applicant submit the agreement for maintenance prior to preliminary plan approval and zoning amendment adoption.
- B. Green Space. The intent of the requirement for green space in the borough's existing zoning ordinance appears in part to be about usable area for residents such as recreation activity area, plazas, seating areas such as a gazebo, landscaping such as a garden, etc. Although some reduction in the requirement for green space may be appropriate, we suggest that the applicant consider whether any of the site could be available for any type of residential outdoor use or amenities.
- C. Measuring Distance from Rail Station
 1. *Support parking*. The borough's existing zoning ordinance and the applicant's proposed revisions both reference a distance to a commuter rail station "and/or support parking for such station." We feel that distance to parking that supports a train station is not a useful measure for the TOD use. We recommend that the borough consider removing any references to train station parking. (Proposed § 27-2703.E.4.a.1.)
 2. *Property line*. Similarly, we also feel there could be a better measurement than to the property line of the commuter rail station. SEPTA often owns large areas of property in the vicinity of rail stations. We suggest that the measurement be taken along the pedestrian pathway from the nearest edge of the rail station platform or platform access point. (Proposed § 27-2703.E.4.a.1.)
- D. Railroad Frontage Requirement. The borough's existing zoning ordinance and the applicant's proposed revisions both reference a minimum requirement for frontage along the actual railroad tracks in order to be eligible for a TOD use. We suggest that this requirement may not be necessary to achieve the borough's goals for development and redevelopment in the area of the train station. It may be more appropriate to only require a maximum distance from the station and not factor in whether the property has a certain amount of frontage on the tracks.
- E. Montgomery County's Transit-Oriented Development Model Ordinance. The applicant or the borough may find it helpful to reference MCPC's recently published Model Ordinance for Transit-Oriented Development for additional suggestions on zoning language. See www.montcopa.org/Transit-OrientedDevelopment for more information.

BUILDING DESIGN

- A. Past Comments. We appreciate that the applicant has added an entrance on Maple Avenue and a corridor through the building on the first floor.

- B. Internal Parking Circulation. We suggest the applicant consider a one-way parking drive aisle for the internal parking. This would allow for slight narrowing of the parking entrances, safer pedestrian crossings, and simpler vehicle circulation.
- C. Building Massing. The building will be quite large, especially as seen from Maple Avenue. This is not necessarily a problem giving the building's location – there are no buildings in use on any adjacent property. However, we encourage the applicant to continue to consider ways to break up the building façade with materials, colors, balconies, bay windows, and other changes in building plane to make the building more attractive and less imposing.

CONCLUSION

We wish to reiterate that MCPC generally supports the applicant's proposal but we believe that our suggested revisions will better achieve Ambler Borough's planning objectives for industrial redevelopment and transit-oriented development. 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 print the assigned MCPC number (#21-0200-002) on any plans submitted for final recording.

Sincerely,



Chloe Mohr, AICP, Senior Community Planner
CMohr@MontCoPA.org – 610-278-3739

- c: John Zaharchuk, Applicant
- James Garrity, Esq., Applicant's Representative
- Bill Reardon, P.E., Applicant's Engineer
- Mary Aversa, Manager, Ambler Borough
- Robert Lagreca, Chair, Municipal Planning Commission
- Jim Dougherty, P.E., Borough Engineer
- Jennifer Dougherty, AICP, Manager of Long Range Planning, SEPTA
- Mark Cassel, AICP, Director of Service Planning, SEPTA
- Claire Warner, MCPC Senior Community Planner for Upper Dublin Township
- Kurt Ferguson, Manager, Upper Dublin Township
- Roman Pronczak, Manager, Whitpain Township
- Jessica Buck, District Manager, Montgomery County Conservation District

Attachment A: Aerial Image of Site

Attachment B: Reduced Copy of Applicant's Proposed Site Plan

ATTACHMENTS A & B

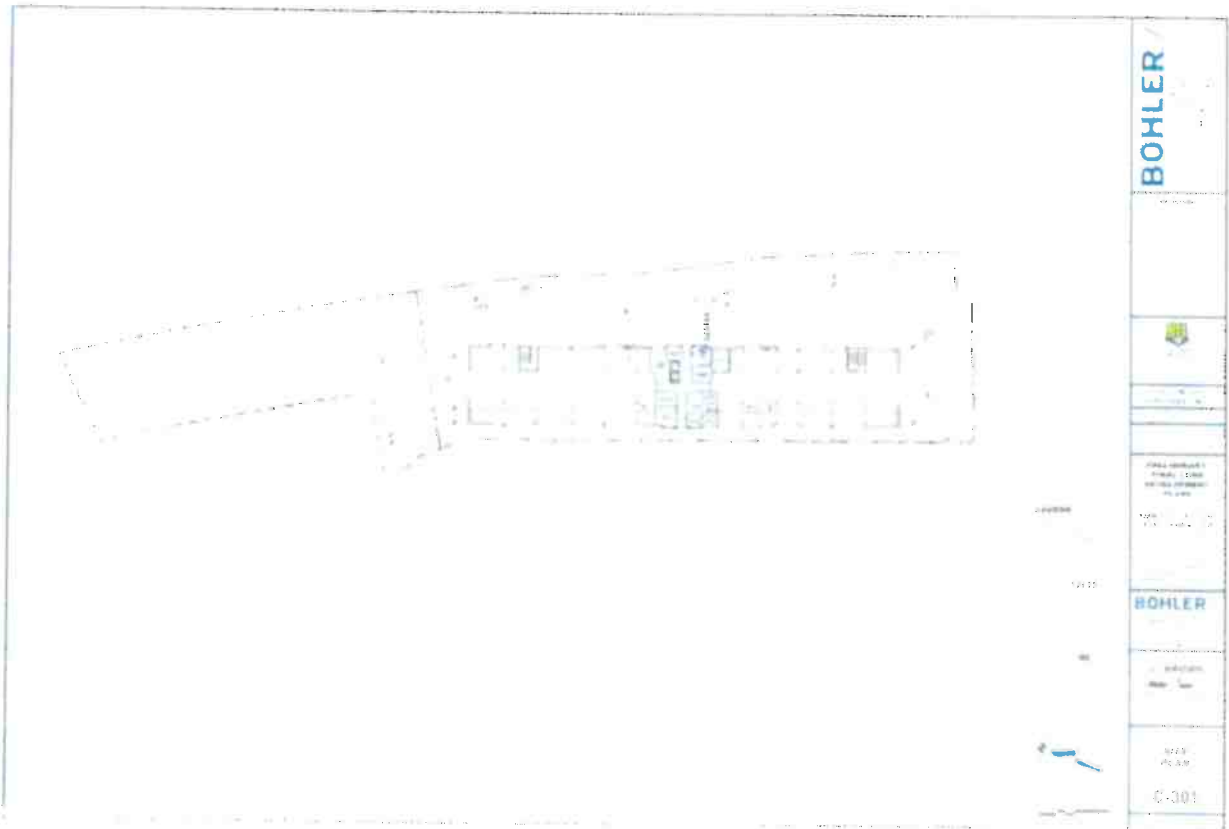


The Amber
100 Poplar Avenue



Mr. Glenn Kucher, Zoning Officer

October 11, 2022



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



October 25, 2022

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

Re: 9 N. Maple Street
Preliminary Plan Application
92 Residential Unit 5-Story Building

Dear Ms. Aversa:

At the direction of Council, the Planning Commission has been requested to review the 9 N. Maple Street Preliminary Plan Application proposing a 92 residential-unit, five story building with associated parking of Ambler Lakeview Development, L.P.

The Applicant appeared before the Borough Planning Commission to present the project and answer questions. After discussion and input from the public, a motion was made to recommend to Council that it approve this Preliminary Plan in accordance with the Borough Engineer and Montgomery County Planner Comment Letters, subject to Council approving a Transit-Oriented Development Ordinance Amendment required to allow the Applicant to move forward to obtain Plan approval; and the Applicant extending the sidewalk along Maple Street to Butler Avenue.

The vote taken was unanimous in favor of a recommendation to Council to approve the proposed Preliminary Plan subject to the above conditions.

If you have any questions, please do not hesitate to contact our Chairman, Robert Lagreca.

Very truly yours,

Carol Ann DiPietro
Secretary
Ambler Borough Planning Commission

Zoning Notice

Notice is Hereby given that the Zoning Hearing Board of the Borough of Ambler will conduct a public hearing on August 7, 2023 at 6:30 pm prevailing time at the Ambler Borough Hall, 131 Rosemary Avenue, Ambler, Pa 19002.

At that time, the Zoning Hearing Board will hear testimony and accept evidence on the application of Ambler Lakeview Development LP (**owners**) for the real property located at 9 N. Maple Avenue, Ambler, PA 19002 parcel number 01-00-02938-40-9 (the “Tract”) located in Retail and Service Commercial (RSC) district with a Redevelopment Overlay District requesting special exceptions approval to permit the proposed floodplain uses within the Borough’s floodplain conservation district in order to construct a 92-unit residential five story building with associated parking. Specifically, the Applicant requests special exceptions pursuant to Sections 27-1910.E, F, G, I, and J and Section 27-1911.3ot permit the following proposed uses and activity within the floodplain on the property which is part of the Borough’s floodplain conservation district: (1) sanitary, storm sewers and stormwater basins; (2) driveways; (3) grading or regarding in connection with such uses; (4) a fence; and (5) portions of a retaining wall (collectively, the “Proposed Floodplain Uses”).

All interested parties are invited to attend and participate in the hearing. Any individual with a disability wishing to attend the above scheduled hearing who requires an auxiliary aid, service or other special accommodations to participate in this hearing should contact the Borough at (215) 646-1000 as soon as possible to discuss how the Borough of Ambler can best provide assistance.

Public Safety Committee

August 1, 2023

Jen Henderson- Chair

Erin Endicott

Amy Hughes

Nancy Roecker Coates

OLD BUSINESS

NEW BUSINESS

1. **PUBLIC WORKS & CODE REPORT**

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

2. **FREE WHEEL LOCKS**

The Ambler Borough Police Department has received a shipment of steering wheel locks for vehicles. This is due to the increase in vehicle thefts. If you are a borough resident and would like one, please come to the police station.

Public Utilities Committee

August 1, 2023

Haley Welch- Chair

Erin Endicott

Karen Sheedy

Amy Hughes

OLD BUSINESS

NEW BUSINESS

1. **WWTP ENGINEER REPORT**

The WWTP Engineer's report is **attached**.



July 27, 2023

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

Re: Status Report - July 2023

Dear Mary;

The status of current active projects is as follows:

1. Wissahickon Creek TMDL - We understand that the Water Quality Improvement Plan is still being prepared by the partnership.
2. Conversion of Digesters - Construction restarted in late February for the conversion of the digesters from anaerobic digestion (without air) to aerobic digestion (with air). There is a total of 5 digesters in the scope. The first digester, T-9, was re-started in March with some operational aeration issues; the plant is operating T-9 in a temporary work-around, down-sized sheaves and belts, as we work on a permanent solution with VFD's. T-10 had been emptied, cleaned, the cover removed, the work on the modifications in the tank started in April and is on-going.
3. Diversion of Upper Dublin WWTP to Ambler WWTP - PADEP approved the Act 537 Plan prepared by Bucks County Water and Sewer Authority (BCWSA) for closing the Upper Dublin Wastewater Treatment Plant and diverting that flow to Ambler's Wastewater Treatment Plant. EEMA prepared the PADEP NPDES Permit Application and DRBC docket application in late 2022 for increasing the permitted annual average flow of the WWTP from 6.5 MGD to 7.7 MGD and obtaining the new effluent permit limits from PADEP and DRBC. Ambler's Part I NPDES Permit application, inclusive of the request for increased permitted flows and limits, was submitted to PADEP in March 2023.
4. UV Light Disinfection Replacement - The PADEP Part II Permit application was submitted and approved in late 2022. We continue to work on design and anticipate finalizing the scope and cost estimates in June, then letting the installation through the COSTARS program, late 2023, early 2024, at the Borough's discretion.

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

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

Anthony L. Price

Anthony L. Price, P.E.

Principal Engineer

Environmental Engineering & Management Associates, Inc.
P.O. Box 232 • Kulpsville, PA 19443 • (215) 368-3375 • Fax: (215) 368-6739

Parks & Recreation Committee

August 1, 2023

Erin Endicott- Chair

Haley Welch

Jen Henderson

Lisa Auerbach

OLD BUSINESS

1. A presentation was made from Bird Town PA, the committee will research program options.

NEW BUSINESS

Salary & Personnel Committee

August 1, 2023

Karen Sheedy- Chair

Haley Welch

Nellie Forst

Jen Henderson

OLD BUSINESS

NEW BUSINESS

1. Resumes are being accepted for the Water and Waste Water vacancies.