



BOROUGH OF AMBLER

COUNCIL MEETING AGENDA

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

September 17, 2024

7:00 p.m.

**Minutes for Consideration:
August 20, 2024**

COMMITTEE REPORTS:

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

An executive session is scheduled for 5:30

Finance & Planning Committee

The Committee meeting was held on September 3, at 7:00pm. Committee Members: – Elizabeth Iovine - Chair, Karen Sheedy, Lisa Auerbach .

The Committee will consider the following recommendations.

1. That the August bills be paid in the amount of **\$.983,335.23**

#	FUND	August 1st Run	August 2nd Run	TOTALS
1	GENERAL	234,321.94	22,026.98	256,348.92
2	STREET LGTS	5,357.16	3,511.63	8,868.79
3	FIRE	-	-	-
4	REFUSE	54,372.47	5,735.40	60,107.87
5	PARKS & REC	10,326.64	2,314.58	12,641.22
6	WATER	269,957.97	26,644.15	296,602.12
8	SEWER	8,314.69	7,628.05	15,942.74
9	WWTP	111,877.35	220,023.72	331,901.07
35	LIQUID FUELS	922.50	-	922.50
30	WATER CAPITAL	-	-	-
	TOTALS	695,450.72	287,884.51	983,335.23
	VOID CHECKS *	-	-	-
	GRAND TOTAL	\$ 695,450.72	\$ 287,884.51	\$ 983,335.23

1. A public hearing will be held tonight on the Transit Oriented Development Ordinance that includes additional Uses, Aesthetics, Development Bonuses, and Architectural Elements. A vote will be taken to adopt Ordinance #1140 **(attached)**
2. A recommendation is requested to approve the Northern Montgomery County Recycling Ordinance #1141 that was advertised for adoption. **(attached)**
3. A presentation will be given on the 219 Hendricks Street subdivision proposing a two-lot subdivision preserving the existing home.

5. The Minimum Municipal Obligations (MMO) for 2025 for Borough Municipal Employees' (Defined Benefit & Defined Contribution) and Police Pension Plans are attached.
 - Resolution 2024-10 Defined Contribution Pension Plan for the Benefit of Municipal Employees Hired after 1/1/14
 - Resolution 2024- 11 Defined Benefit Pension Plan for the Benefit of Municipal Employees Hired Prior to 1/1/14
 - Resolution 2024- 12 Pension Plan for the Benefit of the Borough's Police Employees

The following business will be discussed:

1. The Borough Engineer's report was received.
2. **Attached** is the new Zoning Hearing Board notice for 27 W. Butler
3. A presentation will be made by Zelenkofske Axelrod, LLC tonight.

Recommendations:

1. That the August bills be paid in the amount of \$ **983,335.23**.
2. Recommend adoption of Ordinance #1140 for the Transit Oriented Development Ordinance amendments.
3. A recommendation is requested to approve the Northern Montgomery County Recycling Ordinance- #1141.
4. A recommendation is requested to approve 219 Hendricks Street subdivision
5. Resolution 2024-10 Defined Contribution Pension Plan for the Benefit of Municipal Employees Hired after 1/1/14
6. Resolution 2024- 11 Defined Benefit Pension Plan for the Benefit of Municipal Employees Hired Prior to 1/1/14
7. Resolution 2024- 12 Pension Plan for the Benefit of the Borough's Police Employees

Borough Of Ambler

131 ROSEMARY AVENUE
AMBLER, PENNSYLVANIA 19002-4476

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August 29, 2024

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

Re: Transit Oriented Development Ordinance
Amendments and Additions

Dear Ms. Aversa:

At the direction of Council, the Planning Commission has been requested to review the proposed amendment to the Transit Oriented Development Ordinance which includes additional uses, aesthetics, and architectural elements that the Borough Planning Commission and County Planner have prepared.

At the August 27, 2024, Ambler Borough Planning Commission meeting, after review and discussion, a motion was made and seconded to recommend to Council to approve this draft ordinance language subject to additional language to be added on the front page at lettered paragraph "C" and the Borough Engineer and County Planner comment letters. The vote taken was unanimous in favor of the recommendation to Borough Council to approve this proposed ordinance.

If you have any questions, please do not hesitate to contact our Chairman, John Oswald.

Very truly yours,

Carol Ann DiPietro
Secretary
Ambler Borough Planning Commission

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

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**MONTGOMERY COUNTY
PLANNING COMMISSION**

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SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

August 21, 2024

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

Re: MCPC #24-0172-001
Plan Name: TOD Revisions
Borough of Ambler

Dear Ms. Aversa:

We have reviewed the above-referenced zoning ordinance text amendment in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on August 5, 2024. We forward this letter as a report of our review.

BACKGROUND

The Borough of Ambler is proposing to repeal and replace Part 27, Redevelopment Overlay District (ROD), of Chapter 27, Zoning. The proposed ordinance amendments include the following:

- The addition of new defined terms and the amendment of previously defined terms.
- An expanded mix of permitted uses that may be part of a Transit-Oriented Development (TOD), with the specific requirement to provide for a mix of residential and nonresidential uses.
- More prescriptive dimensional requirements for TOD use via the addition of a frontage occupation requirement, a build-to line requirement, and a required 12-foot building step-back above the third story of a building.
- The establishment of an active storefront requirement along public streets for TOD use and for parking structures.
- Expanded building and site design requirements for TOD use.
- Revised parking requirements, a new shared parking option for mixed-uses, a parking generation study requirement, and a transportation impact study requirement and process.
- Amendments to the streetscaping and landscaping requirements throughout the ROD.

COMPREHENSIVE PLAN COMPLIANCE

Montco 2040, Montgomery County's Comprehensive Plan, designates this portion of the community as a 'Town Center' in the future land use plan. Town Centers are traditional downtown areas with a mix of retail, institutional, office, and residential uses. These centers are pedestrian-oriented, with buildings built close to sidewalks and often attached. Buildings should be designed with a wall to window ratio that reflects existing historic structures in the area and should generally have a vertical orientation. Parking should be located to the rear of buildings. When structured parking is used and faces a primary pedestrian route, stores and other uses should be placed in the ground floor of the building. A central park or green should be created within developments within a Town Center. The proposed amendments to the Redevelopment Overlay District would promote greater consistency with the county comprehensive plan.

Ambler Borough's 2013 *Comprehensive Plan Update* recommended the creation of a Redevelopment Overlay District (ROD) to promote Transit-Oriented Development in the station area. The district was ultimately created via a zoning map and ordinance amendment. The district saw subsequent edits at various points since its creation. The plan states that, "the intent of this district is to permit Transit-Oriented Development (TOD) that is compact, mixed-use, and pedestrian-friendly while encouraging mass-transit ridership." The proposed amendments to the ROD would promote greater consistency with the borough's comprehensive plan.

It is worth noting that the Borough Planning Commission has recently begun a comprehensive plan update. The following recommendations reflect an understanding that this process will involve a holistic land use analysis that will likely result in future amendments to the zoning map and ordinance.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) supports the borough's proposal, however, we would like to share a few recommendations and observations that may be considered as part of the ongoing comprehensive planning process. Our comments are as follows:

REVIEW COMMENTS

REDEVELOPMENT OVERLAY DISTRICT AND TRANSIT-ORIENTED DEVELOPMENT

As part of the Borough's comprehensive planning process, it is recommended that the area of the borough where TOD use is permitted is analyzed. This type of compact, mixed-use development may be appropriate throughout a greater portion of the community than proposed at present. For example, the section of Commercial District along Butler Avenue that falls within the ROD may be appropriate for TOD use in the future.

OPTIONAL RESIDENTIAL DENSITY BONUS

We commend the borough for promoting sustainability, walkability, and the development of affordable housing options by offering an optional development bonus. As part of the comprehensive planning process, the borough may wish to analyze how these priorities are weighted and ranked by the community. For example, public input may reveal that housing affordability is a higher priority relative to the other bonus options provided. Furthermore, the borough may wish to explore if expanding this opportunity to other areas of the community would be appropriate and beneficial. For example, the Downtown Commercial Zoning Districts may become more attractive for redevelopment/infill if the benefit from this bonus was available.

CONCLUSION

We wish to reiterate that MCPC supports the applicant's proposal, and we believe that our comments will provide a starting point for discussions during the comprehensive planning process. We wish to commend the borough for actively working to promote transit-oriented development that is mixed-use, walkable, sustainable, and affordable (presuming that the optional bonus is utilized). 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,



Timothy Konetchy, Senior Community Planner

Timothy.Konetchy@montgomerycountypa.gov - 610.292.4917

- c: Glenn Kucher, Code Officer
John Oswald, Chair, Borough Planning Commission
Al Comly, Vice Chair, Borough Planning Commission
Carol DiPietro, Secretary, Borough Planning Commission
Jessica Buck, District Manager, MCC

**AMBLER BOROUGH, MONTGOMERY COUNTY, PA
ORDINANCE NO. 1140**

**AN ORDINANCE OF THE BOROUGH OF AMBLER AMENDING CHAPTER 27, PART
27 OF THE BOROUGH CODIFIED ORDINANCES, "REDEVELOPMENT OVERLAY
DISTRICT" BY REPLACING THE EXISTING LANGUAGE WITH NEW LANGUAGE THAT
INCLUDES CHANGES TO PERMITTED USES, ARCHITECTURAL STANDARDS,
DIMENSIONAL STANDARDS, PARKING REQUIREMENTS, SIDEWALKS AND
STREETScape REQUIREMENTS, AND IMPOSES AN ACTIVE STOREFRONT
REQUIREMENT; INCLUDING SEVERANCE AND REPEALER CLAUSES AND AN
EFFECTIVE DATE**

Amblers Borough Council, having received important and worthwhile input from the Montgomery County Planning Commission and SEPTA, owner of a significant parcel within the RO Overlay zoning district, and wishing to keep the overlay district vibrant and useful for the parcels that meet its criteria, hereby amend Chapter 27 of the Borough zoning ordinance, Part 27, Redevelopment Overlay, as follows. The existing language at Chapter 27, Part 27 is deleted in its entirety and is replaced with the following language:

§27-2701. Statement of Intent.

It is the intent of this District to:

- A. Encourage new development and uses that can stimulate economic revitalization.
- B. Reestablish the rail corridor as a primary location for employment opportunities within the Borough.
- C. Provide for expanded uses and flexible standards, recognizing the uniqueness of the corridor area, and the need for affordable housing in the community.
- D. Provide for additional review procedures at the initial stage of conceptual development to ensure the proposal meets the intent and purpose of the RO district.
- E. Preserve the historical character of the structures in the rail corridor and their relationship to the rest of the Borough.
- F. Promote a sense of connectivity and cohesion between a development/redevelopment project and the Butler Avenue downtown corridor through the continuation of a streetscaping treatment and adherence to architectural design principles that promote the seamless integration of development/redevelopment with the established character of the corridor.
- G. Encourage the use of the passenger rail line to minimize vehicular traffic within the corridor.
- H. Ensure that pedestrian connections to the Borough Commercial District, public transportation, naturalized trails and open space areas are included in all development plans.

- I. Ensure consistency and integration of site improvements, access and parking, landscape and lighting, complimentary land uses and architectural treatments to result in a redevelopment area meeting the intent of this District.
- J. Encourage preservation and reuse of existing structures where they may have historical significance in the Borough's past as an industrial center for the region.

§27-2702. Definitions.

The following words and terms, when used in this Part, shall have the following meanings, unless the context clearly indicates otherwise, and shall supersede any other definition within this Chapter in regards to this subject:

BUILDING FRONTAGE -- The length of a building façade measured in a single straight parallel line with the abutting street(s).

BUILDING STEPBACK -- A setback or horizontal offset in the façade of the building above the lower levels.

FAÇADE ARTICULATION -- The visible expression of architectural or landscape elements through form, structure, or materials that break up the scale of buildings and spaces to achieve human scale.

CHILD DAY CARE CENTER — a facility in which care is provided for seven or more children at any one time in a facility not located in a family residence.

COMMUNICATIONS DEVICE — a tower or satellite antenna facility, roof mounted, that includes, but is not limited to, radio and television communication, microwave communication, telephone communication and similar wireless communication devices. This term shall not include radio transmission facilities for use by ham radio operators or two-way local radio facilities. The device must be associated with and supportive of a principal use contained within the building on which the device is located.

FACADE — the principal vertical surface of a building, which is set along a frontage line.

GROSS TRACT AREA — the total measurement of a land area prior to any deductions.

MULTI-USE FACILITY — a building or group of buildings, which houses more than one principal use that are owned and operated independently of each other or as an accessory use to a principal use.

PARKING GARAGE/STRUCTURE — a building designed and used for the storage of automotive vehicles operated as either a business enterprise with a service charge or fee, or in conjunction with a primary use for the parking of privately owned vehicles.

PUBLIC AMENITY — a feature that increases the attractiveness or value of a project, specifically central plazas, parkland, courtyards and public parking. The features should be designed so as to be complimentary to the physical and visual character of the Borough. Features should incorporate appropriate scale, design, materials and lighting.

RESTAURANT, WITH BUSINESS MEETING PLACE — an establishment that serves food and beverages primarily to persons seated within the building and which specializes in business meeting space, with centralized meeting table and group communications and audio/visual facilities to support business meeting functions. Additionally, the establishment may provide additional table dining facilities within the building. These establishments may also provide outdoor dining table facilities immediately adjacent to the building containing the proposed restaurant.

STREETSCAPE -- The area that is between the buildings on either side of a street, including the public or private street right-of-way, which defines its character. The elements of a streetscape include building frontage/façade, landscaping, sidewalks, street paving, street furniture, signage, architectural elements such as awnings, and street lighting.

TRANSIT-ORIENTED DEVELOPMENT EFFECTIVE TRACT AREA – The aggregate Net Lot Area of the parcels involved in a Transit-Oriented Development including any land subdivided off an adjoining parcel and merged in ownership with the proposed Transit-Oriented Development or land immediately adjacent to the Transit-Oriented Development Parcel on which the Transit-Oriented Development Applicant benefits from a recorded, perpetual, irrevocable easement of use and access as permitted by the borough.

TRANSPORTATION IMPACT STUDY (TIS)— an assessment of present and future transportation system conditions, conducted in accordance with §27-2705.C., Transportation Impact Study.

VERGE – a strip separating a sidewalk from the curb consisting of grass, landscaping, street furniture, or decorative paving.

§27-2703. Use Regulations.

Where the Redevelopment Overlay zone has been imposed, the land use regulations and development standards of the underlying zones shall remain in full force. Additionally, the Redevelopment Overlay District provides for the following additional uses, which are permitted either by right or by condition use in the specified underlying zones:

- A. Parking Garage/Structure. Permitted by right in all of the underlying zones within the Redevelopment Overlay District. Multi-level parking garage may be constructed as a principal use or in combination with other permitted uses on any lot of a size and configuration, which shall meet the standards in this Section.
 - (1) Dimensional Regulations.
 - (a) Height Maximum four garage levels above ground. Below ground levels may be approved with adequate safety and security provisions.
 - (b) Parking Spaces. Nine feet by 18 feet.
 - (c) Drives. One-way – 20 feet; two-way – 22 feet.
 - (d) Setbacks. Joint use with other permitted uses in separate structure, 10 feet.
 - 1) Principal Use. Property lines – 10 feet.
 - 2) Principal Use. Street right-of-way – 15 feet.

(2) Development Standards.

- (a) Multi-level parking garages may be developed as a shared parking and/or multi-use facility with documentation of shared use agreement. Such structures are permitted attached to another structure containing one or more allowed principal uses when said uses utilize the parking garage to meet the parking requirements of the use(s).
- (b) Multi-level parking garages may be permitted in combination with other permitted uses.
- (c) Parking garages that front on either Main Street or Butler Avenue shall be required to have active nonresidential uses at a minimum depth of 40 feet throughout the building frontage on the ground floor. Entrances to ground level nonresidential uses shall be located on the front facade.
- (d) Garages shall include adequate lighting on all levels, but shall limit light spill to adjacent properties and uses. Protection and shielding of adjacent residential uses shall be a priority.
- (e) Garage structures shall be landscaped, including buffers, as required for all uses in the RO District. Emphasis shall be placed on larger evergreen and deciduous trees to soften and buffer the upper levels of multi-level garage structures.

B. Child Day Care Center. Permitted by conditional use in the underlying OC Office Campus District.

(1) Dimensional Regulations. The dimensional standards of Part 16 apply, except if otherwise noted in this Section or herein.

- (a) Location. Child day care centers shall only be located within a multi-use building complex. The center does not have to be operated as an accessory use but may be operated independently of any other use in the building as a principal use.

(2) Conditional Use Standards.

- (a) General Standards. The provisions of this Section pertain to day care service for children by care givers in child day care centers, subject to Pennsylvania Code, Title 55, Public Welfare Chapter 3270, Child Day Care Centers (9/16/2000). Day care service for children shall include out-of-home child day care service for part of a 24 hours day for children under 16 years of age by care givers, excluding care given by relatives.
 - 1) Registration and Licensing. Child Day Care Centers as defined in this Section, must hold an approved and currently valid Department of Public Welfare (DPW) license. In addition, all child day care centers must comply with all current DPW regulations, including those standards governing adequate indoor space, accessible outdoor play space and any applicable State or local building and fire safety codes.
 - 2) Inspection. The operator of a child day care center will allow appropriate representatives of the Borough to enter the property at reasonable times to inspect such use for compliance with the requirements of this Section and all other applicable Borough and State ordinances.

- 3) General Safety. Operators of child day care centers shall comply with the provisions of the Pennsylvania Code, Title 55, Public Welfare, Chapter 3270, Child Day Care Centers as it pertains to the health and safety of the children attending the center.
 - 4) Hours of Outside Play. Outside play shall be limited to the hours between 8:00 a.m. and sunset, as defined by the National Weather Service.
 - 5) Outdoor Play Area. An outdoor play area, are required by DPW regulations, shall be provided for any proposed child day care center.
 - i) Onsite Outdoor Play Area. An onsite outdoor structured play area or areas of high outdoor activity shall be located in yard areas that provide adequate separation, safety and protection from adjoining uses properties and roadways. Whenever possible, the onsite outdoor play area shall not be located adjacent to a public street or private drive or accessway. The outdoor play area should be located immediately adjacent to the child day care center.
 - ii) Offsite Outdoor Play Area. In accordance with DPW standards, a child day care center may utilize offsite play areas in lieu of or as a supplement to an onsite play area. These standards permit the use of offsite play area, which are located within 1/2 mile distance of the facility, measured from the property line of the facility. When the use of an offsite play area is proposed, the applicant shall inform the Borough about the means of transportation that will be used to access the offsite play area. For reasons of safety, when children will be walked to an offsite play area, the route to the offsite play area shall not involve the crossing of arterial or major collector streets. Pedestrian access on sidewalks or improved walkways shall be required.
 - 6) Transportation Impact Study. For any proposed child day care center, a Transportation Impact Study shall be required in accordance with §27-2705.C.
- (b) Development Standards. The following standards shall apply to all proposed day care centers:
- 1) Onsite Parking for Employees and Clients. A minimum of one onsite parking space for every five children shall be provided, plus an additional one space per employee.
 - 2) Drop-Off Area Location and Design. Whenever possible, the drop-off area shall be located immediately adjacent to the facility. The drop-off area should be designed in such a way that pedestrians do not cross vehicular traffic lanes in any parking area or driveway. The drop-off area may be designed either as a part of the onsite parking area or the required drop-off spaces may be designed as a part of the driveway providing direct access to the day care facility. No parking is permitted

in the drop-off area and the drop-off areas shall not interfere with other traffic patterns. When the drop-off area is incorporated into a driveway, the drop-off spaces shall be located within a vehicle turnout area 12 feet in width exclusive of the driveway through traffic land(s). The drop-off area shall be covered, the covering of which shall not be subject to setbacks.

3) Landscaping. Landscaping shall be provided in compliance with applicable Sections of the Borough's landscape planting requirements in order to create a vegetative buffer from adjacent uses, as well as to create an aesthetically pleasing environment.

i) Buffer standards for lots on which a proposed day care center is located:

a) Vegetative Buffers. A vegetative screen buffer may be required when deemed necessary by the Borough Council to meet the intent and goals of this Part. Criteria to be considered will include, but not be limited to, the nature and type of adjacent uses, lot size of the subject property, as well as the adjacent properties and the distance to adjacent buildings. The following standards shall apply to buffers when required by the Borough:

b) Buffers shall contain combinations of evergreen and deciduous vegetation. The planted buffer shall be a minimum of six feet in width and six feet in height at the time of installation. Earthen berms may be provided in combination with vegetative material. Earthen berms shall not exceed four feet in height nor exceed a maximum slope of 3:1.

c) Continued maintenance of vegetative buffers is required and shall be the responsibility of the operator of the facility.

d) Opaque fences or walls used to meet the following requirement for fencing of outdoor play areas may be used in place of part of the required vegetative buffer material at the approval of the Borough Council.

ii) Landscaping in Outdoor Activity Areas. Existing or proposed planting material shall be suitable in and around areas used by children. No thorny, poisonous or other hazardous plants shall be allowed in areas used by children. In open areas, emphasis shall be given to providing shade to selected sections of the outdoor activity areas.

- 4) Fencing of Outdoor Play Area. In order to physically contain the activity of children in the outside play area, a minimum of four feet high fence shall be erected along the perimeter of the outside play area. When applicable, the fence may be located along property lines, but will not be exclusive of the required vegetative buffers. Natural barriers such as hedgerows, dense vegetation, etc., may be substituted for fencing if it can be demonstrated that such barriers can effectively contain the activity of the children.
 - 5) Play Equipment Setback. Play equipment in designated onsite play areas shall be located at least 10 feet from an abutting property line.
 - 6) Entrance/Exit Accessibility. When located in a multi-use building complex, day care center entrances/exits shall provide direct access to the child day care center. Waking through other significant portions of the building is not permitted.
 - 7) Soundproofing. When co-located in any building employing noisy operations, the Borough Council may require sound-proofing of the child day care center to protect the children.
- C. Restaurant With Business Meeting Space. Permitted by conditional use in the underlying OC Office Campus District and RSC Retail and Service Commercial District.
- (1) Dimensional Requirements. The dimensional standards of Part 16 apply, except if otherwise stated.
 - (2) Conditional Use Standards.
 - (a) For the consumption of food and beverages without drive-in service. Service shall be limited to table and/or sit-down counter facilities only.
 - (b) Restaurants may be developed as stand-alone uses or as part of a multi-use building.
 - (c) Restaurants shall have space, exclusive of any main dining areas, which can be used for the sole purpose of business meeting space. The space shall have a minimum capacity of 10 people and a maximum capacity of 30 people.
 - (d) The use shall have direct access onto a driveway or public street.
 - (e) Additional buffers:
 - 1) Front Yard:
 - i) Minimum width, 15 feet.
 - ii) Minimum landscape details:
 - a) For each 30 feet of frontage on a public right of-way, one 3 1/2 inch caliper deciduous tree shall be planted.
 - b) Parking areas shall be screened from the street by a four foot high evergreen hedge.
 - 2) Side and rear yard:
 - i) Minimum width, 15 feet.
 - ii) Minimum Landscape Details. An evergreen planting screen shall be used to provide an adequate visual barrier. The plant material used shall be a minimum height of four feet at the time

of planting and shall be planted in a staggered arrangement in order to provide an immediate effect.

- (f) Outdoor Seating. A restaurant may provide outdoor seating, provided pedestrian circulation and building access is not impaired and the following standards are met:
- 1) Removable enclosures, such as planters, shall be used to define the area.
 - 2) The outdoor area must be physically separated from public or parking areas by a railing, fence, deck, planting boxes or a combination thereof.
 - 3) The outdoor area must not infringe on any public sidewalk, parking area or right-of-way
 - 4) The outdoor area cannot infringe or encroach on the minimum number of required parking spaces or further reduce available parking.
 - 5) Tables, chairs and related furniture must be removable and indoor storage provided for extended periods of nonuse (e.g., winter months).
 - 6) Extended awnings, canopies or umbrellas may be used to provide cover and shade.
 - 7) Additional trash receptacle shall be provided and maintained.
 - 8) No additional signage beyond what is allowed for the use is permitted.

(g) Service. Areas for loading and unloading of delivery trucks and other vehicles and for the servicing of refuse collection, fuel and other services shall be provided and shall be adequate in size. A schedule for periodic disposal of solid waste material shall be required. All solid waste material shall be stored in covered containers. No solid waste shall be stored closer than within five feet of any property line. Provided, however, that no solid waste storage is to be closer than 30 feet to any outdoor principal use. Loading and refuse collection areas shall be shielded from the direct view of any adjacent property by walls, plantings or a combination thereof which measure a minimum of six feet in height. Such shielding shall be maintained at all times.

D. Communication Device. Permitted by conditional use in the underlying OC Office Campus District, C Commercial District, I Industrial District, and RSC Retail and Service Commercial District.

(1) Dimensional Regulations. The height of communications devices shall not exceed 10 feet in height above the actual building height of the building on which the communication devices are proposed. These devices must be screened from public view.

(2) Conditional Use Regulations.

(a) Communication devices shall be limited to those associated with and supportive of a principal permitted use contained within the building. It shall be located with other rooftop utilities as specified in §2703 P.5.

(b) Any applicant proposing communications devices to be mounted on a building or other structure shall submit evidence from a Pennsylvania registered professional engineer certifying that the proposed installation will not exceed the structural capacity of the building or other structure, considering wind and other loads associated with the communications devices location.

- (c) Any applicant proposing communications devices to be mounted on a building or other structure shall submit detailed construction and elevation drawings indicating how the communications devices are to be mounted on the structure.
- (d) Communications devices shall comply with all applicable standards established by the Federal Communications Commission (FCC).
- (e) Communications devices shall not cause radio frequency interference with other communications facilities located in the Borough or other radio-dependent devices.
- (f) The owner or operator of communications devices shall be licensed, if applicable, by the Federal Communications Commission (FCC) to operate these communications devices.

E. TOD Transit-Oriented Development.

(1) Intent. The intent of the Borough in permitting development pursuant to this section is as follows:

- (a) To provide for an intensity and type of land use that is compatible with and supportive of the use of public transportation;
- (b) To recognize that, by having land use patterns that encourage use of public transit opportunities, traffic in the community can be reduced and travel choices for residents can be expanded;
- (c) To encourage redevelopment of obsolete properties whose prior or present uses adversely impair the property or surrounding properties;
- (d) To provide for flexibility in lot sizes, setbacks, and other area and bulk requirements so that imaginative and innovative designs can be developed;
- (e) To provide mixed-use development that is consistent in character between its residential and nonresidential components;
- (f) To encourage the provision of an accessible pedestrian environment and to promote a pedestrian orientation of buildings and streets;
- (g) To encourage development that has open and recreational spaces as focal points;
- (h) To foster well-designed vibrant public and private gathering spaces that create a sense of place and encourage social interaction; and
- (i) To encourage the provision of additional amenities that benefit the public health, safety, and welfare, such as moderate-income housing, adequate open space, efficient roadways, safe bicycle and pedestrian connections, stormwater management, and green building practices.

(2) Definitions.

ARTISANAL MANUFACTURING -- The on-site production, display, and sale of hand-fabricated or hand-manufactured parts and custom or craft consumer goods based on the skill and knowledge of the artisan and the use of hand tools or small-scale, light mechanical equipment. This involves activities such as small bakeries, candy or soap making, coffee roasters, breweries, distilleries, or the custom production of artisan products such as apparel, cabinetry, glass working, jewelry making, metal working, pottery, sculpture, wood working, and leather working

BUILD-TO LINE -- A line established within a given lot, which is a certain distance from the curb line, along which the building shall be built

FRONTAGE OCCUPATION -- The percentage of the street frontage that is occupied by a building.

LEED – Leadership in Energy and Environmental Design, a certification system maintained by the U.S. Green Building Council, Inc. (GBCI). To achieve LEED certification, a project earns points by adhering to prerequisites and credits that address carbon, energy, water, waste, transportation, materials, health and indoor environmental quality. Projects go through a verification and review process by GBCI and are awarded points that correspond to a level of LEED certification: Certified (40-49 points), Silver (50-59 points), Gold (60-79 points) and Platinum (80+ points).

MULTIFAMILY RESIDENTIAL DEVELOPMENT – A residential building containing at least three permanent dwelling units in a variety of combinations, including side-by-side, over and under, or back-to-back with another dwelling unit.

TRANSIT-ORIENTED DEVELOPMENT (TOD) — a Transit-Oriented Development, or TOD, is an intensified development surrounding a rail or mass transit station that is compact, mixed-use, and pedestrian-friendly, and which is intended to encourage transit ridership. A TOD integrates nonresidential and residential components within the same building within a unified development, which can be of moderate to high density, and which may be developed in the form of either new construction or redevelopment.

(3) Use Regulations.

(a) Conditional Use Approval Required.

- 1) A TOD shall be permitted within the RO Redevelopment Overlay District when authorized as a conditional use by Borough Council.
- 2) In passing upon a conditional use application, Borough Council shall render a decision in accordance with the general conditional use criteria set forth in Part 4 of this Chapter, in addition to the specific criteria set forth in this Part.
- 3) In accordance with §603(c)(2) of the Pennsylvania Municipalities Planning Code, the Borough may attach reasonable conditions and safeguards, in addition to those expressly set forth in the Borough ordinances, as it may deem necessary to implement the purposes of the Municipalities Planning Code and the Borough ordinances.

(b) Residential Use Required. A TOD shall provide a residential use in the form of multifamily residential development within a mixed-use building. The following standards shall apply:

- 1) Dwelling units shall be located on the second story and above.
- 2) The maximum residential density throughout a TOD shall be 35 dwelling units per acre of Transit-Oriented Development Effective Tract Area, as defined in this Chapter. See §2704, Development Bonus, for optional residential density bonus provisions.
- 3) Minimum dwelling unit size: each dwelling unit shall have a minimum of 600 square feet, plus an additional 100 square feet per additional bedroom.

(c) Nonresidential Use Required.

- 1) A minimum of 80% of the ground floor building frontage(s) shall be devoted to a ground floor nonresidential use. The floor area devoted to the ground floor nonresidential use shall be a minimum depth of 40 feet throughout the building frontage. Nothing herein shall be construed to limit the location of nonresidential use in upper stories of a mixed-use building.
- 2) Permitted nonresidential use may be any of the following uses or a combination thereof:
 - a) Retail establishment for the sale of dry goods, variety and general merchandise, clothing, food, drugs, plants, furnishings or other household supplies, sale and repair of jewelry, watches, clocks, optical goods or musical, professional or scientific instruments.
 - b) Business or professional office or studio, bank or other financial institution, municipal use excluding dump, telephone central office, telegraph or other public utility office, passenger station for public transportation.
 - c) Restaurant, bar, tearoom, retail baker, confectionery or ice cream shops or places serving food or beverages, including:
 - a. outdoor dining; and
 - b. pedestrian takeout window.
 - d) Personal service shop, including tailor, barber, beauty salon, shoe repair, dressmaking or other similar service.
 - e) Indoor recreation or cultural facility, such as a bowling alley, theater, fitness center, or dance studio.
 - f) Hotel or motel.
 - g) Business services establishments, including copy centers, retail printing and duplication services, computer rental and copying centers, mailbox rental and shipping, cartage, express, and parcel delivery services.
 - h) Artisanal manufacturing.
- (d) Accessory Uses. Accessory uses that are subordinate to and used for purposes customarily incidental to those uses provided within the TOD shall be permissible.
- (e) Parking Lot, in accordance with §27-2804, and/or Parking Garage/Structure, in accordance with §27-2703.A, may be constructed as part of a TOD. Provision of a parking garage/structure shall not satisfy the nonresidential use requirement of §27-2704.E.(3)(c), but shall be permissible behind the ground level nonresidential use required by §27-2703.E.(3).(c)1).
- (f) Prohibited Uses. The following uses, as well as any use not specifically permitted, are specifically prohibited within a TOD Development:
 - 1) Drive-through windows or facilities;
 - 2) Automobile or other vehicle sale, service, or repair establishments;
 - 3) Gasoline service station;
 - 4) Self-service storage facilities; and
 - 5) Sexually oriented businesses (see §27-411)
 - 6) Any use prohibited in the Industrial District (see §27-1502.3.)

(4) Conditional Use Standards. The following conditional use standards are in addition to the general conditional use criteria set forth in Part 4 of this Chapter:

(a) General:

- 1) A tract proposed for TOD must be zoned "OC," "RSC," or "I," and must be located within 800 feet of an active or proposed commuter rail station. The 800-foot requirement (for proximity to a commuter rail station) shall be measured from the nearest property line of the TOD to the nearest edge of the passenger platform of the commuter rail station.
- 2) A tract proposed for TOD shall provide for a mix of nonresidential uses and residential dwelling units within a mixed-use building or mixed-use buildings, which shall be within a unified development.
- 3) Water and sewer. All Transit-Oriented Developments shall be serviced by public water and public sewer.
- 4) The lot to be developed shall be in one ownership or shall be the subject of an application filed jointly by the owners of each lot under consideration.
- 5) A Transit-Oriented 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.
- 6) TOD applications shall be considered with recognition for the need to have a mix of uses in the vicinity of the rail station and Borough Council may decline such an application if, after proper consideration of the proposal, it is determined that such use, when considered cumulatively with other uses in the area of the rail station, would cause a particular use to be disproportionately represented in the train station area.

(b) Dimensional Standards.

- 1) Minimum lot area: 3 acres
- 2) Minimum lot width: 300 feet
- 3) Minimum frontage occupation: 90%
 - a) The following elements shall be excluded from the frontage occupation calculation: gathering spaces, width of the minimum side setbacks, and one vehicular driveway per street frontage.
- 4) Maximum impervious coverage: 80%
- 5) Build-To Line: 15 feet
 - a) The build-to line may be increased by up to 15 feet, for a maximum build-to line of 30 feet, for all or part of the building frontage length, provided the additional setback area is used for additional sidewalk width, streetscaping, outdoor dining areas, or additional landscaping between the building and the sidewalk.
 - b) Permitted encroachments.

- i) The following architectural features may extend up to three (3) feet beyond the build-to line: awnings or overhangs, bay or oriel windows, upper floor balconies, loggias, pergolas, and similar architectural elements.
 - ii) A gathering space, pursuant to §27-2703.E.(4)(f), may extend the full depth of a lot, provided that it does not occupy more than 25% of the property's street frontage.
 - 6) Minimum Side Yard Setback: 10 feet
 - 7) Minimum Rear Yard Setback: 20 feet
 - a) Rear yards adjacent to a railroad right-of-way may be reduced by 50% to a minimum setback of 10 feet.
 - 8) Maximum building height: 65 feet
 - a) Building stepback required. The façade of any building exceeding three (3) stories or 35 feet shall be setback an additional 12 feet along street frontages. The required building stepback may be reduced to a minimum of eight feet if the front build-to line is equal to or greater than 20 feet, as provided for in subsection §27-2704.E.(4)(b)5) above.
 - 9) Minimum Building Spacing:
 - a) Corner to corner: 30 feet
 - b) Face to face: 40 feet
- (c) Building Design Standards.
 - 1) Overall design.
 - a) All buildings within a single TOD project shall have a unified or complementary architectural character. Developments shall create focal points with respect to avenues of approach, or other buildings, and relate open space between all existing and proposed buildings.
 - b) Blank walls shall not be permitted along any exterior wall facing a street, parking area, or walking area. Walls or portions of walls where windows are not provided shall have architectural treatments that are similar to the front facade, including materials, colors, and details.
 - c) When flat roofs are proposed, a parapet wall or projecting cornice shall be included on the front façade(s).
 - d) Convenient pedestrian connections shall be provided from all building entrances to parking areas, open space and recreational areas, and to the transit station intended to be served by the TOD.
 - 2) Building materials.
 - a) All façades of new buildings visible from a public or private street, parking area, or public gathering space shall consist of quality building materials, such as brick, stone, concrete, and

glass, to create visual interest and enhance the quality of the development.

- b) The following building materials are prohibited: exterior insulation and finishing systems (EIFS); aluminum or vinyl siding or shutters; white, tan, or painted brick; concrete block; T-111 or other similar plywood siding.
- 3) Building orientation and entrances.
- a) Front facades of buildings shall be oriented toward Main Street or Butler Avenue, whichever immediately abuts the property frontage. Such entrances shall be usable and well-defined through the use of architectural features (e.g., utilizing porticos, pediments, colonnades, canopies, or overhangs).
 - b) Each façade of a building with frontage along a public or private street, parking area, or public gathering space shall feature at least one clearly-defined and highly-visible pedestrian entrance with a direct sidewalk connection to the abutting street. A building with multiple street frontages may locate a pedestrian entrance on the corner of the building where the two streets intersect to fulfill this requirement.
 - c) Storefront entrance doors shall be recessed a sufficient distance to allow doors to swing out without conflicting with pedestrian flow on the sidewalk.
- 4) Windows.
- a) The ground floor of any building along a primary street shall have a minimum clear window area of 60%, with windows providing views of display areas or the inside of the building. Window areas shall be between 12 inches and eight feet off the ground.



Figure 27-2703.C.1

- b) For corner buildings with multiple frontages, the ground floor primary street transparency requirement shall wrap on to the ground floor of secondary frontages for a minimum distance equal to at least 25% of the length of the building facade along the secondary frontage, as measured from the corner of the primary and secondary frontages.

- c) The upper floors of any building along a primary street shall have a minimum clear window area of 35%.
 - d) Smoked, reflective, or black glass in windows is prohibited.
- 5) Building Façade Elements. All buildings shall include a variety of architectural design elements to provide visual interest and to mitigate the apparent scale and mass of large buildings and facades. Any building façade along a public or private street, parking area, or public gathering space that is greater than 50 feet long shall be articulated with façade breaks of a minimum depth of three (3) feet for every 50 feet of building façade length. In addition to breaks in the façade, other architectural elements that provide façade articulation shall be utilized no less than every 50 feet on average:
- i) Masonry;
 - ii) Concrete or Masonry plinth at the base of walls;
 - iii) Belt courses of a different texture or color;
 - iv) Projecting or decorative cornices;
 - v) Quoins;
 - vi) Decorative tile work;
 - vii) Trellis containing planting;
 - viii) Medallions;
 - ix) Bay windows;
 - x) Oriel windows;
 - xi) Vertical articulation;
 - xii) Stylized lighting fixtures;
 - xiii) Porticos;
 - xiv) Balconies;
 - xv) Recessed entryways; and/or
 - xvi) Building extensions.
- (d) Street Furnishings Standards.
- 1) Location. Street furniture shall be located adjacent to the building façade, unless on-street parking is present, in which case street furniture may be located along the curb. Such amenities shall be maintained in perpetuity by the property owner.
 - 2) Street Furnishings Required. At minimum, two (2) benches, one (1) bicycle rack, one (1) trash receptacle, and one (1) recycling receptacle shall be provided for every 300 feet of public street frontage. This requirement shall be exclusive of the requirements set forth in §2703-E(4)(d)3) below.
 - 3) Additional Furnishings Required. In order to allow for flexibility and promote creative streetscaping design, the following options shall be provided based upon the scale of development described herein.
 - a) Building additions and new developments of 2,500 to 4,999 Gross Floor Area shall provide no less than four (4) points from either §2703-E(4)(d)4)a) or b) as set forth below.

- b) New Developments of 5,000 to 14,999 Gross Floor Area shall provide no less than one item from §2703-E(4)(d)4)a) and b), as set forth below, and shall provide no less than a cumulative total of eight (8) points.
 - c) New Developments of 15,000 Gross Floor Area and over, as well as any new building exceeding three (3) stories in height shall provide no less than one item from §2703-E(4)(d)4)a) and b), as set forth below, and shall provide no less than a cumulative total of twelve (12) points.
- 4) Street furnishing options and points. In order to allow for a flexible and adaptable streetscape design, the following options shall be allowable to fulfill the minimum requirements set forth in §2703-E(4)(d)3), above. Category A contains planting and greening elements. Category B includes street furnishings, amenities, and decorations.
- a) Category A: planting and greening options.
 - i) Hanging basket, one (1) point.
 - ii) Window box, two (2) points.
 - iii) In-ground planting area, two (2) points.
 - iv) Street planter, two (2) points
 - v) Roof garden or green roof, three (3) points.
 - vi) Green wall, three (3) points.
 - b. Category B: street furnishings, amenities, and decorations.
 - i) Bench, two (2) points.
 - ii) Bicycle rack, two (2) points.
 - iii) Trash and recycling receptacles (one of each), two (2) points.
 - iv) Public art, such as a mural or sculpture, three (3) points.
 - v) Public drinking fountain, three (3) points.
 - vi) Public restroom, three (3) points.
 - vii) Display fountain, three (3) points.
 - viii) Clock tower, three (3) points.
- (e) Parking Requirements.
- 1) Compliance with §27-2101, General Provisions, §27-2105, Handicapped Parking, and §27-2106, Off-Street Loading, shall be complied with; however, all other sections of Part 21 (§§27-2102, -2103, and -2104) shall be superseded by the regulations of this section.
 - 2) Parking requirements by land use. Due to the anticipated use of transit by residents and tenants of a TOD, a reduced parking requirement is appropriate. The minimum parking requirements based on land use are shown in Table 2703.1 below:

Land Use	Minimum Parking Requirement
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Retail establishment for the sale of dry goods, variety and general merchandise, clothing, food, drugs, plants, furnishings or other household supplies, sale and repair of jewelry, watches, clocks, optical goods or musical, professional or scientific instruments.	One (1) parking space per 200 SF GFA on the first floor + one (1) parking space per 400 SF GFA on upper floors
Business or professional office or studio, bank or other financial institution, municipal use excluding dump, telephone central office, telegraph or other public utility office, passenger station for public transportation	One (1) parking space per 300 SF GFA
Restaurant, bar, tearoom, retail baker, confectionery or ice cream shops or places serving food or beverages.	One (1) parking space per 200 SF GFA
Personal service shop, including tailor, barber, beauty salon, shoe repair, dressmaking or other similar service.	One (1) parking space per 300 SF GFA
Indoor recreation or cultural facility, such as a bowling alley, theater, fitness center, or dance studio.	One (1) parking space per 300 SF GFA
Hotel or motel.	One (1) parking space per guest room + One (1) parking space per 800 SF of public meeting space
Business services establishments, including copy centers, retail printing and duplication services, computer rental and copying centers, mailbox rental and shipping, cartage, express, and parcel delivery services.	1/300 SF GFA
Artisanal manufacturing	One (1) parking space per 200 SF GFA on the first floor + one (1) parking space per 400 SF GFA on upper floors
Studio or One Bedroom Dwelling Unit	One parking space per dwelling unit
Two or More Bedroom Dwelling Unit	1.5 parking spaces per dwelling unit

Table 2703.1

- 3) Shared parking facilities. The off-street parking required for a mixed-use development may be provided in combined parking facilities, provided that the following standards are met:
- a) The shared parking area(s) shall either be under common ownership or controlled by an access and parking easement agreement approved by the borough and recorded for each property affected by the shared parking.
 - b) The minimum number of parking spaces required shall be calculated according to the following formula:
 - i) Multiply the minimum parking requirement for each individual use (as set forth in Table 2703.1, above, for each use) by the appropriate percentage (as set forth in Table 2703.2, below) for each of the six designated time periods and then add the resulting sums from each vertical column. The column total

- having the highest total value is the minimum shared parking space requirement for that combination of land uses.
- ii) Calculate the minimum amount of parking required for each land use as if it were a separate use.
 - iii) To determine peak parking requirements, multiply the minimum parking required for each proposed land use by the corresponding percentage in the table below for each of the six time periods.
 - iv) Calculate the column total for each of the six time periods.
 - v) The column (time period) with the highest value shall be the minimum shared parking requirement.

Category of Use*	Monday to Friday			Saturday & Sunday		
	8am - 6pm	6pm -12am	12am -8am	8am - 6pm	6pm -12am	12am -8am
Retail establishment for the sale of dry goods, variety and general merchandise, clothing, food, drugs, plants, furnishings or other household supplies, sale and repair of jewelry, watches, clocks, optical goods or musical, professional or scientific instruments.	70%	90%	5%	100%	70%	5%
Business or professional office or studio, bank or other financial institution, municipal use excluding dump, telephone central office, telegraph or other public utility office, passenger station for public transportation.	100%	10%	5%	10%	5%	5%
Restaurant, bar, tearoom, retail baker, confectionery or ice cream shops or places serving food or beverages.	60%	100%	10%	60%	100%	20%
Personal service shop, including tailor, barber, beauty salon, shoe repair,	70%	90%	5%	100%	70%	5%

dressmaking or other similar service.						
Indoor recreation or cultural facility, such as a bowling alley, theater, fitness center, or dance studio.	40%	100%	10%	80%	100%	50%
Hotel/Motel	75%	100%	100%	75%	100%	100%
Business services establishments, including copy centers, retail printing and duplication services, computer rental and copying centers, mailbox rental and shipping, cartage, express, and parcel delivery services.	70%	90%	5%	100%	70%	5%
Artisanal manufacturing.	70%	90%	5%	100%	70%	5%
Residential use	60%	100%	100%	80%	100%	100%

*NOTE: the most appropriate category of use shall be selected based upon the proposed use. The category of use shall fall within one of the uses permitted

- 4) Parking Study. In order to ensure that the parking provided for a TOD is adequate to meet the anticipated demand, a Parking Generation Study prepared and submitted by the applicant. The following provisions shall be met:
 - a) The Parking Generation Study shall be prepared by a qualified traffic engineer and/or transportation planner. All costs associated with the preparation of a Parking Generation Study shall be borne by the applicant. The study shall be conducted by a qualified transportation professional using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, and the ITE Parking Generation Manual, 6th Edition, as applicable.
 - b) The Borough Engineer shall be provided an opportunity to review the proposed ITE land use codes selected by the transportation professional.
 - c) The study shall address the following:
 - i) Size and type of uses or activities on site;
 - ii) Composition of tenancy on site;
 - iii) Rate of parking turnover;
 - iv) Anticipated peak traffic and parking load;
 - v) Local parking habits; and
 - vi) Availability of public transportation.

- d) The findings of the study shall be submitted for review by the Borough Engineer; however, the study shall be considered complete and accurate unless proven otherwise by substantial evidence. In the event that the Parking Generation Study reveals a parking demand that differs significantly from the parking requirements of this section, the following options are available to the applicant:
 - i) If the anticipated parking demand exceeds the minimum parking requirement, the applicant shall be permitted the ability to provide up to the amount of parking spaces identified that exceed the minimum requirement.
 - ii) If the anticipated parking demand is lower than the minimum parking requirement, the applicant may have the reduced parking requirement authorized as a conditional use pursuant to §27-413, Conditional Uses.
 - e) In lieu of a standalone parking generation study, the applicant may instead opt to include parking generation figures within the Transportation Impact Study required by §27-2705.C., Transportation Impact Study.
- (f) Gathering space. Any TOD lot that exceeds 150 feet in frontage along Main Street or Butler Avenue shall provide no less than 5% of the Transit-Oriented Development Effective Tract Area as a gathering space designed as a pedestrian plaza, courtyard, square, or pocket park. Furthermore, the following provisions shall be met:
 - 1) The gathering space shall be integral to the development and designed as a focal point for the TOD.
 - 2) The gathering space shall be located at street level, and shall be located adjacent to the sidewalk.
 - 3) The gathering space shall be convenient and accessible by sidewalk or internal pedestrian path.
 - 4) No fence or wall shall be erected between the gathering space and the sidewalk.
 - 5) At minimum, two (2) benches, one (1) bicycle rack, one (1) trash receptacle, and one (1) recycling receptacle shall be provided for every 2,500 square feet of gathering space.
 - 6) A minimum of 30%, but no more than 70%, of the gathering space shall be permeable planting beds landscaped with a combination of trees, shrubs, perennials, grasses, and groundcovers that provide year-round visual interest and color.
 - 7) The gathering space shall provide shade by using one or more of the following elements: canopies, trellises, umbrellas, or similar elements.
 - 8) Up to 25% of the gathering space area may be used for natural features preservation or stormwater management, provided the stormwater management facilities are designed as a vegetated amenity, such as rain gardens.

- 9) Any paved surface within a gathering space shall be composed of high-quality, durable paving materials, such as unit pavers, paving stones, or concrete. The use of permeable paving is encouraged. A minimum of one (1) shade tree shall be provided per 250 square feet of paved surface within a public gathering space.
 - 10) The public gathering space shall be entirely open to the air and no portion of a building, other than a balcony, shall project over the public gathering space.
 - 11) No parking, loading, or vehicular access shall occur within a gathering space (excepting emergency vehicular access).
 - 12) Any other landscaping feature specifically required by this chapter shall not be included in the calculation of this requirement.
 - 13) An operations and maintenance plan, ensuring that all landscaping and manmade items are maintained in perpetuity and are replaced if they can no longer be feasibly maintained, shall be submitted to the borough for review and approval.
- (g) Application for Approval.
- 1) TOD shall be permissible as a conditional use in the Redevelopment Overlay District only, and application shall be made for such approval in accordance with the provisions of this subsection.
 - 2) Such applications shall be accompanied by a conditional use plan showing the relationship among the various components of the development. The conditional use shall be prepared at a scale appropriate to the size of the property and in sufficient detail to demonstrate that the plan complies with the requirements of this chapter. The conditional use plan shall be conceptual in nature and shall not be required to meet the provisions of a preliminary subdivision or land development plan. The applicant shall have the option, however, of submitting preliminary subdivision or land development plans concurrent with the conditional use application. The conditional use plan shall include the following elements:
 - i) An existing features plan shall be submitted which shall indicate the tract size, out bounds of the tract, topography, wetlands, woodlands, floodplains, recorded easements and rights-of-way and any other significant physical or man-made feature existing on the tract.
 - ii) A general land use plan, indicating the tract area and the general locations of the land uses included, shall be submitted. The total number and type of dwelling units and the amount of nonresidential square footage shall be provided. The residential density and the overall tract intensity (building and impervious coverage) shall be provided. The plan shall indicate the location of proposed uses within the development; the location and amount of common open

- space, along with any proposed recreational facilities, such as but not limited to pedestrian pathways, community greens, community centers, etc.
- iii) Conceptual architectural renderings, showing the general design, scale and materials of proposed buildings within the TOD.
 - iv) Photo simulations depicting the massing of the proposed building(s) from at least three locations near the development site shall be provided. The provided photo simulations shall reflect the location and envelope of any proposed building, but need not reflect the conceptual architectural renderings as provided for in the immediately preceding subsection.
 - v) A conceptual utility plan shall be included which shall indicate the proposed location of sanitary sewer and water lines, along with a narrative indicating the feasibility of such facilities. The plan shall also show the approximate areas needed for stormwater management.
 - vi) As required under Subsection 27-2703E(4)(k) above, a traffic study shall be submitted which analyzes the likely impacts of the proposed development and makes traffic improvement recommendations in accordance with standard traffic engineering procedures.
- (h) Decision on conditional use request. In allowing a conditional use, Borough Council may attach reasonable conditions and safeguards as may be deemed necessary to implement the purposes of this chapter and ensure the protection of adjacent uses and streets from adverse impacts that may be determined from credible testimony.

§27-2704. Development Bonus.

When a Transit-Oriented Development provides for public benefits as defined herein, a residential density bonus of 15 additional dwelling units per acre (up to a total of 50 dwelling units per acre) shall be granted, by right, to the applicant in accordance with the provisions of this section:

- A. A development shall qualify for the bonus if one of the following options are provided.
 - a. The development receives LEED Gold certification.
 - i. The applicant shall designate a project administrator that shall be the sole point-of-contact for the borough throughout the LEED certification process. The individual shall be qualified for the role, either being a LEED certified professional or a design professional having a proven track record of successfully navigating the LEED certification process. The contact information and qualifications of the assigned individual shall be provided to the borough at the time of application.
 - ii. The applicant shall provide a complete BD+C: New Construction and Major Renovation checklist to the Borough Engineer. The development shall qualify for gold certification and, as such, shall score a minimum of 60 points on the BD+C: New Construction and Major Renovation checklist, Version 4. Furthermore, the

applicant shall submit documentation that provides evidence that supports the checklist findings to the Borough Engineer.

- iii. Proof of compliance required.
 1. The applicant shall successfully submit for precertification from USGBC, or
 2. The applicant shall undertake a "split review" whereby the design credits and prerequisites are reviewed and approved by USGBC in an initial phase of review, while the construction credits are reviewed in a second phase of review.
 3. Any approvals and correspondence shall be submitted to the borough for review.
 - b. The development provides a direct pedestrian connection across the SEPTA railroad tracks, which directly connects the northbound and southbound train station platforms. Any such connection must provide for more direct and efficient movement between the two platforms than existing conditions, which necessitate walking up to and along Butler Avenue.
- B. Alternatively, a development shall qualify for the bonus if three (3) of the following five (5) options are provided for as part of the TOD.
- a. The development generates no less than 10% of their anticipated energy use through on-site renewable energy generation.
 - i. The development shall generate at least 10% of their anticipated energy use through building-integrated solar energy generation and/or geothermal energy generation facilities.
 - ii. The applicant shall provide specifications and other supporting documentation to the Borough Engineer for review.
 - iii. The applicant shall submit an annual report to the borough that describes the energy generation and energy use of the development.
 - b. No less than 10% of all dwelling units are provided as income-restricted dwelling units.
 - i. Price and income guidelines for income-restricted dwelling units shall meet the rent and income limits defined by the Pennsylvania Housing Finance Agency (PHFA) for agency financed properties for Montgomery County in a given year.
 - ii. A mix of income limitations shall be provided for, ranging from 20% to 60% of the area median income. No more than 50% of income-restricted units shall allocated to any one income limitation (60%, 50%, 40%, 30%, or 20%).
 - iii. The income-restricted dwelling units shall remain income-restricted in perpetuity with a covenant that runs with the land.
 - iv. The applicant shall designate the property manager or another permanent staff member as the sole point-of-contact for the borough to contact for all matters related to income-restricted dwelling units. The contact information and qualifications of the assigned individual shall be provided to the borough at the time of application.
 - v. The applicant shall submit an annual report to the borough that demonstrates the continued occupancy of the units by qualified individuals, as defined herein. Personal information of tenants may be redacted as necessary.

- c. The development provides free-use public parking spaces in an amount equal to at least 5% of their nonresidential parking requirement.
 - i. Public parking areas shall be owned, operated, and maintained by the property owner.
 - ii. Public parking spaces may be one and the same as those allocated to a nonresidential parking requirement.
 - iii. Public parking shall be clearly delineated through pavement markings and/or signage.
 - iv. Public parking shall be located near the train station, commercial land uses, or public gathering spaces, where applicable.
 - v. Wayfinding signage between the public right-of-way and the public parking spaces shall be provided.
 - vi. Reasonable parking restrictions, such as limiting overnight parking, shall be permissible provided that the borough is made aware of changes no less than seven (7) days in advance of enforcement. All enforcement shall be the sole responsibility of the property owner.
- d. The development provides an expanded gathering space.
 - i. The development shall provide no less than 10% of TOD effective tract area as a contiguous public gathering space meeting the standards of §27-2703.E.(4)(f).
- e. The development provides all required off-street parking within a parking structure(s) meeting the standards of §27-2703.A and §27-2703.E.(3)(e), and which is integrated/attached to the mixed-use TOD building.

§27-2705. General Regulations.

The following regulations apply to all development in the Redevelopment Overlay District:

- A. Utilities. All buildings shall be served by a public sanitary sewage disposal system and public water supply or any available public utilities. All utility lines and services shall be placed underground.
- B. Stormwater Facilities. Stormwater facilities and supporting calculations must be provided in accordance with the Ambler Borough Subdivision and Land Development Ordinance [Chapter 22]. Recognizing the intent of the Borough to encourage redevelopment and reuse and the need to protect the health, safety and welfare of property owners, employees and residents, the Borough may apply some flexibility in addressing stormwater and related issues. Developers are encouraged to utilize innovative stormwater control techniques such as porous pavements. Applicants and or landowners may challenge the official floodplain delineation in accordance with the procedures required by the Federal Emergency Management Agency, Federal Insurance Administration.
- C. Transportation Impact Study. A transportation impact study shall be completed for all development within the RO District in accordance with the provisions of this section, which shall supersede §22-310, Traffic Impact Study, of the Borough of Ambler Subdivision and Land Development Ordinance.
 - (1) Intent. A transportation impact study (TIS) is intended to enable Ambler Borough to assess the transportation impacts of a proposed development or redevelopment with the RO Redevelopment Overlay. Specifically, its purpose is to:

- (a) Ensure a safe and efficient transportation network for all users, including drivers, pedestrians, bicyclists, and transit users.
 - (b) Identify any transportation problems that may be created in the existing transportation system as a result of the proposed development.
 - (c) Identify solutions to potential problems and to present mitigation improvements to be incorporated into the proposal or into the transportation systems within the study area.
 - (d) Assist in the protection of air quality and the conservation of energy and to encourage the use of alternative transportation modes where available.
 - (e) Ensure that TIS submissions to the Municipality are consistent with the PennDOT Publication 282, Appendix A, "Policies and Procedures for Transportation Impact Studies," (July 2017).
- (2) Preparation of study. The transportation impact study shall be prepared by a qualified traffic engineer and/or transportation planner in accordance with PennDOT Publication 46, Traffic Engineering Manual. All costs associated with the preparation of a TIS shall be borne by the applicant. The procedures and standards for the transportation impact study are set forth below. The applicant may provide funds to the Borough to enable the Borough to hire a traffic engineer of its choice to conduct the study, if this procedure is deemed appropriate and approved by the Borough.
 - (3) Coordination. Coordination with PennDOT or county highway occupancy permit (HOP) managers shall occur as appropriate. A TIS prepared in accordance with the guidelines of PennDOT as part of an application for a state HOP should be submitted to the Borough in fulfillment of the requirement for a TIS by Ambler Borough.
 - (4) Vehicle Trip generation. The anticipated number of peak hour trips and trips per day shall be determined using the Institute of Transportation Engineers (ITE) "Trip Generation Manual," 11th Edition. The proposed use or development shall be identified using the appropriate ITE land use code. The appropriate ITE land use code shall be agreed upon by the applicant and the Borough.
 - (5) Municipal scoping meeting. A municipal scoping meeting may be required to ensure that the parameters used in the TIS accurately reflect municipal conditions and expectations. The applicant should confirm the need for a municipal scoping meeting prior to submission. The municipal scoping meeting will address the number and locations of proposed access points, project schedule and phasing, intersections to be included in the analysis, specific ITE trip generation land use codes, pass-by volumes, modal splits, any trip adjustments to be used, and other area developments and programmed roadway improvements to be included in the future conditions analysis as well as potential opportunities to implement transportation demand management (TDM) activities. Agreement on all scoping parameters shall be obtained prior to initiation of the TIS. The municipal scoping meeting may be held in conjunction with the PennDOT or county scoping meeting.
 - (6) If a municipal scoping meeting is not held, the applicant shall include in the study report, at minimum, the three intersections of a local street with Butler Avenue that are closest to the proposed development.

- (7) General requirements and standards. A Transportation Impact Study shall contain the following information:
- (a) General site description. The site description shall include the size, location, proposed land uses, construction staging and completion date of the proposed subdivision or land development. If the development is residential, types of dwelling units and number of bedrooms shall also be included. A brief description of other major existing and proposed developments within the study area shall be provided. The general site description shall also include probable socioeconomic characteristics of potential site users to the extent that they may affect the transportation needs of the site (i.e., number of senior citizens).
 - (b) Transportation facilities description. The description shall contain a full documentation of all aspects of the proposed internal and proposed and existing external transportation system. This description shall include proposed internal vehicular, bicycle, and pedestrian circulation; all proposed ingress and egress locations; all internal roadway widths and rights-of-way; roadway classifications; parking conditions; traffic channelization, traffic control and traffic calming devices; and any traffic signals or other intersection control devices at all intersections within or adjacent to the site. Data provided in the report should adequately document the following:
 - 1. Traffic volume counts.
 - 2. Land use context (in study area).
 - 3. Sight distance and site access.
 - 4. Photographs.
 - 5. Pedestrian, bike, and transit facilities.
 - (c) Existing conditions scenario. Full documentation shall be provided to adequately describe and evaluate traffic conditions throughout the study area including, but not limited to, peak hourly volume, intersection turning movement counts, capacity and level of service analysis, and the past five years of crash analysis. Complete traffic counts encompassing and documenting the peak traffic and peak development generated hours shall be required for the three intersections of a local street with Butler Avenue that are closest to the proposed development.
 - (d) Background traffic. Projections of traffic volumes at the project opening year and design horizon shall be made by applying a growth factor to existing base traffic volumes. Planned and permitted developments that will impact the study area shall be evaluated for addition to future traffic volume. Existing traffic counts to be used for traffic volume projections should not be older than three years from the current year of the study, unless approved by the Borough Engineer.
 - (e) Traffic characteristics of the proposed development. The following characteristics of traffic generated by a proposed development shall be estimated based upon reasonable sources as agreed upon by the Ambler Borough and the applicant.

1. Trip generation - total volume of traffic arriving at and departing from a site. This shall include projected vehicular, pedestrian, and bicycle volumes, as well as transit ridership.
 2. Modal split - the form or type of transportation used to reach or depart from a site.
 3. Trip distribution - the arrival and departure pattern of traffic at a site.
 4. Traffic assignment - typical routes used to arrive at or depart from a site.
- (f) Future analysis. Future traffic volumes for the study area at the project opening year and design horizon year shall be projected in at least two scenarios: with and without the proposed development.
- (g) Level of service requirements. The TIS shall compare the operating LOS and delay for the design horizon year both with and without the development. An evaluation comparing the without development and with development scenarios shall be used to determine if the overall LOS has dropped. The impact of development on the level of service at all intersections within the study area shall be evaluated. This shall include the three intersections of a local street with Butler Avenue that are closest to the proposed development. Level of service below "C" shall be considered deficient and a mitigation analysis shall be performed.
- (h) Mitigation analysis. If level of service requirements are not realized, the study shall outline mitigation measures and demonstrate any changes to the level of service achieved by these measures. Any alternatives or suggested phasing of improvements shall be described. The mitigation measures may include recommendations such as roadway widening, changes in striping, turning lanes, deceleration lanes/tapers, changes to signalization, use of access management techniques, or a reduction in the proposed intensity of the use. The responsibility and timing of all recommended roadway improvements shall be described within the transportation impact study.
- (i) Street improvements. The study shall include recommendations for street improvements bordering the site that will be used to accommodate the traffic generated by the proposed subdivision or land development; and cost estimates for the associated recommendations. In any location where signalization is considered, so too shall the addition of a roundabout or mini-roundabout be considered and studied.
- (j) Multiple phases. If the proposed subdivision or land development will occur in multiple phases, then calculations for the completion of each phase shall be provided in the study.
- (8) Time of submission. The transportation impact study shall be submitted to the Borough with the preliminary plan submission. Revisions to preliminary plans may constitute the need for re-submission of the transportation impact study for the revised conditions. An application which requires a TIS shall not be considered complete until the TIS is submitted.

- (9) Implementation. Borough Council shall review the transportation impact study to analyze its adequacy in solving any traffic problems that will occur due to the land development or subdivision. Borough Council may determine that certain improvements on and/or adjacent to the site, including those related to access or egress, are necessary requirements for land development or subdivision plan approval and may attach these as conditions to the approval. If Borough Council determines that such additional improvements are necessary, the developer shall have the opportunity to submit alternative improvement designs to obtain plan approval.
- (10) Emergency response organizations. The Borough shall submit all land development plans to the fire department, police department, and any other emergency response organization having jurisdiction within the area of the proposed development for review and comment. If requested by any emergency response organization, Borough Council may require the developer of a land development to provide emergency signal preemption for any traffic signals located within or immediately adjacent to the development.
- D. Access. Each development shall have physical access to a public street. Developers are encouraged to share access points and/or driveways.
- E. Streets. Streets proposed for dedication within the development shall be interconnected with each other and with streets on abutting properties and approved by Borough Council.
- F. Ownership and Maintenance of Common Open Space and Facilities. Ownership and maintenance of common open space and other common facilities shall be provided for in accordance with the regulations of §27-402 of this Chapter. All open space shall be permanently deed restricted from future subdivision and development.
- G. Solid Waste. All solid waste facilities shall be located no closer than five feet from any property line and a site element screen shall be provided in accordance with the landscape planting requirements of the Borough Subdivision and Land Development Ordinance [Chapter 22].
- H. Signs. All signs shall meet the requirements of Part 20.
- I. Lighting Facilities.
- (1) All nonpublic sidewalk, walkway, parking and building lighting fixtures shall be of a style and design that is either consistent with or complementary to those utilized throughout the Redevelopment Overlay.
 - (2) Lamp posts for all existing and proposed streets shall match existing lamp posts utilized throughout the Redevelopment Overlay District. The specifications for existing lamp posts may be requested from the Borough Engineer.
 - (3) Strict adherence to §27-412, Lighting Criteria Applicable to All Zoning Districts, is required.
- J. Landscaping. Landscaping requirements in the RO District shall meet all provisions of the Borough's Subdivision and Land Development Ordinance [Chapter 22], except as modified or supplemented below:
- (1) General standards.
 - (a) All areas of the site not devoted to buildings, parking, roadways, pedestrian pathways, and public gathering spaces or plazas shall be landscaped with trees, shrubs, ornamental plants and grasses, or other appropriate groundcover.

- (b) All landscaping shall be guaranteed for a period of ten (10) years and any dead, diseased, or dying plant materials shall be replaced no later than the next planting season.
 - (c) Plant species shall be selected from §100.6, Recommended Plant Material List, where applicable.
 - (2) Street trees. Street trees shall be provided in accordance with §100.3, Street Trees.
 - (3) Foundation plantings.
 - (a) Foundation plantings shall be provided between a sidewalk and any building façade.
 - (b) Foundation plantings shall include a mix of shrubs, perennials, and ornamental grasses, and may be located either within an in-ground planting bed or within a permanent architectural planter.
 - (c) Notwithstanding the above, foundation plantings shall not be required where the sidewalk is extended to the build-to line and directly abuts the façade of a building.
 - (4) Planting buffer. All mixed-use or nonresidential developments shall provide a permanent landscaped planting area of at least 10 feet in depth (inclusive of curb, but not sidewalk, of up to one foot in width) along all property lines adjacent to a residentially zoned property. The buffer shall meet the requirements of §100.4. Buffers and Screens.
- K. Pedestrian Design Standards. Public and private pedestrian access and circulation shall be included in all development proposals. Pedestrian access links shall be provided for all uses as specified on the Redevelopment Area Plan for access to open space areas and principal destinations such as the Ambler Borough Main Street Corridor, the SEPTA train station and the Wissahickon Conservation Corridor. The following standards shall apply throughout the RO:
 - (1) Sidewalks within an unimpeded pedestrian pathway width of at least eight (8) feet shall be required along all existing and proposed streets and driveways within the RO.
 - (2) Paved pedestrian walkways, sidewalks, trails or equivalent with a minimum width of five (5) feet shall connect road frontage sidewalks to building entries, parking area(s) and other significant destination areas (i.e., passenger rail station, major open space areas and/or historically or culturally important sites).
 - (3) Sidewalks shall connect to existing sidewalks on abutting tracts and other nearby pedestrian destination points and transit stops. Unpaved walking trails may be substituted for paved sidewalks in cases where the developer has proven that such trails would be more appropriate to the development's surroundings (i.e., along a watercourse, connection to an existing trail network, etc.).
 - (4) All pedestrian amenities shall be designed in accordance with the standards of the Americans with Disabilities Act.
 - (5) Walkways between office buildings, retail establishments and housing areas shall facilitate "walkability." Direct pedestrian connections to public transit stops, the Downtown Commercial District and adjacent properties shall be accommodated within the overall land use plan.
 - (6) Sidewalks and pedestrian access links shall be constructed of a hard, durable, all-weather surface. Alternative paving materials, such as high density concrete pavers,

may be utilized but must be of a color and texture matching that existing elsewhere in the Borough's Main Street and/or development areas and must be approved by the Borough.

- (7) For frontages on Main Street and Butler Avenue, a four (4) foot wide verge shall be provided between the sidewalk and curblin which may be either landscaped or hardscaped. For frontages other than Main Street and Butler Avenue, a two (2) foot wide verge shall be provided between the sidewalk and curblin which may be either landscaped or hardscaped.
- (8) Crosswalks. Crosswalks shall be clearly delineated at all intersections and marked to the width of the largest contributing sidewalk or internal pedestrian pathway. In no case shall the width of the crosswalk be less than five (5) feet. Furthermore, pedestrian signalization shall be provided at intersections where traffic signals exist.

L. Bus stops.

- (a) The developer shall coordinate with SEPTA, or any other public transit provider, on providing or improving existing bus stops when a public bus transit route operates or has a stop located on a public or private street frontage directly abutting a development within the RO.
- (b) The developer shall coordinate with SEPTA on the stop design. The appropriate transit stop improvements and shelter shall be provided meeting the most recent SEPTA Bus Stop Design Guidelines. Transit stops shall include, at a minimum, a shelter or enclosure, seating, and schedule information.
- (c) The developer shall sign a perpetual maintenance agreement with Ambler Borough demonstrating that the applicant is responsible for the maintenance of the bus shelter and associated amenities.

M. Application and Review of Development Proposals.

- (1) For all proposed developments in the RO District, a tentative conceptual sketch plan shall be submitted to the Borough Planning Commission, as defined in §22-302 of the Ambler Borough Subdivision and Land Development Ordinance [Chapter 22] with the following information also to be shown:
 - (a) A conceptual site plan showing the location of all existing and proposed buildings, drives, roadways, proposed traffic patterns, parking lots and garages, pedestrian walkways and plazas and other constructed features on the lot, plus all designated open space and open space/recreational facilities, and all water, floodway/floodplains and topographic features. Surrounding existing features may be indicated with aerial photographic information, which can be obtained from the Borough.
 - (b) Conceptual architectural plans for any proposed buildings or modifications to existing buildings shall be submitted in adequate detail to indicate building setback, footprint dimensions, building heights, building mass, entrances, loading/unloading areas and a schematic layout of building uses.
 - (c) A preliminary landscape plan meeting the requirements of §100.7.1 of the Ambler Borough Subdivision and Land Development Ordinance [Chapter 22].
 - (d) Schematic layout of utilities and stormwater facilities.

- (e) Any other pertinent data or evidence that Borough Council may require.
- N. Building Design Standards and Guidelines. The following architectural design criteria shall be complied with in all development in the RO District, and thus provide a basis for the encouragement of innovative and sound design and development practices and ensure consistency of improvements and architectural elements throughout the development area. The following criteria shall be met at preliminary and/or final plan submission.
- (1) Preliminary architectural elevations shall be submitted with any conditional use application or land development application, whichever occurs first. A registered architect shall prepare such elevations. Such elevation shall illustrate the general design, character and materials for sides of buildings visible from public streets, the passenger rail line and open space lands available for public use.
 - (2) The details of the architectural designs may be modified after conditional use approval and/or preliminary land development approval, provided the overall designs and types of materials conform to the approved plans.
 - (3) The architectural designs of all buildings shall provide a variety of rooflines and treatments, when viewed from public streets, the passenger rail line and public open space. Buildings shall not have the appearance of a single monolithic structure. Instead, large buildings shall have the appearance of connected smaller buildings. Building walls shall not have unbroken single appearance for more than 50 feet on the average in horizontal length. Instead, variations in materials, colors, textures, overhangs, building recesses of at least 20 feet, display windows and/or entrance ways shall be used to provide visual interest.
 - (4) The architectural design of a building's vertical height shall be broken with variations in materials, colors, textures, setbacks, fenestration and architectural detailing. All buildings within a development project shall have a unified or complementary architectural character. Developments shall create focal points with respect to avenues of approach, or other buildings, and relate open space between all existing and proposed buildings.
 - (5) Screening of certain features.
 - (a) Rooftop equipment or features. Rooftop HVAC systems, elevator equipment, or any other mechanical or utilitarian protuberances shall be screened from view from adjacent buildings and from ground level using similar building materials and in a manner that is consistent with the architectural design of the building.
 - (b) Loading docks. Loading docks shall be incorporated into the overall site design. These areas shall be located and screened so that the visual and acoustic impact of these functions are fully contained and out of view of adjacent properties and public streets.
 - (c) Refuse collection facilities. Refuse collection areas shall be located with buildings wherever feasible; however, where indoor refuse collection and storage is not feasible, the refuse collection area shall be located to the rear of the building. All exterior refuse collection areas shall be screened from neighboring properties, public and private streets, parking areas, and public gathering spaces through a combination of low walls, fencing, or hedges.

- (6) Applicants are encouraged to use color schemes that contribute to the overall character of the Borough. However, companies will not be required to abandon their legally protected trademarks, logos, color schemes and trim colors provided they are appropriately integrated into an aesthetically pleasing overall design.
- (7) A coordinated design scheme shall be presented that will promote attractive sign designs among tenants. A detailed design shall be presented for freestanding signs for the development during the subdivision/land development process
- O. Demolition of Existing Structures. Demolition of existing structures shall require a demolition permit from the Borough. Proposed demolition of existing structures in the RO District must be included in all conceptual sketch plan submittals.

§27-2706. Miscellaneous

- A. To the extent of any inconsistency between this ordinance and any earlier-adopted ordinance, the inconsistent language in the earlier ordinance is repealed to the extent of such inconsistency.
- B. In the event that a court of competent jurisdiction invalidates any portion of this ordinance, then to the extent possible, the invalid portion shall be severed from the remainder, which shall remain in full force and effect.
- C. This ordinance is effective on the earliest effective date recognized by section 3301.3(b) of the Pennsylvania Borough Code.

SO ORDAINED this _____ day of _____, 2024.

Glynnis Siskind, Borough Council President

Attest: _____
Mary Aversa, Secretary

Approved: _____
Jeanne Sorg, Mayor (date)

AMBLER BOROUGH
MONTGOMERY COUNTY, PENNSYLVANIA
ORDINANCE NO. 1141

MUNICIPAL WASTE COLLECTION AND RECYCLING ORDINANCE

SECTION I. - Amendment to the Code.

The Code of Ordinances of the Borough of Ambler are hereby amended by deleting Chapter 20 – Solid Waste, Part 1.C. – leaf waste, sections 20-141 – 20-142 and Chapter 20 – Solid Waste, Part 2 – Municipal Waste Collection and Recycling, sections 20-201 through 20-213 in its entirety and replacing it with a new Chapter 20 entitled Municipal Waste Collection and Recycling Ordinance as set forth below:

Chapter 20
Municipal Waste Collection and Recycling

Part 1 Municipal Waste Collection and Recycling

§101. Title.

This Chapter shall be known and may be cited as the "Municipal Waste Collection and Recycling Ordinance."

§102. Definitions.

1. As used in this Chapter, the following terms shall have the following meanings:

ACT 97

The Solid Waste Management Act of 1980, as amended.

ACT 101

The Municipal Waste Planning Recycling and Waste Reduction Act of 1988, as amended.

ALUMINUM CANS

Empty, all-aluminum beverage and food containers.

BI-METAL CONTAINERS

Empty food or beverage containers constructed of a mixture of ferrous metal, usually steel, and nonferrous metal, usually tin.

COMMERCIAL ESTABLISHMENT

A building or buildings used or designed for use for commercial purposes, including, but not limited to wholesale, industrial, manufacturing, transportation, financial or professional services stores, markets, office buildings, restaurants, shopping centers, theaters, or other commercial activities.

COMMUNITY ACTIVITIES

Events sponsored in whole or in part by the Borough or conducted within the Borough and sponsored privately, which include, but are not limited to fairs, bazaars, socials, picnics, and organized sporting events that will be attended by 200 or more individuals per day.

COMPOSTING FACILITY

A facility for composting vegetative material, including leaves, garden residue and chipped shrubbery and tree trimmings that is permitted by the Commonwealth of Pennsylvania.

CORRUGATED PAPER

Paper products made of a stiff, moderately thick paper board, containing folds or alternating ridges, commonly known as "cardboard."

DWELLING UNIT

A room or group of rooms within a building used, intended to be used or capable of being used as a complete housekeeping facility for one family, providing living, sleeping, cooking, dining and sanitary facilities.

GLASS

Products made from silica or sand, soda ash and limestone. The product may be transparent (clear) or colored (e.g., brown or green) and used as a container for packaging (e.g., jars) or bottling of various matter. Expressly excluded are non-container glass, window or plate glass, light bulbs, blue glass and porcelain and ceramic products.

HIGH-GRADE OFFICE PAPER

All types of high-grade, white or colored paper, bond paper and computer paper used in residential, commercial, institutional, and municipal establishments.

INDUSTRIAL ESTABLISHMENT

Any establishment engaged in manufacturing or processing, including, but not limited to, factories, foundries, mills, processing plants, refineries, and the like.

INSTITUTIONAL ESTABLISHMENT

An establishment engaged in service, including, but not limited to, hospitals, nursing homes, orphanages, schools, universities, churches, and social or fraternal societies and organizations.

INTERMUNICIPAL AGREEMENT (IMA)

The intermunicipal agreement adopted by the municipalities which are members of the Northern Montgomery County Recycling Commission.

LANDLORD

Any individual or organizational owner who rents and/or leases residential units, commercial space, or an industrial complex(es). Landlords own the properties in question and deal directly with their tenants or lessees.

LEAF WASTE

Leaves, garden residues, shrubbery trimmings, tree trimmings, and similar materials.

MIXED PAPER

All types of paper combinations, such as colored paper, carbonless forms, ledger paper, colored paper envelopes, mixtures of high-grade office paper and the like.

MULTI-FAMILY RESIDENTIAL ESTABLISHMENT

A building or buildings under single or multiple ownership and designed as a residence for four or more families living independently of each other and doing their own separate cooking therein, including apartments townhomes, or condominiums.

MUNICIPAL ESTABLISHMENT

Of or pertaining to any office or other property under the control of any branch or arm of the Federal Government of the United States of America, the Commonwealth of Pennsylvania, or any political subdivision of the Commonwealth of Pennsylvania including, but not limited to, the Borough, any counties, cities, boroughs, and municipal authorities.

MUNICIPAL WASTE

Any garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid commercial, material, resulting from the operations of residential, municipal, commercial or institutional establishments and from community activities and sludge not meeting the definition of residential or hazardous waste in the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, No. 97, as amended, 35 P.S. § 6018.101 et seq., from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. The term does not include source-separated recyclable materials or Leaf Waste.

MUNICIPAL WASTE COLLECTOR

Any collector, remover, transporter, and disposer of municipal waste, recyclable materials, and/or Leaf Waste for owners or occupants of single-family residential establishments, multi-family residential establishments, commercial establishments, institutional establishments, municipal establishments, and community activities in the Borough.

MUNICIPAL WASTE CONTAINER

A container designated by the property owner or resident for the storage of municipal waste. A municipal waste container may be provided by the Borough, property owner, resident or tenant, or the municipal waste collector.

NORTHERN MONTGOMERY COUNTY RECYCLING COMMISSION ("NMCRC")

The legal entity established by and operating as agent for the municipalities hereunder who have delegated certain of their duties and powers respecting recycling, including but not limited to the development, implementation, and enforcement of common recycling programs. Presently the NMCRC is comprised of Ambler Borough, Franconia Township, Hatfield Township, Hatfield Borough, Lower Gwynedd Township, Lower Salford Township, Montgomery Township, North Wales Borough, Souderton Borough, Telford Borough and Towamencin Township and shall be deemed to include all new member municipalities and excepting member municipalities who have completed the withdrawal process.

NEWSPRINT

Paper of the type commonly referred to as "newspaper" and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest.

PARTICIPATING MUNICIPALITIES

Those municipalities which have executed the intermunicipal agreement (IMA) and remain a member in good standing of the NMCRC.

PERSON

An individual, partnership, association, corporation, institution, cooperative enterprise, municipal authority, federal government or agency, state institution or agency or any other legal entity which is recognized by law as a subject of rights and duties. In any provision of this Chapter prescribing a fine, imprisonment or penalty or any combination of the foregoing, the term "person" shall include the officers and directors of any corporation or any other legal entity having officers and directors.

PLASTIC CONTAINERS

Empty and clean plastic containers that contained food, beverage, cleaning, laundry, and other household products. Includes only rigid containers marked with a recycling symbol and a single number (i.e., 1, 2, 5, or 7). Examples include soda and water bottles, milk and water jugs, laundry containers, produce and other food containers, and soap bottles; excludes expanded polystyrene containers and plastic containers larger than two gallons, such as buckets and laundry baskets.

RECYCLABLE MATERIALS

Those materials specified by the Borough for collection in accordance with this Part and recycling regulations that may be promulgated from time to time for collection,

processing, and recovery. These materials include Aluminum Cans, bi-metal containers, corrugated paper, glass containers, Leaf Waste, magazines, mixed paper, newsprint, high grade office paper, and plastic containers.

RECYCLING

The collection, processing, recovery, and sale or reuse of recyclable materials, which could otherwise be disposed of or processed as municipal waste.

RECYCLING CONTAINER

A container designated by the property owner or resident for the storage of recyclable materials. A recycling container may be provided by the Borough property owner, resident or tenant, or the municipal waste collector. A recycling container must be durable, watertight, and be at least 13 gallons in size and no more than 35 gallons with a label indicating the container is for recyclable materials.

SINGLE-FAMILY RESIDENTIAL ESTABLISHMENT

An occupied dwelling unit for human habitation, except multi-family residential establishment with four or more units. Home occupations incidental to the residential use within a dwelling unit are considered a "residential establishment."

SINGLE-STREAM RECYCLING

Refers to a system in which all paper fibers, plastics, metals, tin, and other materials are mixed in a recycling container instead of being sorted into separate commodities (newspaper, paperboard, corrugated fiberboard, plastic, glass, etc.) by the resident.

SOURCE SEPARATION

The separation of recyclable materials from municipal waste at the points of origin for the purpose of recycling.

2. All terms not separately defined in this Chapter that are contained in Act 97 and Act 101 are incorporated herein by reference.

§103. Legislative Intent.

1. The reduction of the amount of Municipal Waste and conservation of Recyclable Materials is an important public concern because of the growing problem of Municipal Waste disposal and its detrimental impact on the environment. It is the intent of this chapter to require, promote and regulate Recycling activities in the Borough and to protect the health, safety and welfare of residents.
2. This chapter has been developed to meet and implement municipal responsibilities established under Act 101.
3. It is the intent of this chapter to promote intergovernmental cooperation in Recycling activities by and among the municipalities comprising the NMCRC. Such cooperation is intended to more efficiently conduct Recycling programs and to reduce costs.

4. The Borough's adoption of this chapter anticipates the assignment of certain of its duties and powers under Act 101 to the NMCRC with respect to Recycling activities and enforcement against violations of this chapter. Such assignment of duties and powers will be accomplished in accordance with Section 304(c) of Act 101 and as set forth in this chapter and in the intermunicipal agreement adopted by the member municipalities of the NMCRC. Duties and powers not assigned by this ordinance, the intermunicipal agreement or subsequent agreement shall remain with the Borough.

§104. Assignment of Program Responsibilities; Intergovernmental Cooperation.

1. The Borough recognizes that intergovernmental cooperation among the municipalities comprising the membership of the NMCRC will be of benefit to the Borough by more efficiently conducting Recycling program activities. Intergovernmental cooperation efforts will include, but are not limited to, the following:
 - A. Development and implementation of reporting forms and grant applications and the filing of such forms and applications with the appropriate agencies.
 - B. Promulgation of rules and regulations pertaining to the Recycling program.
 - C. Authorization for the NMCRC Solicitor to seek enforcement against violations of this chapter as specified herein.
2. Intermunicipal Agreement.
 - A. In order to implement the intent and terms of this chapter, the Borough, pursuant to the authority of the Intergovernmental Cooperation Act, Act of July 12, 1972, codified at 53 P.S. §§ 481 through 490, and Article 9, § 5, of the Constitution of the Commonwealth of Pennsylvania, has determined to enter into an intermunicipal agreement (IMA) between the municipalities comprising the NMCRC.
 - B. Terms and implementation of IMA. The terms and implementation of the IMA shall be as more fully set forth in the IMA and this chapter, as follows:
 - i. The NMCRC shall assist in the development, implementation and maintenance of a Recycling program for the municipalities comprising the NMCRC.
 - ii. The participating municipalities shall certify that they have enacted a municipal Recycling ordinance in a form substantially similar to this chapter by providing an executed and attested copy of the ordinance to the NMCRC Solicitor.
 - iii. The NMCRC shall be authorized to promulgate rules and regulations and administer and enforce those rules and regulations as desired or to delegate such enforcement to the member municipalities.

- iv. The NMCRC shall be authorized to enforce the IMA and select municipal ordinances enacted pursuant to the IMA.
 - v. The purpose of the IMA is to provide a relatively uniform and cost-effective Recycling program for the municipalities comprising the membership of the NMCRC and to minimize duplicative efforts by the member municipalities.
 3. Findings under Intergovernmental Cooperation Act. As required by the Intergovernmental Cooperation Act of July 12, 1972, P.L. 762, No. 180, as amended, the following matters are specifically found and determined:
 - A. The conditions of agreement are set forth in the IMA.
 - B. The duration of the term of the IMA is set forth in §§ 913 and 914 of the IMA.
 - C. The purpose of the IMA is to cooperate with the NMCRC and other participating municipalities in developing, implementing and maintaining a Recycling program.
 - D. The organizational structure necessary to implement the agreement is set forth in the IMA, with which the member municipalities shall cooperate.
 - E. The manner in which property, real or personal, shall be acquired, managed, licensed or disposed of is by way of lease or other contract unless otherwise set forth in the IMA.

§105. Rules for Collection.

The collection of Municipal Waste, Recyclable Materials, and/or Leaf Waste by Municipal Waste Collectors shall be made in compliance with this ordinance, or any other regulations adopted by the Borough Council to carry out the intent and purpose of this Chapter. Such rules and regulations shall be approved by resolution of the Borough Council and, when so approved, shall have the same force and effect as the provisions of this Part. Said rules and regulations may be amended, modified, or repealed by resolution of the Borough Council.

§104. Municipal Waste Requirements.

1. All Persons generating Municipal Waste in the Borough shall arrange with a Municipal Waste Collector for the collection and transportation of Municipal Waste.
2. Municipal Waste shall be placed in Municipal Waste Containers and the Municipal Waste Containers shall be placed curbside or in another designated location for collection by a Municipal Waste Collector. Under no circumstances shall Municipal Waste Containers obstruct the flow or vision of motorists or pedestrians traveling on adjacent roads, streets, or sidewalks.
3. Municipal Waste Containers shall not be placed at the curbside or in another designated location for collection by a Municipal Waste Collector prior to 4:30PM of the day before

the collection day. Empty Municipal Waste Containers shall be removed from curbside or in another designated location for collection by a Municipal Waste Collector and returned to the premises no later than 8PM the day of the collection.

4. In the event that Municipal Waste is not able to be collected, Municipal Waste Containers shall be brought off the curb until the new collection is scheduled.

§105. Recycling Requirements.

1. Single-family Residential Establishment.
 - A. Except as otherwise provided herein, all Persons owning or occupying Single-family Residential Establishments shall separate Recyclable Materials designated in this Chapter from Municipal Waste. Recyclable Materials shall be placed in Recycling Containers and the Recycling Containers placed curbside or in another designated location for collection by a Municipal Waste Collector. Under no circumstances shall Recycling Containers obstruct the flow or vision of motorists or pedestrians traveling on adjacent roads, streets, or sidewalks.
 - B. The following materials must be recycled at Single-family Residential Establishments: (1) a single-stream mix of Aluminum Cans, Bi-metal Containers, Corrugated Paper, glass containers, High-grade Office Paper, Mixed Paper, Newsprint, and Plastic Containers, and (2) Leaf Waste.
 - C. All Persons owning or occupying Single-family Residential Establishments must arrange with a Municipal Waste Collector for the separate collection, transportation, and Recycling of Recyclable Materials.
 - D. Requirements for Collection.
 - i. All Recyclable Materials must be placed in a Recycling Container separate from municipal and Leaf Waste.
 - ii. Recyclable Materials must be prepared to prevent the materials from being blown about or littered on streets or on private property. This may include placement of Recyclable Materials in Recycling Containers with latching lids.
 - iii. No Persons shall place Recyclable Materials in municipal or Leaf Waste containers and no municipal or Leaf Waste shall be placed in Recycling or yard waste containers.
 - iv. Recycling Containers shall be placed curbside or in another location as designated by a Municipal Waste Collector for collection. Under no circumstances shall Recycling Containers obstruct the flow or vision of motorists or pedestrians traveling on adjacent roads, streets, or sidewalks.

- v. Recycling Containers shall not be placed at the curbside or in another designated location for collection by a Municipal Waste Collector prior to 4:30PM of the day before the collection day. Empty Recycling Containers shall be removed from curbside or in another designated location for collection by a Municipal Waste Collector and returned to the premises no later than 8PM the day of the collection.
- vi. Recyclable Materials must be clean and dry and prepared according to the requirements of the Borough or Municipal Waste Collector.
- vii. In the event that Recyclable Materials are not able to be collected, Recycling Containers shall be brought off the curb until the new collection is scheduled.

2. Multi-family Residential Establishments.

- A. Owners, Landlords, or agents of owners or Landlords of a Multi-family Residential Establishment must establish a system for Source Separation, collection, transportation, and Recycling of the Recyclable Materials designated in this Chapter that are generated at Multi-family Residential Establishments. The system must include an appropriate number of labeled Recycling Containers at easily accessible locations to accommodate the amount of Recyclable Materials generated at each Multi-family Residential Establishment. The system must also include written instructions to the residents of Multi-family Residential Establishments to inform them of the requirement to recycle and the use and availability of the collection program. The Borough reserves the right, but not the obligation, to require additional Recycling Containers if the Borough deems there are insufficient Recycling Containers to serve residents.
- B. The following materials are required to be recycled by multi-family establishments at a minimum: Aluminum Cans, Bi-metal Containers, Corrugated Paper, glass containers, High-grade Office Paper, Mixed Paper, Newsprint, Plastic Containers, and Leaf Waste.
- C. Owners, Landlords, or agents of owners or Landlords of Multi-family Residential Establishments must arrange with a Municipal Waste Collector for the separate collection, transportation, and Recycling of Recyclable Materials.
- D. No Person shall place Recyclable Materials in municipal or Leaf Waste containers and no municipal or Leaf Waste shall be placed in Recycling Containers.
- E. Recyclable material collection frequency and collection day(s) shall be set by the owner, Landlord, or agent of an owner or Landlord of a Multi-family Residential Establishment and the Municipal Waste Collector and shall occur no less than once a week. More frequent collection of Recyclable Materials may be necessary to prevent

Recycling Containers from being overfilled and cause materials to be blown about or littered on Borough streets and on private property.

- F. Recycling Containers shall not be placed at the curbside or in another designated location for collection by a Municipal Waste Collector prior to 6:00 p.m. of the day before the collection day. Empty Recycling Containers shall be removed from curbside or in another designated location for collection by a Municipal Waste Collector and returned to the premises no later than 11:59 p.m. the day after the collection.
 - G. Recyclable Materials must be clean and dry and prepared according to the requirements of the Borough or Municipal Waste Collector.
 - H. In the event that Recyclable Materials are not able to be collected, Recycling Containers shall be brought off the curb until the new collection is scheduled.
 - I. Owners, Landlords, or agent of an owner or Landlord who comply with the Chapter shall not be liable for the non-compliance of residents.
3. Commercial, Institutional, and Municipal Establishments.
- A. Owners, Landlords, or agents of owners or Landlords of a commercial, institutional, or Municipal establishment must establish a system for source-separation, collection, transportation, and Recycling of Recyclable Materials designated in this Chapter that are generated at each building. The system must include an appropriate number of labeled Recycling Containers at easily accessible locations to accommodate the amount of Recyclable Materials generated at each building. It must also include written instructions to the tenants or occupants to inform them of the requirement to recycle and the use and availability of the collection program. The Borough reserves the right, but not the obligation, to require additional Recycling Containers if the Borough deems there are insufficient containers to serve occupants or tenants.
 - B. At a minimum, the following materials are required to be recycled in commercial, institutional, and Municipal Establishments: High-grade Office Paper, Corrugated Paper, Aluminum Cans, and Leaf Waste.
 - C. Owners, Landlords, or agents of owners or Landlords of a commercial, institutional, and Municipal Establishments must arrange with a Municipal Waste Collector for the separate collection, transportation, and Recycling of Recyclable Materials.
 - D. No Persons shall place Recyclable Materials in municipal or Leaf Waste containers and no municipal or Leaf Waste shall be placed in Recycling Containers.
 - E. Recyclable material collection frequency and collection day(s) shall be set by the owner, Landlord, or agent of an owner or Landlord of a commercial, institutional, or Municipal Establishment and the Municipal Waste Collector, but shall occur no less than once a month. More frequent collection of Recyclable Materials may be necessary

to prevent Recycling Containers from being overfilled and cause materials to be blown about or littered on Borough streets and private property.

- F. Recycling Containers shall not be placed at the curbside or in another designated location for collection by a Municipal Waste Collector prior to 4:30PM of the day before the collection day. Empty Recycling Containers shall be removed from curbside or in another designated location for collection by a Municipal Waste Collector and returned to the premises no later than 8PM the day of the collection.
- G. Recyclable Materials must be clean and dry and prepared according to the requirements of the Borough or Municipal Waste Collector.
- H. In the event that Recyclable Materials are not able to be collected, Recycling Containers shall be brought off the curb until the new collection is scheduled.
- I. The Borough shall exempt Persons occupying commercial, institutional, and Municipal Establishments from the requirements of this Chapter if those Persons have otherwise provided for the Recycling of materials required to be recycled. To be eligible for exemption, the commercial, institutional, or Municipal Establishment must annually provide written documentation to the Borough of the total number of tons recycled.

§106. Recycling Community Activities.

- 1. The organizers or sponsors of a Community Activity must establish a system for Source Separation, collection, transportation, and Recycling of Aluminum Cans, Plastic Containers, glass containers, Corrugated Paper, and High-grade Office Paper. Arrangements for the Source Separation and collection of these materials shall be the responsibility of the organizers or sponsors.
- 2. The organizers or sponsors of a Community Activity must establish a collection system that includes an appropriate number of Recycling Containers at easily accessible locations to accommodate the amount of Recyclable Materials generated. Community Activity organizers and sponsors must provide signage and/or labels on Recycling Containers to indicate what Recyclable Materials are to be source-separated by event participants.
- 3. Organizers or sponsors must arrange with a Municipal Waste Collector for the collection of Recyclable Materials.
- 4. No Persons shall place Recyclable Materials in municipal or Leaf Waste containers and no municipal or Leaf Waste shall be placed in Recycling Containers.
- 5. Recyclable Materials must be clean and dry and prepared according to the requirements of the Borough or Municipal Waste Collector.

6. Organizers or sponsors of a Community Activity must provide a written report to the Borough that lists the name of the Community Activity, the Municipal Waste Collector collecting Recyclable Materials, the total quantity of each recyclable material collected, and the name and affiliation of the Person submitting the report. Reports are to be submitted to the Borough no later than thirty (30) days upon the conclusion of the event.

§107. Leaf Waste.

1. It is prohibited for any Person in the Borough to put or cause to be put Leaf Waste in with Municipal Waste or Recyclable Materials. Leaf Waste shall be source-separated from Municipal Waste and Recyclable Materials generated on any property in the Borough and stored in a separate Leaf Waste container until collection.
2. Nothing herein shall prevent any Person from utilizing Leaf Waste for compost, mulch, or other agriculture, horticulture, or landscaping purposes on the property where the Leaf Waste is generated.
3. Leaf Waste shall be scheduled for collection at least once per month. In the event Borough has an agreement with a designated compost facility, collectors may reduce curbside collection of Leaf Waste to once in the spring and once in the fall. Collectors must provide 30 days' notice to customers and the Borough of the collection dates for curbside collection of Leaf Waste in the spring and fall.
4. Leaf Waste containers shall be placed curbside or in another location as designated by a Municipal Waste Collector for collection. Under no circumstances shall Leaf Waste containers obstruct the flow or vision of motorists or pedestrians traveling on adjacent roads, streets, or sidewalks.
5. Leaf Waste containers shall not be placed at the curbside or in another designated location for collection by a Municipal Waste Collector prior to 4:30PM of the day before the collection day.

§108. Ownership of Recyclable Materials.

Nothing in this Chapter or any regulation promulgated pursuant hereto shall be deemed to impair the ownership of Recyclable Materials by the Persons who generated them unless and until separated materials are placed at curbside or similar location and collected by a Municipal Waste Collector.

§109. Municipal Waste Collector Requirements.

1. Collection Requirements.
 - A. Municipal Waste Collectors shall provide separate collection, removal, and transportation services for Municipal Waste, Recyclable Materials, and Leaf Waste.

- B. Recycling Containers shall be provided by the Municipal Waste Collector.
- C. Single-family Residential Establishments. Municipal Waste and Recyclable Materials shall be collected no less than once a week.
- D. Multi-family Residential Establishments. Recyclable material collection frequency shall be set by the owner, Landlord, or agent of an owner or Landlord of a Multi-family Residential Establishment and the Municipal Waste Collector but shall occur no less than once a week. More frequent collection of Recyclable Materials may be necessary to prevent Recycling Containers from being overfilled and cause materials to be blown about or littered on Borough streets and on private property.
- E. Commercial, Institutional, and Industrial Establishments. Recyclable material collection frequency shall be set by the owner, Landlord, or agent of an owner or Landlord of a commercial, institutional, or Municipal Establishment and the Municipal Waste Collector, but shall occur no less than once a week. More frequent collection of Recyclable Materials may be necessary to prevent Recycling Containers from being overfilled and cause materials to be blown about or littered on Borough streets and private property.
- F. Leaf Waste. All Municipal Waste Collectors shall arrange with their customers to have Leaf Waste collected curbside or in another location as designated by a Municipal Waste Collector for collection separate from Municipal Waste and Recyclable Materials at a frequency of no less than once per month. More frequent collection of Leaf Waste by the Municipal Waste Collector may be necessary to prevent Leaf Waste containers from being overfilled and cause materials to be blown about or littered on Borough streets and on private property. In the event Borough has an agreement with a designated compost facility, collectors may reduce collection of Leaf Waste to once in the spring and once in the fall upon written approval from the Borough.
- G. Municipal Waste Collectors shall be responsible for the processing and marketing of the Recyclable Materials or the delivery of Recyclable Materials to a Recycling processor. Such activities may be conducted by the Municipal Waste Collector or any agent thereof or a private entity conducting such business, a nonprofit entity able to undertake such effort or any governmentally owned or operated facility capable of such functions.

2. Recordkeeping Requirements.

- A. Municipal Waste Collectors shall be responsible for obtaining weight and volume data on all Municipal Waste, Recyclable Materials, and Leaf Waste collected.
- B. The records shall include the weight of the total quantities of Recyclable Materials and total quantities of Municipal Waste and an estimate of the corresponding volume of material for both Recyclable Materials and Municipal Waste. Estimates

of the individual components comprising the commingled Recyclable Materials shall also be provided.

- C. Reporting of Leaf Waste may be in the form of estimates on either a cubic yard or tonnage basis collected.
- D. Written reports shall be provided to the Borough and shall include the name and location of the processing center and/or Recyclable Materials dealer. Such reports shall include the name of the market or processor where Recyclable Materials are delivered and shall be signed by an officer of the Municipal Waste Collector. Said data shall be supplied to the Borough on an annual basis by January 30th of each calendar year.
- E. Municipal Waste Collectors shall maintain records of their collection, removal, transportation and hauling activities and make them available for inspection by the Borough, in accordance with the rules and regulations of the Borough.
- F. Municipal Waste Collectors shall provide the Borough with a summary of its proposed efforts, including the location of the facility(ies) to which the Recyclable Materials will be delivered. All such facility(ies) shall be appropriately licensed and have necessary approvals. Updates shall be provided to the Borough within 30 days of when changes are made to initiating processing and marketing activities.

§110. Prohibited acts.

- 1. It shall be unlawful, and grounds for the suspension or revocation of an authorization, for any Municipal Waste Collector to:
 - A. Collect or transport Municipal Waste from Persons failing to Source Separate Recyclable Materials and Leaf Waste from Municipal Waste.
 - B. Comingle or mix Source Separated Recyclable Materials or Leaf Waste collected in the Borough with Municipal Waste.
 - C. Fail to provide for the proper disposal of any Municipal Waste collected or transported within the Borough in accordance with this Chapter, county, federal and state laws and regulations.
 - D. Fail to recycle Recyclable Materials and compost Leaf Waste in accordance with this Chapter and federal and state laws and regulations.
 - E. Collect Municipal Waste, Recyclable Materials or Leaf Waste between the hours of 6AM and 7:30PM Eastern Standard Time or, when applicable, between 6AM AM and 7:30PM Eastern Daylight-Saving Time. Failure to comply with this provision shall subject a Municipal Waste Collector to enforcement by the Borough.

- F. Load or operate any vehicle within the Borough or transport Municipal Waste, Recyclable Materials, and/or Leaf Waste within the Borough in such a manner as to allow Municipal Waste, Recyclable Materials, and/or Leaf Waste to fall upon public roads or upon land abutting the public roads in the Borough.
 - G. Fail to replace the containers with their lids or covers in place at the location of collection in an orderly manner and off roads, streets, and/or sidewalks.
2. It shall be a violation of this Chapter for any Person not affiliated with a Municipal Waste Collector to collect or pick up Recyclable Materials. Any and each collection in violation hereof from one or more locations shall constitute a separate and distinct offense punishable as hereafter provided.
 3. The burning of Municipal Waste, Recyclable Materials and Leaf Waste shall be prohibited at all times in the Borough.
 4. It is unlawful for any Person in the Borough to dump or deposit Municipal Waste, Recyclable Materials, Leaf Waste, or any other refuse on any property in the Borough.
 5. Containers of Municipal Waste, Recyclable Materials, Leaf Waste, or any other refuse must not be overfilled to provide for or allow materials to become displaced by natural or manufactured elements.
 6. All Persons in the Borough are prohibited from storing, processing, or disposing of Municipal Waste, Recyclable Materials, and Leaf Waste on a property except at a facility or in preparation for the collection by a Municipal Waste Collector as provided herein. Notwithstanding the foregoing, Leaf Waste may be composted onsite.
 7. It shall be unlawful and a public nuisance for any Person to violate, cause or assist in a violation of any provision of this Chapter or violate, cause or assist in the violation of any rule, regulation or resolution promulgated by the Borough Council pursuant to this Chapter.

§111. Enforcement, Violations and Penalties.

1. Concurrent Jurisdiction. The Borough and the NMCRC share concurrent jurisdiction for recycling violations of this ordinance pursuant to the IMA and protocols jointly established from time to time by the NMCRC and participating member municipalities.
2. Penalties. Any Person who violates any provision of this Chapter or of the regulations adopted hereunder or any Person who engages in unlawful conduct as defined in this Chapter shall, upon conviction thereof in a summary proceeding before a District Judge, be sentenced to pay a fine of not more than \$10,000 and not less than \$250. Each continuing day of any violation of this Chapter or unlawful conduct as defined in this Chapter shall constitute a separate offense punishable by a like fine or penalty.

3. Injunction. In addition to any other remedy provided in this Chapter, the Borough may institute a suit in equity where unlawful conduct or a public nuisance exists as defined in this Chapter for an injunction to restrain a violation of this Chapter or any rules, regulations or resolution promulgated or issued by the governing body pursuant to this Chapter.
4. Concurrent remedies. The penalties and remedies prescribed by this Chapter shall be deemed concurrent. The existence or exercise of any remedy shall not prevent the Borough from exercising any other remedy provided by this Chapter or otherwise provided at law or equity.

§112. Construal.

The terms and provisions of this Chapter are to be liberally construed to best achieve and effectuate the goals and purposes hereof this Chapter shall be construed *in pari materia* with the Pennsylvania Code of Regulations, Storage, Collection, and Transportation of Municipal Waste and Act 101, and the rules and regulations adopted thereunder.

SECTION II. Amended and Restated Intermunicipal Agreement – 2024.

Pursuant to Section 2305 of the Pennsylvania Intergovernmental Cooperation Act, that certain intermunicipal agreement entitled Northern Montgomery County Recycling Commission Amended and Restated Intermunicipal Agreement – 2024, which is incorporated herein by reference, is hereby approved for signature and to enter into intergovernmental cooperation in accordance with the provisions set forth therein.

SECTION III. - Severability.

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the governing body that this Ordinance would have been adopted even if such illegal, invalid, or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION IV. - Failure to Enforce Not a Waiver.

The failure of the Borough to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

SECTION V. - Effective Date.

This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION VI. - Repealer.

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

ORDAINED AND ENACTED by the Borough Council of the Borough of Ambler, Montgomery County, Pennsylvania, this ____ day of _____, 2024.

AMBLER BOROUGH

By: _____
Glynnis Siskind, Borough Council President

Attest: _____
Mary Aversa, Secretary

Approved: _____
Jeanne Sorg, Mayor

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



August 27, 2024

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

Re: 219 Hendricks Street Subdivision
Proposing Two Lots

Dear Ms. Aversa:

At the direction of Council, the Planning Commission has been requested to review a proposal by the owner of 219 Hendricks Street to subdivide the above-referenced property containing 40,262 square feet according to the Montgomery County Board of Assessment records into two lots.

At the August 27, 2024, Ambler Borough Planning Commission meeting, the applicant presented his proposal. After review and discussion, a motion was made and seconded to recommend to Council to approve this subdivision subject to the conditions set forth in the Montgomery County Planning Commission and Borough Engineer comment letters. The vote taken was unanimous in favor of the recommendation to Borough Council to approve this two-lot subdivision.

If you have any questions, please do not hesitate to contact our Chairman, John Oswald.

Very truly yours,

Carol Ann DiPietro
Secretary
Ambler Borough Planning Commission

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

JAMILA H. WINDER, CHAIR
NEIL K. MAKHIJA, VICE CHAIR
THOMAS DIBELLO, COMMISSIONER

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**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY • PO Box 311
NORRISTOWN, PA 19404-0311

610-278-3722
PLANNING@MONTGOMERYCOUNTYPA.GOV

SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

August 7, 2024

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

Re: MCPC #24-0130-002
Plan Name: 219 Hendricks Street, Ambler, PA 19002
(2 lots comprising 0.9 acres)
Situate: Hendricks Street (N), between Walker Road (NW) and Tennis Avenue (SE)
Borough of Ambler

Dear Ms. Aversa:

We have reviewed the above-referenced subdivision in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on August 5, 2024. We forward this letter as a report of our review.

BACKGROUND

The applicant, PFP Property Management, LLC, has submitted a revised site plan (See MCPC Review Letter #24-0130-001, dated June 7, 2024). The revised subdivision plan now provides for the subdivision of a single 0.9 acre parcel into two parcels of land. The existing single-family home and a detached garage are proposed to remain on a 33,112 square foot lot taking frontage from Hendricks Avenue ("Lot 1"). A new 7,150 square foot lot is proposed along Hendricks Avenue ("Lot 2"). Lot 2 is anticipated to be developed for single-family detached home, as would be permissible by zoning; however, no development is proposed at this time. The applicant has included language on their submitted plan indicating an understanding that additional review and permitting will be required should development occur in the future.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) supports the applicant's proposal without comment as we have found it to be generally consistent with the comprehensive plans for Ambler Borough Plan and Montgomery County.

CONCLUSION

We wish to reiterate that MCPC supports the applicant's proposal without comment; however, we would like to commend the applicant for their intent to preserve the existing home, as it is our understanding that this home may have historical significance to the borough.

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 (#24-0130-002) on any plans submitted for final recording.

Sincerely,



Timothy Konetchy, Senior Community Planner
Timothy.Konetchy@montgomerycountypa.gov - 610.292.4917

c: Glenn Kucher, Code Officer
Nick T. Rose, P.E., ProTract Engineering, Inc.
John Oswald, Chair, Borough Planning Commission
Al Comly, Vice Chair, Borough Planning Commission
Carol DiPietro, Secretary, Borough Planning Commission
Jessica Buck, District Manager, MCCD

Attachment A: Aerial Image of Site

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

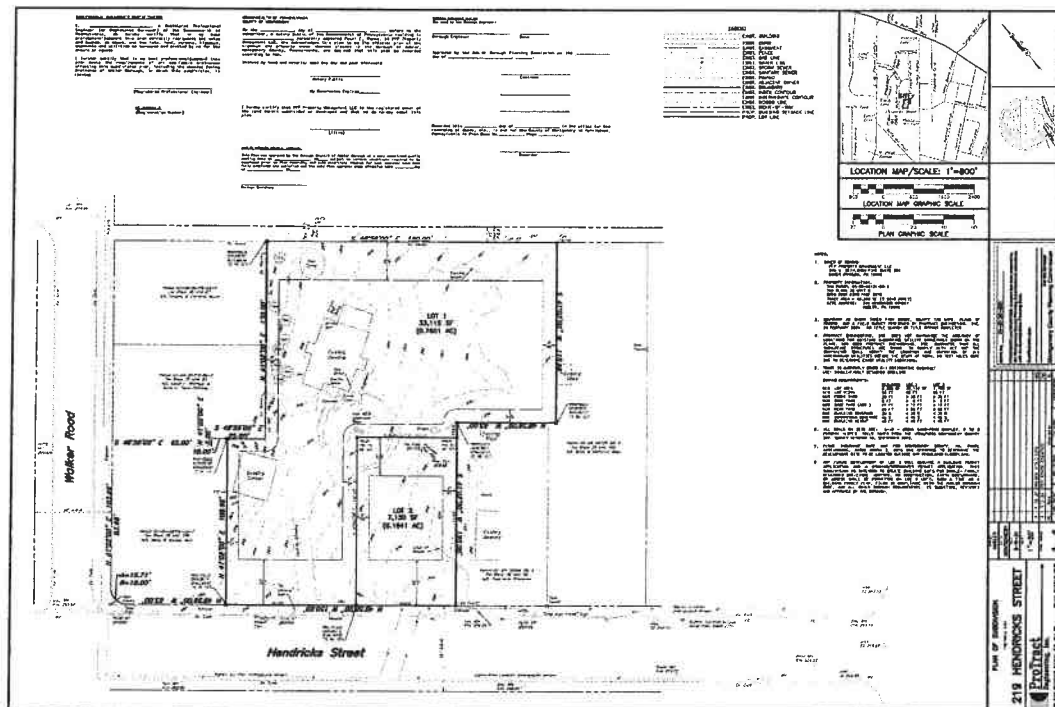
ATTACHMENT A: AERICAL IMAGE OF SITE



219 Hendricks Street Subdivision
MCPC#240130001



ATTACHMENT B: REDUCED COPY OF APPLICANT'S PROPOSED SITE PLAN





GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

August 7, 2024

File No. 2400565

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

Reference: Minor Subdivision Application
219 Hendricks Street
Tax Parcel #01-00-02131-00-1

Dear Mary:

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

- A. Plan of Subdivision – 219 Hendricks Street (1 sheet), prepared for, by ProTract Engineering, Inc., dated May 9, 2024, and last revised July 18, 2024.

The subject 40,262 square foot lot is within the R-1 Residential District, fronts on Hendricks Street, and its current use is residential. The lot contains a single-family dwelling and detached garage. The applicant, PFP Property Management LLC, proposes to subdivide the property into two lots. It is intended that Lot 1 will be 33,112 square feet and include the existing dwelling and garage. Lot 2 is proposed to be 7,150 square feet and remain vacant until future development. No improvements or modification of the lots are proposed with this application.

Zoning Comments

1. The plan appears to be compliant with the Borough Zoning Ordinance.

Subdivision and Land Development Comments

2. §22-304.5.A(1) – The buildings and uses of adjacent properties shall be shown on the plans. If a waiver is not granted for this requirement, we recommend that an aerial photograph or County GIS information be provided in lieu of field survey information.
3. §22-304.5.B – Show all existing utilities and service laterals on the plans. If utilities for the existing dwelling are on Lot 2, then an easement is, or the utilities shall be relocated to Lot 1.
4. §22-Attachement 1-109 & 110 – Documentation shall be provided stating that sanitary sewer and water services are available and will be provided. Sewer planning approval from PADEP is required.

General Comments

5. If Council approves the plan and no improvements are required, we recommend that the applicant install lot pins and monuments as noted on the plans prior to recording the plan to avoid the need for an agreement and financial security.
6. Legal descriptions of the new lots and any easements shall be provided to the Borough for review.

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

7. 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
Peter Penna – Owner/Applicant
Nick T. Rose, P.E. – ProTract Engineering, Inc.

**FINANCIAL REQUIREMENT AND MINIMUM MUNICIPAL OBLIGATION
BUDGET FOR 2025**

NAME OF MUNICIPALITY: BOROUGH OF AMBLER

COUNTY: MONTGOMERY

Resolution 2024- 10

	POLICE PENSION PLAN
1. TOTAL ANNUAL PAYROLL (Estimated W-2 Salary for 2024)	1,799,349
2. NORMAL COST PERCENTAGE (Derived from latest actuarial valuation 1/1/23)	20.14%
3. TOTALNORMALCOST (Item 1 times Item 2)	362,389
4. TOTAL AMORTIZATION REQUIREMENT (Derived from latest actuarial valuation 1/1/23)	0
5. TOTAL ADMINISTRATIVE EXPENSES (Derived from latest actuarial valuation 1/1/23)	103,285
6. TOTAL FINANCIAL REQUIREMENT (Item 3 +Item 4 + Item 5)	465,674
7. TOTAL MEMBER CONTRIBUTIONS (5% OF PAY)	89,967
8. FUNDING ADJUSTMENT (Derived from latest actuarial valuation 1/1/23)	49,014
9. MINIMUM MUNICIPAL OBLIGATION (Item 6 - Item 7 - Item 8, but not less than zero)	326,693

Signature of Chief Administrative Officer

Date Certified to Governing Body

**FINANCIAL REQUIREMENT AND MINIMUM MUNICIPAL OBLIGATION
BUDGET FOR 2025**

NAME OF MUNICIPALITY: BOROUGH OF AMBLER

COUNTY: MONTGOMERY

Resolution 2024- 11

	MUNICIPAL EMPLOYEES' PENSION PLAN
1. TOTAL ANNUAL PAYROLL (Estimated W-2 Salary for 2024)	575,292
2. NORMAL COST PERCENTAGE (Derived from latest actuarial valuation 1/1/23)	8.58%
3. TOTAL NORMAL COST (Item 1 times Item 2)	49,360
4. TOTAL AMORTIZATION REQUIREMENT (Derived from latest actuarial valuation 1/1/23)	0
5. TOTAL ADMINISTRATIVE EXPENSES (Derived from latest actuarial valuation 1/1/23)	33,075
6. TOTAL FINANCIAL REQUIREMENT (Item 3 +Item 4 + Item 5)	82,435
7. TOTAL MEMBER CONTRIBUTIONS	17,259
8. FUNDING ADJUSTMENT (Derived from latest actuarial valuation 1/1/23)	30,125
9. MINIMUM MUNICIPAL OBLIGATION (Item 6 - Item 7 - Item 8, but not less than zero)	35,051

Signature of Chief Administrative Officer

Date Certified to Governing Body

**FINANCIAL REQUIREMENT AND MINIMUM MUNICIPAL OBLIGATION
BUDGET FOR 2025**

NAME OF MUNICIPALITY: BOROUGH OF AMBLER

COUNTY: MONTGOMERY

Resolution 2024- 12

	NON UNIFORMED DC PLAN
1. TOTAL ANNUAL PAYROLL (Estimated W-2 Salary for 2024)	1,323,564
2. NORMAL COST PERCENTAGE *	7.5405%
3. TOTALNORMALCOST (Item 1 times Item 2)	99,803
4. TOTAL AMORTIZATION REQUIREMENT	0
5. TOTAL ADMINISTRATIVE EXPENSES	0
6. TOTAL FINANCIAL REQUIREMENT (Item 3 +Item 4 + Item 5)	99,803
7. TOTAL MEMBER CONTRIBUTIONS	0
8. FUNDING ADJUSTMENT	0
9. MINIMUM MUNICIPAL OBLIGATION (Item 6 - Item 7 - Item 8, but not less than zero)	99,803

* 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

Public Safety Committee

The Committee meeting was held on September 3, at 7:00pm. Committee members: Amy Hughes – Chair, Jen Henderson, Nancy Roecker Coates and Lou Orehek.

The Committee will make no recommendations.

The following business will be discussed:

1. The Police Department report is **attached**.
2. The Community Ambulance report is **attached**.
3. The Fire Department report is **attached**.
4. The Public Works and the Code Enforcement reports were received.
5. The Butler Avenue Traffic Study is complete, the Police department is reviewing the next steps.



EMERGENCY: DIAL 911
EMAIL: info@amblerambulance.org

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

Excellence in Pre-Hospital Care
COMMUNITY AMBULANCE ASSOCIATION, AMBLER
1414 E. BUTLER PIKE
P.O. BOX 98
AMBLER, PENNSYLVANIA 19002

Ambler Borough Statistics – 2024

<u>Month</u>	<u>Calls in Borough</u>	<u>Total Calls for CAAA</u>
January	74	502
February	75	417
March	67	488
April	58	449
May	49	461
June	67	470
July	71	494
August	72	483
<u>YTD Totals</u>	533	3,764

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



Wissahickon Fire Company
Fire Chief Report
August 2024 (244 days)

Township	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Total	%
Ambler	18	12	18	27	24	14	26	30					169	39%
Conshohocken							1						1	0%
East Norriton		1											1	0%
Horsham	4			1	1	1		4					11	3%
Lower Gwynedd	31	15	16	19	21	23	37	33					195	45%
Montgomery	2		2	2	1	1	3	1					12	3%
Norristown			1			1							2	0%
Plymouth		1	1				1						3	1%
Sellersville (Bucks Co.)								1					1	0%
Springfield	1												1	0%
Upper Dublin	3			2	1		4	2					12	3%
Upper Gwynedd			1										1	0%
Whitemarsh	2	2	3	2	2	2	4	2					19	4%
Whitpain	1		2	1	3		1						8	2%
Worcester	1												1	0%
TOTAL	63	31	44	54	53	42	77	73	0	0	0	0	437	100%

Type of Call	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Total	%
Accident Standby	2	2	1	1	2	1	1	1					11	3%
AFA Actual	21	7	9	13	20	12	18	14					114	26%
AFA False	7	4	6	9	14	12	24	29					105	24%
Appliance		1		1		1							3	1%
Assist EMS	1	1	1		1								4	1%
Assist Police		1					1						2	0%
Brush				2	1	1	1						5	1%
Building Investigation	4	1	1	4	1		1	1					13	3%
CO Detector	1	2		1	3		4	4					15	3%
Commercial Bldg	3	1	3	4	1	4	3	4					23	5%
Elevator Rescue	1	1	6				2	1					11	3%
Fast Team Assist	1	1	1										3	1%
Gas Odor Inside	2	1	3	4	1		3						14	3%
Gas Odor Outside	2	1	1	1		3	3	1					12	3%
Hazardous Materials			1										1	0%
Non Comm Bldg	6		2	3	4		5	2					22	5%
Officer Investigation	5		4	3	1	2	1	3					19	4%
Search		1											1	0%
Smoke in area		1				1		2					4	1%
Special Service						1		2					3	1%
Standby other fire station	1			1		1	2	1					6	1%
Traffic Unit assist	1	2	1	3			3	2					12	3%
Trash								1					1	0%
Vehicle Fire	3	1			1	1	1						7	2%
Vehicle Leaking fuel													0	0%
Vehicle Rescue		1	2		1		1	1					6	1%
Water Rescue													0	0%
Wires	2	1	2	4	2	2	3	4					20	5%
TOTAL	63	31	44	54	53	42	77	73	0	0	0	0	437	100%

Day of the week	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Total	%
Monday	15	4	5	8	4	6	15	8					65	15%
Tuesday	8	7	5	6	6	10	12	9					63	14%
Wednesday	13	3	9	10	16	4	12	8					75	17%
Thursday	9	4	3	7	1	8	2	9					43	10%
Friday	4	3	8	8	9	6	13	15					66	15%
Saturday	7	4	6	11	5	6	10	12					61	14%
Sunday	7	6	8	4	12	2	13	12					64	15%
TOTAL	63	31	44	54	53	42	77	73	0	0	0	0	437	100%



Wissahickon Fire Company
 Fire Chief Report
 August 2024 (244 days)

Attendance	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Total	%
Day Calls (M to F 6AM to 6PM)	29	13	17	28	24	24	34	30					199	46%
Attendance at Day Calls	318	152	158	333	275	229	371	306					2,142	
Average Day Calls	11.0	11.7	9.3	11.9	11.5	9.5	10.9	10.2	-	-	-	-	10.8	
Night & Weekend Calls	34	18	27	26	29	18	43	43					238	54%
Attendance at N & W Calls	450	201	323	340	389	197	489	460					2,849	
Average Night & Weekend	13.2	11.2	12.0	13.1	13.4	10.9	11.4	10.7	-	-	-	-	12.0	
Total Calls	63	31	44	54	53	42	77	73					437	100%
Total Attendance	768	353	481	673	664	426	860	766					4,991	
Average Total Calls	12.2	11.4	10.9	12.5	12.5	10.2	11.2	10.5					11.4	
Average Fire Attendance 7A	9.8	9.5	8.9	10.3	10.1	7.7	8.5	7.9					9.1	
Average Fire Attendance 7B	2.4	1.9	2.0	2.2	2.4	2.5	2.7	2.6					2.3	
Average Fire Attendance	12.2	11.4	10.9	12.5	12.5	10.2	11.2	10.5	-	-	-	-	11.4	
Total Drills	4	4	4	5	3	4	5	4					33	
Total Drill Attendance	126	133	123	148	90	109	132	98					959	
Average Drill Attendance	31.5	33.3	30.8	29.6	30.0	27.3	26.4	24.5					29.1	

Monday Trainings	Jan-24	Feb-24	Mar-24	Apr-24
Organization Recap		Haz Mat refresher Part 1	NRS ALS Water Rescue boat	Rope Rescue training
Blood Borne Pathogens		NRS ALS Water Rescue boat	Truck Inventory Check	Truck Inv. & Cleanup from fire
Equipment Check		Haz Mat refresher Part 2	Urban Water Rescue class	Hoseline advancement
Station / Truck Cleaning		Hoarding Conditions Capt Brown	SCBA Fit Testing	Search Drill - Main St
				Rope training for tool lowering
Total Hours Training	315	Total Hours Training 333	Total Hours Training 308	Total Hours Training 370
	May-24	Jun-24	Jul-24	Aug-24
Pump Operations		Equipment check	Parade Prep of trucks	Tour - St. Charles Seminary
Vehicle Rescue		Vehicle rescue - car on side	Saw practice @ acquired house	Water Drill - Giant Foods
Vehicle Rescue		Recap 88 Fatal Fire	High Rise training	Work Night - Clean up
		Parade prep of vehicles	NRS rescue boat	Water Battle @ Station 88
			Air Bags & Struts	
Total Hours Training	225	Total Hours Training 273	Total Hours Training 330	Total Hours Training 245



Wissahickon Fire Company
 Fire Chief Report
 August 2024 (244 days)

Count of Alarm 2024								
Hour of Day	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Total
0	2		3	2	1	1	4	13
1					2	1	1	4
2	1	1	2	3		1		8
3	2			1		2	1	6
4		2	1	2	2	1		8
5		1	2	1	1	3	1	9
6	2		5	1		4	2	14
7	2	4	3	2	1	2	4	18
8	1	4	2	1	1	6	1	16
9	3	7	6	4	3	3	2	28
10	4	8	2	6	2	3	2	27
11	3	6	3	4	4	2		22
12	1	6	4	4	5	3	2	25
13	4	3	2	4	2	1	4	20
14	4	6	3	5	1	5	3	27
15	2	3	1	5	2	1	3	17
16	4	2	6	1	2	3	4	22
17	3	4	3	6	3	4	4	27
18	3	2	1	5		4	3	18
19	9		4	3	3	4	8	31
20	5	1	2	3	1	5	3	20
21	6	4	4	7	4	5	3	33
22	1		2	2	2		5	12
23	2	1	2	3	1	2	1	12
Grand Total	64	65	63	75	43	66	61	437

Public Utilities Committee

The Committee meeting was held on September 3, at 7:00pm. Committee Members: Karen Sheedy - Chair, Amy Hughes Lou Orehek and David Hui.

The Committee will consider the following recommendation.

1. Attached is the bid recommendation for the North Wales water main improvements and connection.

The following business will be discussed:

1. The WWTP Engineer's report was received.
2. The Ambler WWTP is requesting quotes for the supply and installation of VFDs (Variable Frequency Drives) for ALL 5 blowers as part of the digester conversions.
3. System flushing is underway, locations will be posted on the Borough Website.

Recommendations:

1. A recommendation is requested to award the attached bid to Caddick Utilities LLC in the amount of \$1,335,051.00 for the NWWA connection.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

VIA E-MAIL

September 12, 2024

File No. 22-04096-01

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

Reference: Bid Award Recommendation
Contract No. 24-01: Loch Aish Avenue & Fort Washington Avenue Water Main
Replacement and NWWA Interconnection
Upper Dublin Township, Montgomery County, PA

Dear Mary,

Bids were received by Ambler Borough via PennBid on September 10, 2024, for the above referenced project. A total of five (5) bids were received and they are presented on the enclosed Bid Summary spreadsheet. As shown on the spreadsheet, the lowest apparent bidder is Caddick Utilities LLC (Caddick) with a total bid amount of \$1,335,051.00.

Caddick's bid documents included the following: Bid Bond, Agreement of Surety Company, Bidder's Acknowledgement Form, Non-Collusion Affidavit and Bidder Qualification Statement. The referenced documents included in the bid appear to be satisfactory and in order. A copy of the bid documents is enclosed.

Caddick Utilities LLC has been a contractor in the utility construction industry for 17 years and has completed numerous water construction projects for Aqua America, American Water and local municipalities including Ambler Borough. It is our opinion that Caddick has the qualifications to successfully complete the work associated with this contract.

Therefore, it is our recommendation, upon satisfactory review of the bid documents by the Borough Solicitor, that Caddick Utilities LLC be awarded the contract in the total bid amount of \$1,335,051.00.

If you have any questions about this matter, please do not hesitate to contact our office.

Sincerely,

Brian M. Brochon
Project Manager
Water Resources

BUILDING ON A FOUNDATION OF EXCELLENCE

65 E. Butler Avenue | Suite 100 | New Britain, PA 18901 Phone: 215-345-4330 | Fax: 215-345-8606
www.gilmore-assoc.com

Mary Aversa, Manager, Borough of Ambler
Contract 24-01: Bid Award Recommendation
File No. 22-04096-01
September 12, 2024

Page 2

BMB/BDG

Enclosures: Bid Summary spreadsheet
Caddick bid documents

cc: Steve Smallberger, Water Superintendent – Ambler Borough
Joseph E. Bresnan, Solicitor
Robert L. Johnston, P.E. – Gilmore & Associates, Inc.
Brian Gallagher – Gilmore and Associates, Inc.



Borough of Ambler
 Contract No. 24-01: Loch Aish Avenue & Fort Washington Avenue Water Main Replacement & NWWA Interconnection
 Summary of Bids Received on 9/10/2024

Item No.	Description	Quantity	Units	N. Abbonizio Contractors, Inc.		Caddick Utilities LLC		DOLI Construction Corporation		Pact One LLC		Joao & Bradley Const. Co., Inc.	
1	6" D.I.P. Water Main	70	LF	\$449.00	\$31,430.00	\$125.00	\$8,750.00	\$170.00	\$11,900.00	\$170.00	\$11,900.00	\$165.00	\$11,550.00
2	8" D.I.P. Water Main	60	LF	\$339.00	\$20,340.00	\$135.00	\$8,100.00	\$190.00	\$11,400.00	\$180.00	\$10,800.00	\$175.00	\$10,500.00
3	10" D.I.P. Water main	45	LF	\$411.00	\$18,495.00	\$140.00	\$6,300.00	\$210.00	\$9,450.00	\$200.00	\$9,000.00	\$195.00	\$8,775.00
4	12" D.I.P. Water Main	4800	EA	\$249.00	\$1,195,200.00	\$145.00	\$696,000.00	\$235.00	\$1,128,000.00	\$250.00	\$1,200,000.00	\$221.00	\$1,060,800.00
5	8" Tapping Sleeve & Valve	1	EA	\$17,575.00	\$17,575.00	\$10,931.00	\$10,931.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$12,000.00	\$12,000.00
6	10" Tapping Sleeve & Valve	1	EA	\$20,095.00	\$20,095.00	\$14,580.00	\$14,580.00	\$15,000.00	\$15,000.00	\$12,000.00	\$12,000.00	\$17,000.00	\$17,000.00
7	12" Tapping Sleeve & Valve	2	EA	\$22,060.00	\$44,120.00	\$12,500.00	\$25,000.00	\$17,000.00	\$34,000.00	\$15,000.00	\$30,000.00	\$16,000.00	\$32,000.00
8	5" Gate Valve	4	EA	\$2,220.00	\$8,880.00	\$1,750.00	\$7,000.00	\$1,800.00	\$7,200.00	\$1,600.00	\$6,400.00	\$2,000.00	\$8,000.00
9	5" Gate Valve	4	EA	\$3,295.00	\$13,180.00	\$2,250.00	\$9,000.00	\$2,500.00	\$10,000.00	\$2,500.00	\$10,000.00	\$2,700.00	\$10,800.00
10	10" Gate Valve	2	EA	\$4,525.00	\$9,050.00	\$2,900.00	\$5,800.00	\$3,700.00	\$7,400.00	\$3,500.00	\$7,000.00	\$3,700.00	\$7,400.00
11	12" Gate Valve	14	EA	\$5,970.00	\$83,580.00	\$3,800.00	\$53,200.00	\$4,700.00	\$65,800.00	\$4,800.00	\$67,200.00	\$4,700.00	\$65,800.00
12	Fire Hydrant Assembly	6	EA	\$18,210.00	\$109,260.00	\$11,175.00	\$67,056.00	\$13,500.00	\$81,000.00	\$5,500.00	\$33,000.00	\$12,500.00	\$75,000.00
13	Polyethylene Encasement	125	SY	\$15.00	\$1,875.00	\$40.00	\$5,000.00	\$4.00	\$500.00	\$10.00	\$1,250.00	\$6.00	\$750.00
14	Interconnection Meter Vault	1	SY	\$178,927.00	\$178,927.00	\$126,252.00	\$126,252.00	\$114,989.00	\$114,989.00	\$99,000.00	\$99,000.00	\$110,000.00	\$110,000.00
15	3/4" to 2" Water Service w/ Curb Stop & Box	31	EA	\$3,590.00	\$110,360.00	\$2,667.00	\$82,677.00	\$3,000.00	\$93,000.00	\$1,800.00	\$55,800.00	\$3,000.00	\$93,000.00
16	Existing Water Modifications / Abandonment	1	LS	\$36,440.00	\$36,440.00	\$7,000.00	\$7,000.00	\$10,000.00	\$10,000.00	\$6,000.00	\$6,000.00	\$34,500.00	\$34,500.00
17	Base & Binder Course Restoration - Township Road	730	SY	\$130.00	\$94,900.00	\$51.00	\$37,230.00	\$70.00	\$51,100.00	\$80.00	\$58,400.00	\$88.00	\$64,240.00
18	Base & Binder Course Restoration - PennDOT Road	2260	SY	\$95.00	\$214,700.00	\$51.00	\$115,260.00	\$70.00	\$158,200.00	\$80.00	\$180,800.00	\$94.00	\$212,440.00
19	Wearing Course Restoration - Township Road	1215	SY	\$32.00	\$38,880.00	\$25.00	\$30,375.00	\$13.00	\$15,785.00	\$18.00	\$21,870.00	\$17.50	\$21,262.50
20	Concrete Sidewalk Restoration	45	SY	\$190.00	\$8,550.00	\$252.00	\$11,340.00	\$125.00	\$5,625.00	\$120.00	\$5,400.00	\$135.00	\$6,075.00
21	Concrete Curb restoration	60	LF	\$63.00	\$3,780.00	\$95.00	\$5,700.00	\$100.00	\$6,000.00	\$60.00	\$3,600.00	\$130.00	\$7,800.00
22	Final Grading & Seeding	250	SY	\$66.00	\$16,500.00	\$10.00	\$2,500.00	\$4.00	\$1,000.00	\$20.00	\$5,000.00	\$16.00	\$4,000.00
TOTAL OF ALL BID ITEMS					\$2,276,117.00		\$1,335,051.00		\$1,847,359.00		\$1,850,420.00		\$1,873,692.50

Parks and Recreation Committee

The Committee meeting was held on September 3, at 7:00pm. Committee Members: Jen Henderson - Chair, Lisa Auerbach, Nancy Roecker-Coates and David Hui.

The Committee will make no recommendations.

The following business will be discussed:

Salary & Personnel Committee

The Committee meeting was held on September 3, at 7:00pm. Committee Members: Lisa Auerbach – Chair, Jen Henderson, Karen Sheedy and Elizabeth Iovine.

The Committee will consider the following recommendations.

1. Resumes were accepted for the Planning Commission vacancy. **(attached)**
2. A recommendation to appoint Bruce Anderson to the vacant HRC position.

The following business will be discussed:

1. The Water Operator 1 vacancy will be advertised.
2. An executive session was held at the Committee meeting on a personnel matter. An Executive session is scheduled for 5:30 this evening for a personnel matter.
3. Chief Borkowski requests authorization to begin the civil service testing procedures to fill an upcoming vacancy in the department.

Recommendations

1. A recommendation is requested to appoint Bruce Anderson to the vacant HRC position.
2. Resumes were received to fill the Planning Commission vacancy a recommendation is requested.