

TOWNSHIP OF LOWER MERION

Issue Briefing

Topic: 111 W. Montgomery Avenue, Ardmore, Ward 5

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Date: May 3, 2017

I. Action To Be Considered By The Board:

Consider for recommendation to the Board of Commissioners a subdivision/land development application to create two new lots and construct two, two-family semi-detached dwellings at 111 W. Montgomery Avenue.

II. Why This Issue Requires Board Consideration:

The Board of Commissioners is required to render decisions on all subdivision and land development applications.

III. Current Policy or Practice (If Applicable):

The Board of Commissioners reviews and approves subdivision and land development applications on a case by case basis.

IV. Other Relevant Background Information:

The Planning Commission reviewed this application on May 1, 2017 and recommended denial of the applicant's request for a waiver to create lots whose depth is more than 2.5 times their width. The Planning Commission was under the impression that the development of these two, two-family semidetached units could be accomplished without subdividing the property which was incorrect. In order for the units to be created the property must be subdivided and a waiver is required otherwise the building created, which would have four units, would constitute an apartment house for which the subject property does not meet the area and width requirements in Section 155-58A of the Zoning Code.

Because the Planning Commission recommended denial of the waiver, they did not make a recommendation on the subdivision application.

V. Impact on Township Finances:

While there will be some impact to Township finances as a result of there being additional tax revenue from the creation of additional lots, staff has not done a detailed analysis to determine the amount of revenue.

VI. **Staff Recommendation**

Should the Building and Planning Committee choose to recommend approval of the application, the following conditions are provided:

Township Engineer's Review:

1. The Township Engineer's review letter dated April 23, 2017 shall be incorporated by reference into these conditions of approval to the extent the same is not inconsistent with the conditions of approval set forth below.

Architectural Elevations:

2. The buildings shall be constructed substantially as shown on the architectural elevations prepared by Marshall Sabatini Architecture dated April 13, 2017 with the exception of modifications required by these conditions of approval. Compliance with this condition shall be determined prior to approval of the Final Plan. If the applicant and staff cannot reach agreement on the final elevations, then the applicant shall return to the Board of Commissioners.
3. The mean grade of the structure shall be calculated and shown on the Grading Plan. The architectural plans shall be coordinated with and shall comply with the grading proposed with this application.
4. The garage doors shall include articulation.
5. The pediment on the front porch roof shall either be reduced in height or overall scale. The surface material of the pediment shall be reviewed by staff.
6. If the shed dormers on the side and rear elevations are visible from the public right of way, the applicant shall consider reducing their overall scale.
7. The porches shall include railings.
8. Balconies shall be limited to Juliet Balconies.

Historic Object/Architectural Salvage:

9. The applicant shall utilize the services of an architectural salvage or deconstruction company, to preserve or recycle building materials on the existing structure, including but not limited to stone, brick, and wood. Architectural details such as windows and interior and exterior details including but not limited to fixtures and any wood, glass and metalwork of quality and good condition shall be salvaged. The existing iron fence shall be salvaged to the extent feasible. The applicant shall provide documentation to planning staff indicating how this condition will be met.

10. The historic milestone “10” at the southwest corner of the property shall not be removed, relocated, or replaced. Every effort should be made during construction to protect the milestone from construction activity.
11. Prior to commencing construction, the applicant shall document the existing condition of the milestone, and if damaged in any way, the applicant shall engage a conservationist experienced with historic stonework and/or sculpture to restore the milestone to its prior condition.
12. The applicant shall submit an application to the Township to add the existing milestone to the Historic Resource Inventory.
13. The applicant shall consult with the Township’s Historical Commission on the design of an appropriate protective barrier for the milestone similar to the barrier used for the milestone at Ludington Library.
14. No permanent fencing shall be installed that obscures the view of the milestone from the public viewshed.

Streetscape & Landscape Plan:

15. Additional stone pillars shall be provided along the Montgomery Avenue street frontage to flank the walkway. A pillar shall also be added at the western property corner.
16. The sidewalk along Montgomery Avenue shall be increased to five (5) feet in width.
17. The applicant shall continue working with their landscape designer, staff, and the property owner to the rear of the development to refine the landscape plan to provide an optimal landscape screen.
18. Any plantings installed in proximity to the stormwater management system shall have limited root systems.
19. The applicant shall provide foundation plantings at the front of the units.
20. The stockade fence along the rear property line shall be upgraded to a board on board fence and shall include a trellis to provide additional screening.
21. The Homeowner’s Association shall be responsible for maintaining all landscaping and streetscape elements.
22. All existing trees to remain shall be devined.
23. A revised landscape plan complying with Natural Features Code Sections 101-9, 101-5B, Zoning Code Section 155-167.7 and conditions herein shall be prepared and sealed by a Registered Landscape Architect and submitted with the Final Plan.

Stormwater Management and Erosion Control:

24. All HCMP shall be further specified as aluminum or aluminized steel.
25. A detail of the junction structure for the basin outlet pipe to the existing eighteen (18") inch TC pipe shall be provided.
26. The existing eighteen (18") inch TC pipe shall be inspected for structural integrity. A video inspection report shall be submitted to the Township prior to issuance of a permit. Any repairs/replacement required shall be made a condition of permit issuance.
27. A cleanout stake shall be provided for the temporary basin.
28. A detail for the temporary basin outlet structure shall be provided and shall indicate the riser diameter/material and rim elevations, orifice size and elevation, outlet pipe with invert/slope and the basin grading. Erosion control shall be specified and shown on the detail.

Construction Details:

29. The length of depressed curb shall be dimensioned at the new driveway access location. The proposed drive radii lengths shall be indicated.
30. The detail of the retaining wall shall be modified to reduce the length of heel and eliminate encroachment onto the adjacent property. Additional top and bottom of wall elevations shall be provided.
31. All construction-related vehicles shall be parked on-site or at a remote site not in the neighborhood. No construction-related vehicles may park on the street. This includes vehicles operated by construction workers, material suppliers, product vendors, and all construction trades engaged in the project.
32. Construction security site lighting shall be dimmed to the minimum lighting necessary during non-work hours.

Plan Requirements:

33. An As-Built Plan shall be submitted that certifies the amount of impervious surface constructed on each lot prior to the final release of escrow.
34. The retaining wall shall be included in the impervious surface totals for Lot No. 2.

Standard Conditions of Approval:

35. The required recreation fee of \$10,000 shall be paid upon submittal of the building permit application.
36. The blanket access and utility easements shall be subject to the approval of the Township Solicitor.

37. An outdoor lighting plan, sealed by a responsible design professional, that includes illuminance patterns shall be submitted to and approved by the Director of the Building and Planning Department prior to issuance of any permits. The location, luminaire type, wattage, means of control and pole height shall be indicated. Lighting shall be designed to minimize the off-site transmission of light, to shield the source of illumination and to prevent glare on adjacent properties. Exterior luminaires shall be full cut-off unless it can be demonstrated that cut-off luminaires are more appropriate and will result in less off-site light trespass.
38. The lighting plan shall be designed to comply with the 2009 IECC or the 2007 ASHRAE Standard 90.1.
39. A copy of the revised plan shall be submitted with any changes highlighted. A letter shall also be provided with the revised plan indicating how each requested revision has been addressed in the re-submission.
40. Any changes to the approved plans shall require the submission of an as-built plan prior to the issuance of a Certificate of Occupancy. Building and Planning staff can waive this requirement if the changes are determined to be insignificant.
41. New buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting on the property. The address numbers shall be a minimum of four (4) inches (102mm) high with a minimum stroke width of 0.5 inch (12.7mm).
42. The Final Plan, complying with all applicable requirements, shall be filed with the Department of Building and Planning within twelve (12) months from the date of the Preliminary Plan approval.
43. The owner will make payment of fees and expenses of the Township's professional consultants who perform services on behalf of the Township with respect to these plans and the work contemplated thereunder and will establish and maintain with the Township those escrows for the payment of such fees required by Township Code. Owner agrees that any statement from the Township for such fees which remain unpaid for a period of 30 days may be recorded against the property as a municipal lien.
44. The owner shall make payment of the Township Engineer's inspection fees within 30 days of presentation. A penalty of 1.5% per month will be due for late payments from the date of presentation. If any shares are not paid within 60 days of presentation, the Township may elect to suspend any outstanding permits until all pending charges are settled.
45. The property owner(s) shall comply with all federal, state and applicable Lower Merion Township ordinances and laws regardless of specific mention herein.

In addition, the application requires the following relief:

- Subdivision & Land Development Code Section 135-35.A.1, to permit the depth to width ratio of the proposed lots to exceed 2½ to 1.