

June 16, 2009
Curtis Hall

The regular meeting of the **BOARD OF COMMISSIONERS** was held this evening, President Paul R. Greenwald presiding. Members present were Commissioners McKeown, Muldawer, Portner, Sharkey, Simon, and Swavola. Staff present were Charlyn Battle, Human Resources Coordinator; Bryan T. Havir, Assistant Township Manager; John O. Hoover, Jr., Director of Parks and Recreation; Rudy Kastenhuber, Public Works Coordinator; David Lynch, Director of Engineering, Zoning & Inspections; M. Elizabeth McBride, Director of Fiscal Affairs; Mark McDonnell, Public Works Coordinator; John J. Norris, Chief of Police; Joseph W. O'Neill, Fire Marshal; Ruth Littner Shaw, Main Street Manager; and Andrew Cantor, Esq., Wisler, Pearlstine, LLP, and David G. Kraynik, Township Manager. Also present was Stephen Burns, Finance Officer. A Public Attendance List is attached.

1. President Greenwald opened the meeting with the Pledge of Allegiance being led by Mr. Cantor.
2. Each member having received a copy of the Commissioners' Regular Meeting Minutes dated May 26, 2009, upon motion of Mr. Swavola, the Minutes were unanimously approved by the Board of Commissioners.
3. Each member having received a copy of the Executive Summary Financial Report of the Manager/Secretary for the month of May, 2009, upon motion of Mr. Muldawer, the Report was unanimously approved by the Board of Commissioners and ordered spread in full upon the Minute Book.
4. Each member having received a copy of the Accounts Paid Report for the month of May, 2009, upon motion of Mr. Swavola, the Report was unanimously approved by the Board of Commissioners and ordered spread in full upon the Minute Book.

5. Upon motion of Mr. Portner, the Board of Commissioners unanimously adopted **Resolution No. 26-09** recognizing Officer Robert T. Dougherty, Jr. for his service with the United States Marines in Iraq. Mr. Portner presented said Resolution to Officer Dougherty.

***A Resolution No. 26-09
of the Board of Commissioners of Cheltenham Township***

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with deep admiration and respect, salutes **ROBERT T. DOUGHERTY, JR.**, on his return from his most recent military service in Iraq; and

Whereas, **ROBERT T. DOUGHERTY, JR.**, who has served as a Cheltenham Township Police Officer since 1985, is a Marine Reservist. First deployed with the 2nd Marine Division, Regimental Combat Team to Fallujah, Iraq from July 2005 to March 2006, he was assigned to the regiment's executive officer security detail and later transferred to serve as an Iraqi Police advisor. His second deployment from April 2008 to April 2009 was with the 2nd Marine Division, 2nd Intelligence Battalion, 2nd Counter Intelligence Company, Human Exploitation Team 9 in Haditha, Iraq, where he operated with 3rd Battalion, 7th Marine Division, India Company and a Navy SEAL detachment; and

Whereas, During his deployments **ROBERT T. DOUGHERTY, JR.**, was awarded the Navy-Marine Achievement Medal with Combat Valor Insignia, the Navy Commendation Medal for Meritorious Service, the Iraqi Campaign Medal and the Combat Action Ribbon. He most recently resumed his police duties on April 6, 2009, and was warmly welcomed back by all his friends and co-workers.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Sixteenth Day of June, A.D., 2009, does hereby honor **ROBERT T. DOUGHERTY, JR.**, for his service and proudly salutes him on behalf of the Cheltenham community. It is further directed that this Resolution be spread in full upon the minutes of this meeting and that a copy thereof be conveyed to Officer Dougherty.

IN WITNESS WHEREOF, I, PAUL R. GREENWALD, President of the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, have hereunto set my hands and caused the Seal of the Township of Cheltenham to be made a part thereof. DONE AT ELKINS PARK, PENNSYLVANIA, in the year of the Township of Cheltenham, the one hundred and tenth.

**BOARD OF COMMISSIONERS
OF CHELTENHAM TOWNSHIP**



By: _____
President



Attest: _____
Township Manager and Secretary

6. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Resolution No. 27-09** honoring the Glenside Youth Athletic Club (GYAC) upon the occasion of its 50th Anniversary. Mr. Sharkey presented said Resolution to Chuck Dougherty, President/Coach of GYAC and Tom Hopkins, Treasurer/Coach for GYAC.

***A Resolution No. 27-09
of the Board of Commissioners of Cheltenham Township***

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with great appreciation, officially salutes the **GLENSIDE YOUTH ATHLETIC CLUB** on the occasion of its 50th Anniversary; and

Whereas, Originally a football-only organization known as the Glenside Gorillas that featured horse-hair jerseys, the **GLENSIDE YOUTH ATHLETIC CLUB** has changed dramatically over the last five decades. The club now offers baseball, softball, basketball, volleyball and golf and serves some 400 to 500 families in Cheltenham and Abington Townships; and

Whereas, The goal of the **GLENSIDE YOUTH ATHLETIC CLUB**, however, has remained the same: to teach children life lessons like sportsmanship, respect for authority, consideration for others and pride in themselves. Rather than grooming professional athletes, the club shows youngsters how to win with sportsmanship and lose with grace, principles that endure the test of time.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Sixteenth Day of June, 2009, A.D., does hereby officially salute the **GLENSIDE YOUTH ATHLETIC CLUB** for its half century of service to the community. It is further directed that this Resolution be spread in full upon the minutes of this meeting and that a copy thereof be presented to a representative of the Glenside Youth Athletic Club.

IN WITNESS WHEREOF, I, PAUL R. GREENWALD, President of the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, have hereunto set my hand and caused the Seal of the Township of Cheltenham to be made a part thereof. DONE AT ELKINS PARK, PENNSYLVANIA, in the year of the Township of Cheltenham, the one hundred and tenth.

**BOARD OF COMMISSIONERS
OF CHELTENHAM TOWNSHIP**

By: Paul R. Greenwald
President

Attest: David G. Kravitz
Township Manager and Secretary

7. Mr. Simon presented a **Making a Difference in Cheltenham Award** to David E. Poindexter, a 6th grade teacher at the Elkins Park Middle School, who was selected by the Substance Abuse and Mental Health Committee for his service to students and community.

8. Upon motion of Mr. Swavola, the Board of Commissioners unanimously awarded a unit contract for the 2009 Road Milling and Resurfacing Project to Joseph E. Sucher & Sons, Inc., Eddystone, PA 19022 in the amount of \$323,129.90 being the lowest responsible bidder meeting Township specifications.

9. Mr. Swavola reviewed certain changes to CTDA No. 08-07 Record Plan Kirk and Matthew Watkins, 426 Greenwood Avenue.

Upon motion of Mr. Swavola, the Board of Commissioners unanimously approved Cheltenham Township Development Application No. 08-07 Record Plan Kirk and Matthew Watkins, 426 Greenwood Avenue Subdivision, subject to the following amendments to the Director's Report of October 21, 2008:

A. Amendments to Conditions

A.4 Vacant

A.5 Vacant

A. 13 Vacant

A.14. Vacant

B. Amendments to "Notes To Be Added To The Plan Verbatim"

B.12. No Building Permit for any structure on Lots 2 and/or 3 shall be issued unless and until the Township is in receipt of the Montgomery County Conservation District Approval letter on this Land Development.

B.13. No Building Permit for any structure on Lots 2 and/or 3 shall be issued unless and until PADEP approves the Sewage Facilities Planning Module for this Land Development and authorizes the release of EDUs from the Township's Connection Management Plan for this Land Development.

B.14. No Building Permit for any structure on Lots 2 and/or 3 shall be issued unless the Home Owners Association (HOA) documents are reviewed and approved by the Township Solicitor and fully executed by the Owners of Lots 1, 2 and 3.

B.15. The Agreement of Sale for Lots 2 and 3 must contain the following Conditions Precedent that must be complied with prior to Settlement on the Lots:

1. A HOA shall be set up that includes Lots 1, 2 and 3 as shown on Cheltenham Township Development Application (“CTDA”) No. 08-07: Record Plan Kirk and Matthew Watkins Subdivision – 426 Greenwood Avenue.

2. The following concerns with the HOA Documents for CTDA No. 08-07 shall be addressed:

a. The HOA Documents shall be submitted to the Township for its review and approval prior to the Recordation of the Plan.

b. The HOA Documents shall be recorded.

c. The Township shall be made a party to the HOA Documents with veto power over any changes to the Documents except for vetoing the sale of Lots 1, 2 or 3.

d. The HOA Documents must address the following:

i. Construction, installation, connection, operation, inspection, maintenance, repair, replacement, improvements and/or removal of the following:

1. Private street (pavement and curbing)
2. Sidewalk and curb along Greenwood Avenue frontage of the original tract
3. Any and all aerial and/or underground utilities to include, but not limited hereby to the following: wires, cables, pipes, tap-ins and conduits of any private or public utility and related service, including, without limitation, water, electricity, gas, telephone and cable, closed circuit television, communication lines/systems and related equipment and fixtures.
4. Sanitary sewers, storm sewer system, stormwater management facilities and related appurtenances.
5. Trash/recycling pick-up area and trash/recycling area enclosure

6. Mail delivery and central mail pick-up station
 7. Parking spaces within private street
 8. Landscaping within private street
 9. Storm culverts and appurtenances under private street
 10. Site signage
 11. Cost sharing
 12. Wall along Greenwood Avenue
- e. A Sinking Fund shall be set up and funded on a continuing basis to cover all of the items noted in 2.d.i. above; the initial funding amount shall be 5% of the cost of all site improvements held in common; reports on the funding of the Sinking Fund and disbursements therefrom shall be submitted to the Township on an annual basis.
- f. A sinking fund shall be set up and funded on a continuing basis to cover all the items noted in 2.d.i., above.

The cost of all the items noted in 2.d.i., above, shall be as set forth in the development improvements cost estimate for CTDA No. 08-07 as approved by the Township Engineer (hereinafter referred to as "Base Amount").

The base amount shall be increased annually by the Engineering News Record Construction Cost Index Factor for the Philadelphia Region (hereinafter referred to as "Adjusted Base Amount.")

The initial funding amount shall be 5% of the Base Amount for all items held in common.

The amount of funds in the sinking fund shall be increased to 20% of the Adjusted Base Amount within five (5) years of the establishment of the HOA (hereafter referred to as "Sinking Fund Base Amount")

The amount of funds in the sinking fund shall be maintained at the "Sinking Fund Base Amount" level; however, drawdowns in excess of 20% of the "Sinking Fund Base Amount" shall be replenished by annual assessments of 20% of the "Sinking Fund Base Amount" until the "Sinking Fund Base Amount" is re-established.

Reports on the funding of the sinking fund and disbursements therefrom shall be submitted to the Township on an annual basis.

If the HOA fails to fund the sinking fund as set forth above, the Township shall have the right to lien, as provided by law, the three (3) properties comprising the HOA for any shortfall and for reasonable administrative and legal fees on an annual basis.

Notwithstanding the foregoing, if a situation occurs that could result in damages to adjoining properties, the Township shall have the right to enter this development and make emergency repairs and to lien, as provided by law, the three (3) properties comprising the HOA for the cost of the emergency repairs and for reasonable administrative and legal fees.

- B.16. The Owner(s) of 426 Greenwood Avenue, Wyncote, PA (“Landowner”), and/or all successors and assigns, shall submit and obtain approval of its proposed HOA Documents from the Township prior to the recording of any Declaration of Covenants and prior to entering into any agreement of sale for a lot in the subject subdivision.
- B.17. All buyers of a lot in the subject subdivision should obtain and review the HOA documents prior to entering into an agreement of sale for a lot.
- B.18. The HOA Documents prepared by the Landowner, and/or all successors and assigns, shall include, at a minimum, the following provisions: (a) the Township shall have the right to enter the common areas to repair, replace or maintain any common area improvements deemed necessary by the Township (if the HOA shall fail or refuse to undertake such repair or replacement) and further, the Township shall be authorized to lien the properties of all members of the Association for the resulting costs of repair, replacement and/or maintenance of common area improvements and (b) the Township shall be provided at least 30 days' prior notice to inspect and approve the turnover/transfer of any improvements from the Landowner, and/or all successors and assigns, to the HOA.

10. Upon motion of Mr. Swavola, the Board of Commissioners unanimously approved a waiver of the requirement of Note 55 from Sheet 3 of 8 of the Cheltenham Township Development Application No. 07-06 Record Plan Cheltenham Square Mall – Commercial Renovations 2007-2008 – 2385 Cheltenham Avenue contingent upon receipt of approval from PennDOT.

11. Mr. Swavola reviewed Cheltenham Township Development Application No. 09-05, Record Plan Phoebe Wyncote Church Home Site Improvements – 208 Fernbrook Avenue. He noted that the Zoning Hearing Board heard the zoning appeal and rendered a decision on Monday, May 11, 2009, and the land development plan was scheduled to be reviewed by the Public Works Committee at its meeting on Tuesday, May 12, 2009. The time lapse between the two days was insufficient for adequate review and neighbors' input, and therefore the Public Works Committee tabled the land development plan until its meeting on Tuesday, June 9, 2009.

Upon motion of Mr. Swavola, the Board of Commissioners unanimously approved Cheltenham Township Development Application No. 09-05 Record Plan Phoebe Wyncote Church Home Site Improvements subject to the following Conditions, Notes and Waivers:

A. CONDITIONS

1. That the plan be titled "Record Plan Phoebe Wyncote Church Home Site Improvements- 208 Fernbrook Ave." (Cheltenham Code Section ("CCS") 260-32.C (1)).
2. That the text "Cheltenham Township Development Application No. 09-05" be added to the lower right hand corner of all plan sheets.
3. That the Zoning Relief granted by the Cheltenham Township Zoning Hearing Board under ZHB Appeal No. 3326 be noted on the plan stating the date granted, zoning relief granted and any Conditions imposed. (CCS 260-31.)
4. That new electric and telephone utilities be installed underground. (CCS 260-23.)
5. That monuments be shown at locations designated by the Township Engineer. (CCS 260-24.)
6. That an Environmental Impact Study be submitted. (CCS 260-30.)

7. That the following data be added to the plan:
 - a. Note that the elevation is based upon Cheltenham Township Sanitary Sewer Datum and Location/Elevation of Bench Mark; or, if on a different elevation datum, a Note stating the relationship between the plan elevation datum and the Cheltenham Township Sanitary Sewer Datum. (CCS 260-32.C.(6))
 - b. Location/size/species of large trees standing alone. (CCS 260-32.D.(6))
 - c. Proposed elevations at all keypoints. (CCS 260-32.D.(7))
8. That the Township is in receipt of the Montgomery County Planning Commission Review of this Subdivision/Land Development.
9. That the Temporary Spoil Material Stockpile locations be shown on the plan.
10. That the tree protection (during construction) details and locations thereof be added to the Plans (4' high chain link fencing with posts 3' in ground); see Exhibit B.
11. That the total number of trees on the property and the number of trees to be removed be noted on the Plans. (CCS 280-9.A.(1)(a))
12. That all swales with slopes greater than 5 % and all cut/embankment slopes greater than 4:1 being stabilized either with North American Green Erosion Control Blanket SC150 or approved equal or with sodding be shown on the Plans.
13. That a Net-Iso Lumen Contour or Value Plan be provided for the site illumination on this Land Development.
14. That the locations of all exterior lighting fixtures be shown and details (model numbers, etc) on same be added to the plans.
15. That the following boxed Purpose Note be added to these plans:

PURPOSE NOTE

The purpose of this Record Plan is as follows:

16. That the following concerns with the "Zoning Compliance Table" be addressed:
 - a. In the "Setbacks Front Yard" row, "Wyncote Church Home" column replace text "14" with text "39.7".
 - b. In the "Setbacks Side Yard" row, "R4 District Residential" column, replace the text "10 ft." with the text "20 ft."

- c. In the “Setbacks Side Yard” row, “Wyncote Church Home” column, replace the text “40 ft.” with the text “19.8 ft..”.
 - d. In the “Setbacks Rear Yard” row, “Wyncote Church Home” column, replace the text “4 ft.” with the text “N/A”.
17. That, in the “Board of Commissioners Approval” notation, the text “County, within” be replaced with the text “County within”.
 18. That the following concerns with the “Zoning District: R4” Notation be addressed:
 - a. Replace text “ Side Yard.....10ft.” with text “Side Yard.....20 ft.”
 - b. Replace text “[Side Yard] Total....30 ft.” with the text “[Side Yard] Total....40 ft.”
 19. That the “Sheet Index” notation be replaced with a “Tabulation of Record Plans” notation with Sheet 1 being noted as being recorded.
 20. That the following concerns with the Property Lines/Title Lines be addressed:
 - a. Where the bearing reads against line direction, show direction arrow.
 - b. Indicate point of Reverse Curve more clearly.
 21. That details on the following be added to the plans:
 - a. The PennDot Type “M” inlet with “Snout” and bottom drainage
 - b. Trench Drain
 - c. Pavement Restoration (See Exhibit A)
 - d. Pavement Markings
 - e. Silt Fence
 - f. Brick Paver Walkway
 - g. Benches
 - h. Flag Pole
 22. That the following concerns with the “Seepage Bed Installation Notes” be addressed:
 - a. In Note 3., line 2, replace the text “ 6 inch minimum top overlap” with the text “ 2 foot minimum top overlap”.
 - b. In Note 5., Line 2, replace the text “ 6 inch minimum longitudinal lap” with the text “2 Foot Minimum Longitudinal Lap”.
 20. That the following concerns of the Shade Tree Advisory Commission (“STAC”) be addressed:
 - a. A tree inventory list, including trees to be removed, replaced, and or transplanted be included on the plan.
 - b. Indicate the Limits of Construction on the plan.
 - c. Show Cheltenham Township standard tree protection detail for all trees to be protected and saved (including 30” Weeping Cherry); See Exhibit B.
 - d. The location of the spoil stockpile be noted on the plans.

- e. The landscaping along the perimeter of the parking lot to consist of dense Yews planted 3' to 4' high and 3'-0" on center.
 - f. Three (3) 4" caliper fruit bearing trees are to be planted in lieu of the Kwanza Cherry trees shown outside of the parking field.
 - g. Two (2) 3" caliper Honey Locust or Shade Master Trees be planted in the islands within the parking field.
 - h. The revised landscaping be reviewed and approved by the Township Engineer.
21. That the following concerns with Erosion/Sediment Control be addressed.
- a. Show S/E control measures and notes thereof on the plans.
 - b. Add Standard S/E control narrative and notes.
 - c. Add Sequence of Construction.
22. That the following concerns with Stormwater Management be addressed:
- a. Add Trench Drains and details thereof across entrance/exits onto Maple Avenue and Fernbrook Avenue.
 - b. Adjust location of Seepage Bed to minimize disturbance to 30" Weeping Cherry.
 - c. Add profiles of any proposed storm drains
 - d. Provide One (1) perc test for Seepage Bed; bottom of bed must be above seasonal high water table level.
 - e. Size Seepage bed for 125% of 100 year design storm volume.
23. That the following concerns with the "Notes" ("N") be addressed:
- a. Strike N 2., 12., 23., 26., 27; do not renumber notes; insert text "VACANT"
 - b. In N 17., Strike portion of note starting with text " Any conflicts..."
 - c. Revise N 20. to reflect design of seepage bed for 125% of 100 yard design storm volume.

B. NOTES TO BE ADDED TO THE PLAN VERBATIM

1. All new public utilities, including but not limited to, electric, gas and telephone, shall be placed underground within the Land Development/Subdivision. Such utilities shall be installed in strict accordance with the prevailing standards and practices of the utility or other company providing service, except where it is demonstrated to the satisfaction of the Board of Commissioners that underground installations are not feasible because of physical conditions of the land.
2. Any utility conflicts with proposed construction are to be brought to the immediate attention of the Township Engineer and the Engineer of Record. All existing utilities that are to be relocated or altered in any manner are to be done in accordance with the respective utility company standards. All existing utilities exposed during construction are to be supported until backfill is in place. Any

crossing less than one foot clear is to be supported with a saddle (concrete or sand as noted).

3. The Township has reviewed and approved the Storm Drainage System, the Stormwater Management System and the Erosion and Sedimentation Control Plan. However, site conditions may dictate that during construction, additional silt fence, other methods of sediment control or stormwater management measures or storm drainage measures may be required. Therefore, the Township may direct the installation of additional means of stormwater management and/or erosion and sediment control and/or storm drainage to prevent poor drainage and/or discharge of sediment from the site be made.
4. Limits of disturbance, as shown on the plans, shall be clearly marked in the field prior to the start of the construction, (including installation of erosion/sediment control measures). The limits of disturbance shall be marked with staked yellow safety ribbon or other materials acceptable to the Township; the marking materials shall be maintained, repaired or reset until construction within the enclosed areas is complete and until the previous areas achieve a 75% catch of ground cover. No disturbance of ground cover, cuts or fill placement shall be permitted outside the staked limits of disturbance.
5. During construction, the Development/Owner is solely responsible for insuring the proper functioning of the erosion and sediment control measures. The Developer/Owner shall take whatever measures are required to insure that no sediment leaves the site.
6. All sales with slopes greater than 5%, all cut slopes greater than 4:1 and all embankment slopes greater than 4:1 shall be stabilized with North American Green Erosion Control Blanket SC 150 or approved equal at the time of raking and seeding or with sodding.
7. The Developer/Owner shall be responsible for supervising debris disposal from all contractors on the site (whether employed by the Developer/Owner or not) from the start of construction to the issuance by the Township of the Certificate of Final Completion. The Developer/Owner shall bear the expense of any cleanup operations indicated by the Township.
8. All trees to be removed shall be tagged in the field prior to the start of construction; no construction work of any kind shall take place until the Township Engineer confirms, in writing, that the proper trees have been tagged. All construction activities around vegetation shall comply with the requirements of Section 280-10., entitled "Site Disturbance Regulations", of the Cheltenham Code.
9. There shall be no shrubs or visual barriers higher than 2' above grade placed within the triangular area of 35' of any intersection measured along the street and/or driveway centerline. The Township shall have full authority to require the Owner to remove violations.

10. All exterior lighting fixtures shall be shielded to deflect lighting from adjacent residential properties and from passing motorists.
11. The landscaping installed in accordance with this Plan Set and all existing trees greater than 6" caliper shall be subject to the following requirements:
 - a. No trees or plantings shall be removed without written permission from the Township Engineer;
 - b. The property owner shall appropriately maintain the trees and plantings; the Township may direct the property owner to take appropriate measures to maintain the trees and plantings if the Township deems it necessary.
 - c. If any of the trees or plantings die, property owner shall replace same on a one for one basis with trees and/or plantings acceptable to the Township Engineer; the minimum replacement tree size shall be 2" to 3" caliper trees.
12. The Seepage Bed shall be inspected at the following checkpoints:
 - Inspection of trench sides and bottom prior to placement of geotextile.
 - Placement of geotextile, stone and pipe.
 - Connection of pipe to collection system and to storm inlets.
 - Backfilling over stone bed.

Two (2) working days notice must be given to arrange for inspection.

The Developer/Owner shall furnish the Township Engineer with weigh slips for each load of aggregate placed in the Seepage Bed.

The mouth of all inlet pipes to Seepage Bed will be covered with geotextile secured to the inlet with wood nailers; the geotextile screening shall remain in place until 75% of the previous areas draining to the Stone Seepage Bed have been permanently stabilized, at which time the geotextile screening shall be removed. If the geotextile screening is missing prior to the 75% stabilization point, the Developer/Owner shall reconstruct the Seepage Bed from the initial placement of the geotextile (including).

13. The Developer/Owner shall construct tree wells around any tree larger than 6" dbh where the change in grade around the tree (within the dripline) is 4" or greater.
14. The Developer/Owner shall replace any tree larger than 6" dbh that dies due to construction activities during the period from the start of construction to eighteen (18) months after the issuance of the Certificate of Final Completion.
15. The Developer/Owner shall replace any curb and/or sidewalk along its road frontages identified by the Township as having to be replaced pursuant to the

requirements of Cheltenham Code, Chapter 255, prior to the Certificate of Final Completion being issued.

16. The Township Engineer or his designee shall have the right to inspect the proposed site improvements on the property and to direct the Owner/Developer to correct any deficiencies; no Certificate of Final Completion shall be issued unless and until the site improvements are complete and approved by the Township.
17. The Township Engineer shall be notified, in writing, two (2) calendar weeks prior to the placement of any landscape materials in order for the Township Engineer or his designee to arrange for and inspect the landscape materials.

No landscape materials shall be placed without being inspected and approved by the Township Engineer or his designee.

All rejected landscape materials shall be immediately removed from the site and replaced with acceptable landscape materials. No substitutions for landscape materials are accepted unless approved by the Township Engineer, in writing.

18. There will be no deliveries or pick-ups prior to 6:30 A.M. or after 6:00 P.M.
19. There will be no trash pick-up prior to 6:30 A.M. or after 6:00 P.M.

C. WAIVERS TO BE GRANTED BY THE BOARD OF COMMISSIONERS

1. That the requirement of CCS 260-15. for sidewalks be waived.
2. That the requirement of CCS 260-30.G.(3) for a report from a qualified real estate appraiser on property values, density of population and character and aesthetics be waived.
3. That the requirement of CCS 260-32.D.(2) for depiction of Planimetric data within 400' of the site be waived.
4. That the requirement of CCS 260-32.D.(5) for depiction of topography within 400' of the site be waived.
12. Upon review of CTDA No. 09-06 Record Plan Federation Housing, Mr. Swavola noted that this is a 62+ age facility. He requested that the language in Item 34, Conditions, i.e. regarding the concerns of the Fire Marshal, be amended and restated as "That the following concerns of the Fire Marshal be addressed, and his requirements are met". In response to a

question from Mr. Swavola, Fire Marshal O'Neill reported that he had a recent meeting with the applicant, and he is satisfied that his concerns are being addressed.

Upon motion of Mr. Swavola, the Board of Commissioners unanimously approved Cheltenham Township Development Application No. 09-06 Record Plan Federation Housing – 1509 Ashbourne Road subject to the following Conditions, Notes and Waivers, as amended:

A. CONDITIONS

1. That the plan be titled "Record Plan Federation Housing Age Restricted Housing Complex – 1509 Ashbourne Road." (Cheltenham Code Section ("CCS") 260-32.C.(1))
2. That the text "Cheltenham Township Development Application No. 09-06 be added to the lower right hand corner of all plan sheets.
3. That the length/area of curb/sidewalk replacement be shown on the plan.
4. That new electric and telephone utilities be installed underground. (CCS 260.23.)
5. That monuments be shown at locations designated by the Township Engineer. (CCS 260-24.)
6. That the plan sheets be numbered consecutively and show its relationship to the total number of sheets as "Sheet No. 3 of 7." (CCS 260-32.B.(3))
7. That the following data be added to the plan:
 - a. North Point to Locations Map (CCS 260-32.C.(5))
 - b. Note that elevation is based upon Cheltenham Township Sanitary Sewer Datum and Location/Elevation of Bench Mark; or, if on a different elevation datum, a Note stating the relationship between the plan elevation datum and the Cheltenham Township Sanitary Sewer Datum. (Must show/note sanitary sewer manhole invert that elevations are based on.) (CCS 260-32.C.(6))
 - c. Names and widths (including cartways) of streets (CCS 260-32.D.(2))

(CCS 260-32.D.(2))

- d. Location of watercourses on or near property
(CCS 260-32.D.(2))
 - e. Location of underground utilities on or near property (along Property's street frontages on Ashbourne Road, Elkins Avenue and Park Avenue)
(CCS 260-32.D.(2) and (4))
 - f. Proposed elevations at all keypoints.
(CCS 260-32.D.(7))
 - g. Structure first floor and basement elevations
(CCS 260-32.D.(7))
8. That the Township is in receipt of the Montgomery County Conservation District approval letter on this Land Development.
 9. That the Township is in receipt of the Montgomery County Planning Commission Review letter of this Land Development.
 10. That a National Pollutant Discharge Elimination System Permit for this Land Development is approved by PADEP for this project.
 11. That Sewage Facilities Planning Module Application for this Land Development be approved by PADEP.
 12. That PADEP approves the release of EDUs from the Township's "Connection Management Plan" for this Land Development.
 13. That the Temporary Spoil Material Stockpile locations be shown on the plan.
 14. That tree protection (during construction) details and locations thereof be added to the plans (4' high chain link fencing with posts 3' in ground).
 15. That all swales with slopes greater than 5% and all cut/embankment slopes greater than 4:1 being stabilized either with North American Green Erosion Control Blanket SC150 or approved equal or with sodding be shown on the plans.
 16. That the maximum illumination at the property line be no greater than 0.5 footcandle.
 17. That pavement traffic directional arrows and details thereof be shown on the plans.

18. That the "Township Approval" notation be replaced with the following:

APPROVAL NOTATION

EXECUTED BY THE BOARD OF COMMISSIONERS OF
CHELTENHAM TOWNSHIP THIS _____ DAY OF
_____, 20____ SUBJECT AND CONDITIONED UPON
THE RECORDING OF THIS PLAN IN THE OFFICE OF THE
RECORDER OF DEEDS OF MONTGOMERY COUNTY WITHIN
90 DAYS OF THE DATE THEREOF. APPROVED PURSUANT
TO RESOLUTION OF THE BOARD OF COMMISSIONERS
ADOPTED _____.

ATTEST: _____
SECRETARY PRESIDENT

19. That the proper format for the "Owner's Acknowledgement" notation be shown on the plan.
20. That, in the "Certificate of Accuracy" notation, line 2, the text "4 sheets" be replaced with the text "7 sheets."
21. That the "Schedule of Drawings" be re-titled "Tabulation of Record Plans" with the plans to be recorded indicated.
22. That the following concerns with the "Zoning Tabulation Chart" be addressed:
- a. In "Min. Front Yard Ashbourne Road" row, "Existing" column, replace text "95.71" with text "94.89."
 - b. In "Min. Front Yard Ashbourne Road" row, "Proposed" column, replace text "179.51" with text "94.89."
 - c. In "Min. Rear Yard" row, "Proposed" column, replace text "50'-0"" with the text "48.71'."
 - d. In "Min. Distance between Bldgs." row, "Proposed" column, replace text "15'-1"" with text "15.92'."
23. That the watercourse along the northwest property line be clearly noted as such.
24. That the text "Preliminary/Final Land Development Submission"

25. That the following concerns with the Property Line Data be addressed:
- a. Show bearing direction arrow where bearing reads against direction.
 - b. On property line curves, list radius, arc length, chord bearing and chord distance.
 - c. Clearly denote property corners.
26. That General Note 8. on Page LD1 be revised to incorporate the following:
- | | | |
|-------------------------------------|---|----------------|
| 92 One Br. Senior Apts. @ 169.6 GPD | = | 15,603.2 GPD |
| 1 Two Br. Apt. @ 225 GPD | = | <u>225 GPD</u> |
| TOTAL | = | 15,828.2 GPD |
| (1 EDU = 262.5 GPD) | = | 61 EDUs |
27. That a Highway Occupancy Permit is approved for this Land Development by PennDOT.
28. That the following concerns with the Sanitary Sewer be addressed:
- a. Provide manhole at tie-in to Township sewer.
 - b. Label sanitary sewer as “Cast Iron”
 - c. On profile show tie-in to building.
 - d. Show how existing Mansion is sewerred.
 - e. Clearly note manholes being constructed at Points A, B and C; also, note which manhole details control.
29. That locations of proposed concrete and bituminous sidewalk be clearly noted on the plans.
30. That in the “Concrete Sidewalk Detail,” the text “3,300 PSI” be replaced with the text “4000 PSI.”
31. That the plans clearly indicate where the “Typical New Bituminous Sidewalk” (Detail Sheet LD4) and the “Pedestrian Asphalt Paving” (Detail Sheet L-5) are to be constructed.
32. That the locations of the following site elements are clearly shown on the plans:
- a. Spade-cut edge
 - b. Pedestrian concrete paving
 - c. Stone maintenance strip
 - d. Stabilized stone screenings

- e. Sodded lawn
 - f. Removable wooden bollard
 - g. Ornamental aluminum fence
 - h. Wood privacy fence.
33. That the following concerns with the retaining walls be addressed:
- a. Clearly show location of various types of retaining walls on the plan.
 - b. Prior to construction provide signed and sealed calculations by a Professional Engineer on retaining walls.
 - c. Provide longitudinal profiles on retaining walls showing: top of wall, bottom of foundation, bottom of reveal and existing grade.
 - d. Provide transverse x-sections, one per 150' of retaining wall.
34. That the following concerns of the Fire Marshal be addressed and that his requirements are met
- a. Building ICC use and construction type is not indicated and will have a bearing on the site requirements.
 - b. VACANT
 - c. Areas of driveway appear to limit Fire Department apparatus access and turning radius. Supply a site plan indicating turning radius and clearance for the fire apparatus based on the apparatus information previously supplied.
 - d. Portions of the facility exterior walls are more than 150 feet from fire apparatus access. Provide for apparatus access.
 - e. All interior access driveways to support the weight of fire apparatus.
 - f. Crown on existing roadway (Ashbourne Road), and new entrance shall be improved so as not to affect apparatus entry or exist. (Presently, apparatus cannot enter without scraping or damaging surfaces due to grade differences.)
 - g. The Fire Department Connection, (FDC), location and pit are to be at the street and location approved by the Fire Marshal. FDC

to be located within 150 feet of an existing hydrant. Indicate FDC location.

- h. Hydrant distances may require interior lot hydrant installation.
- i. Distance from the Mansion building that is to remain and the new construction may require exterior wall and openings to be rated.
- j. Fire zone signage to be installed as required by the Fire Marshal.

(These comments are based on site plan only and may change based on building plan submittals.)

- 35. That the following concerns with Storm Drainage/Stormwater Management be addressed:
 - a. Show Storm Drainage/Stormwater Management System on Plan Sheet being recorded.
 - b. Add following boxed "Operation and Maintenance of Underground Absorption Beds" Note to Plan Sheet being recorded.

OPERATION AND MAINTENANCE OF UNDERGROUND
ABSORPTION BEDS ("UAB")

UABs as with all BMP's, requires routine inspection and maintenance throughout the life of the system. The principal maintenance objective is to prevent clogging of the system, which may lead to system failure.

Routine maintenance shall be performed every three months, as well as after each runoff producing event. This maintenance includes:

Inspection of the pre-treatment grit chambers (grit pits). Any accumulations of sediment and debris captured shall be removed. This may be done manually, or with a vacuum pump.

Inlet points shall be inspected and kept clear of accumulated debris such as leaves and sticks. Debris shall be removed when it reaches a depth of 6".

Observation wells (points, inlets, etc.) shall be inspected after each runoff producing storm event. Water may appear in the well; however, if it does not drain within three days, it may indicate a clogged drain field.

A more thorough inspection shall be performed annually. This inspection shall include monitoring of the observation wells after a storm event to confirm that the systems are draining within three days. This shall be documented each year so that an indication of system clogging may be observed.

Normal maintenance of the "Snout" shall consist of annual inspection and rinsing with a hose or pressure washer during the cleaning sequence of the catch basin, in addition, the anti-siphon vent shall be flushed with water or air to verify that it is clear.

Inspection/Maintenance Logs shall be kept and maintained on a three-year rolling basis; copies of these logs shall be furnished to the Township Engineer quarterly.

A failed system requires complete re-excavation of the UABs, disposal at an approved facility of all stone aggregate and geotextile, re-scarification of trench sides and bottom, placement of new geotextile, placement of new clean stone aggregate, re-installation of cleaned piping and chambers and connection of UAB piping to storm draining system.

- c. Tie Mansion roof drains into Underground Absorption Bed ("UAB") System.
- d. Provide Rock Outlet Protection/Level Spreader Design/Details for all outfalls.
- e. Show Area Drain ("AD") 18 draining to AD 19.
- f. Provide 1" = 30' Scale Plan of Storm Drainage/UAB System with Structure IDs; eliminate contours and other unnecessary Planimetric information.
- g. Coordinate Structure IDs throughout Plan Set and Stormwater Management Report.
- h. Use current NOAA 24 Hour Rainfall Depths in analysis (100 Year 24 Hour Rainfall: 8.3±")
- i. Provide tabulation of storage parameters, storage volume, etc. for each UAB.
- j. Provide profiles of all storm drains (show Snouts and Grit Pits).
- k. Clearly show locations of all weir boxes.

- l. Provide bottom drainage for all Inlets, Area Drains.
 - m. Provide Snouts/Grit Pits in all Inlets.
 - n. Add detail for Geo-Textile nailer.
 - o. Eliminate geo-textile from bottom of UAB; indicate bottom of UAB to be level.
 - p. Eliminate outfall to Elkins Avenue. Connect UAB #5 and #6. and associated Storm Drainage System to Outfall #66.
 - q. Provide storage for 125% of 2 Year Storm Volume.
36. That a handicapped ramp be shown at intersection of Elkins Avenue with Park Avenue.
37. That the following concerns with the main Entrance/Exit (“E/E”) be addressed:
- a. Incorporate HOP Plans into Record Plan Set.
 - b. Provide profile(s) E/E from centerline Ashbourne Road to main building entrance and to T-turnaround (at UAB #6).
 - c. Provide handicapped ramps and details thereof.
 - d. Provide enlarged detail of E/E with spot grades and sight triangles.
 - e. VACANT
 - f. Show pavement markings (including directional arrows).
38. That all pavement restoration within Township roads be in accordance with Exhibit “A” (add to Plans).
39. That a Detail on “Wheel Stops” be added to the plans.
40. That the following concerns of the Shade Tree Advisory Commission be addressed:
- a. Preserve as many trees at Park Avenue access point.
 - b. Remove evergreen trees in lieu of evergreen shrubs; preserve as many shade trees in parking field as possible.
 - c. Relocate site lighting as requested while preserving four (4) trees in island.

- d. Submit revised Landscape Plan to Township Engineer for his review and approval.
41. That a "Temporary Construction Access Detail for Construction Stages 1 and 2 Only", substantially similar to the Temporary Construction Access shown on Exhibit "B", be added to the plans.
42. That the portion of Park Avenue from Ashbourne Road to 300' northeasterly thereof be milled 2", soft spots repaired and be overlaid with 2" of bituminous wearing course, ID-2, Type SRL-H; the area of Park Avenue being milled and overlaid shall be shown on the plans.

B. NOTES TO BE ADDED TO THE PLAN VERBATIM

1. This Land Development/Subdivision shall be constructed in accordance with all Cheltenham Township Ordinances.
2. All proposed improvements (roads, grading, paving, curbing, storm sewer pipe, inlets, manholes, etc.) shall be constructed in accordance with applicable portions of the PennDOT Publication 408 Standards and Specifications and with all Township standards and specifications.
3. These drawings indicate the approximate location of existing subsurface utilities in the vicinity of the project and are not guaranteed for accuracy and/or completeness. Pennsylvania Act 38 requires that contractors determine the location of all utility, sewerage and water lines before commencing construction (1-800-242-1776) File _____.
4. All new public utilities, including but not limited to, electric, gas and telephone, shall be placed underground within the Land Development/Subdivision. Such utilities shall be installed in strict accordance with the prevailing standards and practices of the utility or other company providing service, except where it is demonstrated to the satisfaction of the Board of Commissioners that underground installations are not feasible because of physical conditions of the land.
5. Any utility conflicts with proposed construction are to be brought to the immediate attention of the Township Engineer and the Engineer of Record. All existing utilities that are to be relocated or altered in any manner are to be done in accordance with the respective utility company standards. All existing utilities exposed during construction are to be supported until backfill is in place. Any crossing less than one foot clear is to be supported with a saddle (concrete or sand as noted).
6. The Township has reviewed and approved the Storm Drainage System, the Stormwater Management System and the Erosion and Sedimentation Control Plan. However, site conditions may dictate that during construction, additional silt fence, other methods of sediment control or

stormwater management measures or storm drainage measures may be required. Therefore, the Township may direct the installation of additional means of stormwater management and/or erosion and sediment control and/or storm drainage to prevent poor drainage and/or discharge of sediment from the site be made.

7. No additional impervious areas (decks, additions, patios, sheds, walkways, etc.) from that shown on this plan set shall be added to these lots without mitigating stormwater management measures approved by Township Engineer to ensure no additional stormwater runoff occurs.
8. It shall be the responsibility of the property owner to properly maintain, repair and/or replace the stormwater management facilities located on its property. The maintenance, repair and/or replacement of the stormwater management facilities shall be to the degree considered satisfactory by the Township.
9. Limits of disturbance, as shown on the plans, shall be clearly marked in the field prior to the start of the construction, (including installation of erosion/sediment control measures). The limits of disturbance shall be marked with staked yellow safety ribbon or other materials acceptable to the Township; the marking materials shall be maintained, repaired or reset until construction within the enclosed areas is complete and until the pervious areas achieve a 75% catch of ground cover. No disturbance of ground cover, cuts or fill placement shall be permitted outside the staked limits of disturbance.
10. During construction, the Developer/Owner is solely responsible for insuring the proper functioning of the erosion and sediment control measures. The Developer/Owner shall take whatever measures are required to insure that no sediment leaves the site.
11. All swales with slopes greater than 5%, all cut slopes greater than 4:1 and all embankment slopes greater than 4:1 shall be stabilized with North American Green Erosion Control Blanket SC 150 or approved equal at the time of raking and seeding or with sodding.
12. The Developer/Owner shall be responsible for supervising debris disposal from all contractors on the site (whether employed by the Developer/Owner or not) from the start of construction to the issuance by the Township of the Certificate of Occupancy. The Developer/Owner shall bear the expense of any cleanup operations indicated by the Township.
13. No debris disposal pits shall be permitted.
14. No open burning shall be permitted.

15. The Developer/Owner shall preserve all trees on this site except where necessary to construct buildings, parking, accessways, and utilities and selective thinning of existing trees in accordance with Chapter 280 of the Cheltenham Code. Specific species of plant materials as designated on this plan or the landscape plan (if such a plan is an integral part of this plan) shall be preserved and properly protected during construction. In the case of utility rights-of-way and easements, any disturbed area shall be replanted so as to achieve a recurrence of natural vegetation.
16. All trees to be removed shall be tagged in the field prior to the start of construction; no construction work of any kind shall take place until the Township Engineer confirms, in writing, that the proper trees have been tagged. All construction activities around vegetation shall comply with the requirements of Section 280-10., entitled "Site Disturbance Regulations", of the Cheltenham Code.
17. This plan supersedes (in part) the Cheltenham Township Plan No. _____ dated _____, thru _____ and recorded on _____ in the Office of the Recorder of Deeds in and for Montgomery County, Pennsylvania, in Landsite Book No. _____, Page No. _____.
18. There shall be no shrubs or visual barriers higher than 2' above grade placed within the triangular area of 35' of any intersection measured along the street and/or driveway centerline. The Township shall have full authority to require the owner to remove violations.
19. The Underground Absorption Beds ("UAB") have been designed for the following impervious areas:

REVISE AS REQUIRED

Lot	Building Footprint	Future Impervious	Total Impervious
1	1170 S.F.	500 S.F.	1670 S.F.
2	1200 S.F.	500 S.F.	1700 S.F.
3	1000 S.F.	500 S.F.	1500 S.F.
4	1000 S.F.	500 S.F.	1500 S.F.
5	1000 S.F.	500 S.F.	1500 S.F.

The stormwater runoff from the "Future Impervious" areas (decks, sheds, patios, etc.) shall be drained to the UAB.

If the "Total Impervious" area draining to the Dry Wells on a lot exceeds that shown above, mitigating stormwater management measures shall be employed to insure no additional stormwater runoff occurs.

20. Vacant

21. All exterior lighting fixtures shall be shielded to deflect lighting from adjacent residential properties and from passing motorists.
22. The initial appearance of any note language, tables, details, etc. that is repeated within this plan set shall be taken as the definitive version of such note language, tables, details, etc.; subsequent versions of such note language, tables, details, etc. within the plan set are void insofar as they conflict within initial version.
23. A Highway Occupancy Permit is required pursuant to Section 420 of the PENNSYLVANIA ACT of JUNE 1, 1945 (P.L. 1242 No. 428), known as the "State Highway Law", before driveway access to a State Highway is permitted.
24. The landscaping installed in accordance with this Plan Set and all existing trees greater than 6" caliper on the property shall be subject to the following requirements:
 - a. No trees or plantings shall be removed without written permission from the Township Engineer;
 - b. The property owner shall appropriately maintain the trees and plantings; the Township may direct the property owner to take appropriate measures to maintain the trees and plantings if the Township deems it necessary.
 - c. If any of the trees or plantings die, property owner shall replace same on a one for one basis with trees and/or plantings acceptable to the Township Engineer; the minimum replacement tree size shall be 2" to 3" caliper trees.
25. All existing, proposed and/or future HVAC units shall be shielded with appropriate sound baffling materials, as approved by the Township Engineer, if the sound emanating therefrom is objectionable to the neighbors.
26. The Hours of Operation for tractor trailers and/or delivery vans delivering materials to the site shall be 7:30 AM to 5:00 PM. No tractor trailers and/or delivery vans will be allowed on site at any time other than for deliveries, as noted above.
27. The trash dumpster for this site shall be kept inside the building except that, on trash pick up days, the trash dumpster will be rolled outside the building just prior to trash pick up and rolled back inside the buildings immediately thereafter.

28. Underground Absorption Beds ("UAB") shall be inspected at the following checkpoints:
- Inspection of trench sides and bottom prior to placement of geotextile
 - Placement of geotextile, stone, and pipe.
 - Connection of pipe to downspout collection system and to storm inlets.
 - Backfilling over stone bed.

Two (2) working days notice must be given to arrange for inspection.

The Developer/Owner shall furnish the Township Engineer with weigh slips for each load of aggregate placed in the UAB.

The mouth of all inlet pipes to UAB will be covered with a geotextile secured to the inlet with wood nailers; the geotextile screening shall remain in place until 75% of the pervious areas draining to the UAB have been permanently stabilized, at which time the geotextile screening shall be removed. If the geotextile screening is missing prior to the 75% stabilization point, the Developer/Owner shall reconstruct the UAB from the initial placement of the geotextile (including).

29. The Developer/Owner shall construct tree wells around any tree larger than 6" dbh where the change in grade around the tree (within the dripline) is 4" or greater.
30. The Developer/Owner shall replace any tree larger than 6" dbh that dies due to construction activities during the period from the start of construction to eighteen (18) months after the issuance of the Certificate of Occupancy for the main building.
31. The Developer/Owner shall replace any curb and/or sidewalk along its road frontages identified by the township as having to be replaced pursuant to the requirements of Cheltenham Code, Chapter 255, prior to the Certificate of Occupancy being issued for the proposed building.
32. The Township Engineer or his designee shall have the right to inspect the proposed site improvements on the Property and to direct the Owner/Developer to correct any deficiencies; no Certificate of Occupancy for any structure on the Property shall be issued unless and until the site improvements are complete and approved by the Township.

33. The Township Engineer shall be notified, in writing, one (1) calendar week prior to the placement of any landscape materials in order for the Township Engineer or his designee to arrange for and inspect the landscape materials.

No landscape materials shall be placed without being inspected and approved by the Township Engineer or his designee.

All rejected landscape materials shall be immediately removed from the site and replaced with acceptable landscape materials. No substitutions for landscape materials are accepted unless approved by the Township Engineer, in writing.

34. The proposed sanitary sewer line servicing this property is a private sanitary sewer line. The Owner of this property shall be responsible for the installation, operation, maintenance, repair, replacement and/or removal of the proposed sanitary sewer line from and including its tie-in to the Township Sanitary Sewer System.
35. The Owner of this Property is responsible for the maintenance, repair and/or replacement of the following, as directed by the Township to do so:
 - a. Retaining walls
 - b. Guide rail
 - c. Pavement
 - d. Sidewalks
 - e. Pavement markings
 - f. Storm Drainage and Stormwater Management System
 - g. Landscaping
 - h. Gazebo
 - i. Miscellaneous site amenities
 - j. Site lighting
 - k. Curbing
 - l. Sanitary Sewer System
36. No construction vehicles/equipment/deliveries shall use or access the property from Elkins Avenue.
37. Trash pick-up for this Property shall be limited to the hours 7:30 AM to 7:30 PM, Monday thru Friday.
38. The Park Avenue access drive shall be used for rights out only.
39. Signed and sealed calculations from a Professional Engineer on the four (4) retaining wall types shall be submitted to the Township Engineer for review and approval prior to the issuance of the Building Permit for the main building.

40. Construction traffic may make rights out only onto Park Avenue as shown in the "Temporary Construction Access Detail for Stages 1 and 2 Only"; from Construction Stage 3 onward no construction vehicles/equipment/materials shall use or access the Property from Park Avenue.
41. The portion of Park Avenue from Ashbourne Road to 300' northeasterly thereof shall be milled 2", soft spots repaired and overlaid with 2" of bituminous wearing course, ID-2, Type SRL-H; the wearing course shall be constructed in accordance with PennDOT specifications.

C. WAIVERS TO BE GRANTED BY THE BOARD OF COMMISSIONERS

1. That the requirement of CCS 260-15. for sidewalks be waived.
2. That the requirement of CCS 260-32.D.(2) for depiction of Planimetric data within 400' of the site be waived.
3. That the requirement of CCS 260-32.D.(5) for depiction of topography within 400' of the site be waived.

13. Upon motion of Mr. Swavola, the Board of Commissioners unanimously accepted the Glenside Trolley/Shuttle Feasibility Study Report.

14. Upon motion of Mr. Swavola, the Board of Commissioners unanimously adopted **Ordinance No. 2187-09** regulating the hours of trash collection by licensed collectors and transporters.

**CHELTENHAM TOWNSHIP
ORDINANCE NO. 2187-09**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF CHELTHENHAM,
CHAPTER 161 THEREOF, ENTITLED GARBAGE, REFUSE AND RUBBISH, BY
REGULATING THE HOURS OF CERTAIN COLLECTIONS BY LICENSED
COLLECTORS AND TRANSPORTERS WITHIN CHELTHENHAM TOWNSHIP**

WHEREAS, the current collection and transportation of garbage, refuse and rubbish is, at times, disturbing the peace and tranquility of the citizens of Cheltenham Township by the emptying of large garbage, refuse, rubbish and recyclable containers associated with retail, commercial, industrial, and institutional uses and multi-resident dwellings during early and late hours.

NOW THEREFORE, the Board of Commissioners of the Township of Cheltenham hereby ordains as follows:

The Code of the Township of Cheltenham, Chapter 161, entitled Garbage, Refuse and Rubbish, Section 161-8 thereof is hereby amended by ADDING the following:

- D. Collection of garbage, refuse, rubbish and recyclables from retail, commercial, industrial, and institutional establishments and multi-resident dwellings is prohibited after 7:30 P.M. and prior to 7:30 A.M., prevailing time.

In all other respects not inconsistent herewith, Chapter 161 of the Code of the Township of Cheltenham shall continue in full force and effect.

This Ordinance shall take effect and be in force from and after its approval as required by law. **ENACTED** into an Ordinance this **16th day of June, A.D., 2009**.

BOARD OF COMMISSIONERS
TOWNSHIP OF CHELTHENHAM

Attest: 
David G. Kraynik, Secretary

By: 
Paul R. Greenwald, President

15. Upon motion of Mr. Swavola, the Board of Commissioners renewed a contract for Janitorial Services to Jani-King of Philadelphia, Inc., Norristown, PA, for a total contract value of \$56,561.85.

Mr. Swavola noted that in the Public Works Committee Minutes the dollar amount of the contract value was incorrectly punctuated and asked that the Minutes be amended.

16. Upon motion of Mr. Swavola, the Board of Commissioners unanimously appointed Board President Paul Greenwald to serve as the voting delegate and Board Vice President Morton J. Simon, Jr. to serve as the alternate voting delegate to the PSATC Convention to be held June 21 through June 24, 2009.

17. Upon motion of Mr. Swavola, and unanimously approved by the Board of Commissioners, the Public Works Committee Regular Meeting Minutes dated June 9, 2009, were accepted as amended.

18. Upon motion of Mr. Simon, the Board of Commissioners unanimously approved a three (3) year lease agreement for the Shovel Shop, commencing July 1, 2009 through July 1, 2012, with United Medical Records, LLC, P.O. Box 377, Cheltenham, PA, in the amount of \$800 per month, which does not include utilities.

19. The Board of Commissioners considered adopting an amendment to the Township Code regarding telecommunications. Mr. Simon recused himself.

Upon motion of Mr. Sharkey, the Board of Commissioners adopted **Ordinance No. 2188-09** repealing Chapter 271 of the Township Code regarding Telecommunications.

CHELTENHAM TOWNSHIP

ORDINANCE NO. 2188-09

**AN ORDINANCE REPEALING CHAPTER 271 OF THE CODE OF
ORDINANCES OF THE TOWNSHIP OF CHELTENHAM REGARDING
TELECOMMUNICATIONS**

The Board of Commissioners of Cheltenham Township does hereby ENACT and ORDAIN as follows:

SECTION I – Amendment of the Code

Chapter 271 of the Code of the Township of Cheltenham is hereby repealed in its entirety.

Nothing set forth herein shall be interpreted or construed to repeal, affect or impede the validity or enforcement of Chapter A301, Cable Television Franchise or Chapter A302, Cable Television Rate Regulations.

SECTION II – 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 Board 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 III – Failure to Enforce not a Waiver

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

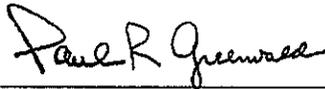
SECTION IV – Effective Date

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

SECTION V– 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 Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, this 16th day of June, 2009.

By: 
Paul R. Greenwald, President

Attest:


David G. Kraynik, Township Manager/Secretary

20. Upon motion of Mr. Simon, and unanimously approved by the Board of Commissioners, the Public Affairs Committee Regular Meeting Minutes dated June 2, 2009, were accepted.

21. Upon motion of Mr. Portner, the Board of Commissioners unanimously adopted **Ordinance No. 2189-09** amending Chapter 285 of the Code, entitled "Vehicles and Traffic".

ORDINANCE NO. 2189-09

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CHELTENHAM, CHAPTER 285 THEREOF, ENTITLED VEHICLES AND TRAFFIC, BY AMENDING PARKING METER ZONES AND CERTAIN STREET AND PARKING REGULATIONS.

The Board of Commissioners of the Township of Cheltenham hereby ordains:

SECTION 1. The Code of the Township of Cheltenham, Chapter 285, Article IV, entitled Schedule of Traffic Regulations, Section 285-43 thereof is hereby amended by **DELETING** the following:

- COTTMAN AVENUE B. HANDICAPPED PARKING at 308 Cottman Avenue.
- WALDEN ROAD A. STOP STREET at Arbor Road.

SECTION 2. The Code of the Township of Cheltenham, Chapter 285, Article IV, entitled Schedule of Traffic Regulations, Section 285-43 thereof is hereby amended by **ADDING** the following:

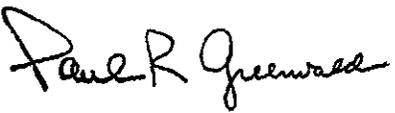
- THOMAS ROAD A. STOP STREET at Croyden Road; at Davis Road.
- WALDEN ROAD A. STOP STREET at Arbor Road; at Davis Road.

SECTION 3. That in all other respects Chapter 285 of the Code of the Township of Cheltenham is hereby approved and accepted as amended, and shall continue in full force and effect.

SECTION 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED into an Ordinance this **16th day of June, A.D., 2009.**

BOARD OF COMMISSIONERS
TOWNSHIP OF CHELTENHAM

By 
Paul R. Greenwald, President

ATTEST: 
David G. Kraynik, Secretary

22. Upon motion of Mr. Portner, and unanimously approved by the Board of Commissioners, the Public Safety Committee Regular Meeting Minutes dated June 2, 2009, were accepted.

23. Upon motion of Mr. Simon, and unanimously approved by the Board of Commissioners, the Building and Zoning Committee Regular Meeting Minutes dated June 2, 2009, were accepted.

24. Upon motion of Mr. McKeown, and unanimously approved by the Board of Commissioners, the Parks and Recreation Committee Regular Meeting Minutes dated June 9, 2009, were accepted.

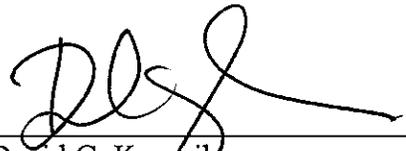
25. Under Citizens' Forum:

a. Darlene Melton, 1829 Chelsea Road, reported neighbors' concerns about construction at the Aqua PA water tower in LaMott. She presented photos. She reported construction work that, according to Ms. Melton, includes additions to the tower and the grounds; the addition of a satellite, which residents were told was for homeland security; the addition of a new antenna; and the removal of trees that had provided a buffer. She was concerned about possible interference with fire and EMS equipment, noise such as humming emanating from the tower and its equipment that can be heard at the sidewalk

b. Thomas and Olga McHugh, 127 Hewett Road, reported on residents' concerns regarding how the firm hired by SEPTA completed its survey work for the proposed parking garage at the Wyncote/Jenkintown Train Station. It was Mr. McHugh's opinion that said firm is not open about its methodology, regarding the conducting, analyzing, compilation, distribution and planned analysis. According to SEPTA, the data and a final report will be discussed at a future workshop sometime after July 4, 2000. Residents feel that data is being manipulated and want to review the data analysis plan that SEPTA will not provide. They feel

the survey will be biased; SEPTA has no credibility; there was no pre-testing; the surveys were postmarked in New York; there is no information about how many surveys were distributed and how many were completed and returned; the previous workshops with SEPTA accomplished little; SEPTA's methodology should be made public, and the data should be presented at a public forum.

There being no further business, upon motion of Mr. Muldawer, and unanimously approved by the Board of Commissioners, the meeting was adjourned, and the Commissioners commenced an Executive Session regarding labor negotiations.

A handwritten signature in black ink, appearing to read 'D. G. Kraynik', written over a horizontal line.

David G. Kraynik
Township Manager

as per Anna Marie Felix



PUBLIC ATTENDANCE LIST



Board of Commissioners Meeting

Tuesday, June 16, 2009 @ 7:30 P.M.

Curtis Hall

Church Road & Greenwood Avenue, Wyncote, PA 19095

(Please Print Clearly)

Print Name	Mailing Address	Telephone Number	E-mail Address
Judith Gratz	510 E. Glenside Wyncote	215- 896-7804	
Paula Schroeder	CTS Principal Intern		
DARLENE METLIN	1829 CHALSOA RD LAMOTT PA 19027		
M. Auell	123 Rico Mill Rd Wyncote, Pa. 19095		
Jesse Civallo	148 Mount Carmel Avenue Glenside PA	267-760- 0527	jcivallo@verizon.net
Tom & Olga McHugh	127 Hewett Rd Wyncote	215-885-9592	tom.mchugh@monitordata.com
Jeff & Erica (Christian) Dunbar	345 Sinkler Rd Wyncote 19095		jeff242nd@ comcast.net
Tracey Johnson	340 Sinkler Rd		Traybeejay@aol.com
Dawn Welch	8308 Fentock Rd Laverock PA 19038		welchburke@ juno.com