

IN RE: ZONING APPLICATION #15-01
APPLICATION OF LS REALTY ASSOCIATES, LLC

ZONING DECISION

After a public hearing on March 12, 2015, the Zoning Hearing Board of the Borough of West Conshohocken grants Applicant's request for a Variance from the Steep Slope provisions of the Borough Code restricting encroachment or development into slopes of 25% or greater in order to enable Applicant to construct a ten (10) unit townhouse development in accordance with the plans and specifications and testimony presented to the Board in support of the Application.

The Board's decision is specifically conditioned upon obtaining conditional use approval from Borough Council with respect to all other issues requiring conditional use approval and complying with all related subdivision and land development issues.

WEST CONSHOHOCKEN ZONING
HEARING BOARD


ANNELOUIS ADEE


ALBERT KLEINSCHMIDT


ADAM BROWN

MAILING DATE: 3/26/15

Borough of Conshohocken Authority
601 East Elm St.
Conshohocken, PA 19428-1914
Office 610-828-0979 / Fax 610-828-7720



October 6, 2015

HILBEC Engineering & Geosciences, LLC
26 Beaver Run Road
Downingtown, PA 19335-2257

Attn: Kevin R. Sech, P.G., P.E.

Re: **Borough of Conshohocken Authority**
Confirmation of Ability to Serve
LS Realty Associates, Inc.
10 Residential Townhomes
West Conshohocken Borough, Montgomery County

Dear Mr. Sech:

This letter is an acknowledgement of your request for sewer capacity for the above referenced project. The Borough of Conshohocken Authority's treatment facility has a permitted effluent discharge rate of 2.3 million gallons per day. This endorsement is being provided based on the following:

1. The total module flow is listed as 2,286 gpd. This flow is attributed to 10 new connections.
2. The BCA collection, conveyance and treatment facilities proposed to be utilized by the new discharge possess capacity and no hydraulic or organic overload exists or is projected within the next five years.

By acknowledging the available capacity (2,286 gpd) presently exists at the plant, the Authority in no way agrees with the method used to calculate the sewer flows for this project.

Should you have any questions please feel free to contact my office at 610-828-0979 ext.105

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen Clark". The signature is fluid and cursive.

Stephen Clark
Executive Director



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

October 28, 2015

Mr. Michael English, Manager
West Conshohocken Borough
112 Ford Street
West Conshohocken, PA 19428

Re: Act 537, Application for Exemption
Moir & Josephine Avenues Subdivision
DEP Code No. 1-46959-041-E
West Conshohocken Borough
Montgomery County

Dear Mr. English:

The Department of Environmental Protection (DEP) has received the above-referenced subdivision plan. This letter confirms DEP's determination that the above-referenced project is exempt from the requirement to revise the Official Plan for new land development. This determination is based in part on municipal and other sign-offs. The project is located between Moir Avenue and Josephine Avenue in West Conshohocken Borough, Montgomery County.

This project proposes 10 townhouse units.

The project will be connected to the West Conshohocken Borough collection system and will generate 2,286 gallons of sewage per day to be treated at the Conshohocken Borough Authority Wastewater Treatment Facility.

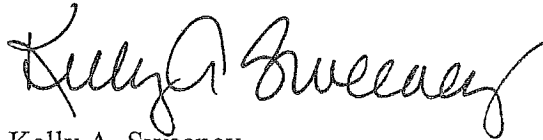
Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717.787.3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800.654.5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717.787.3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717.787.3483) FOR MORE INFORMATION.

If you have any questions or concerns, please contact me at 484.250.5182.

Sincerely,

A handwritten signature in black ink that reads "Kelly A. Sweeney". The signature is written in a cursive, flowing style.

Kelly A. Sweeney
Sewage Planning Specialist 2
Clean Water

cc: Montgomery County Health Department
Montgomery County Planning Commission
Montgomery County Conservation District
LS Realty Associates, LLC
Mr. Sech – Hilbec Engineering & Geosciences, LLC
Conshohocken Borough Authority
Planning Section
Re 30 (GJE15CLW)301-7

**ENGINEER'S OPINION OF PROBABLE COSTS
MOIR STREET TOWNHOUSES**

Item	Description	Quantity	Unit	Unit Price	Amount
<u>Soil Erosion</u>					
1	12" Compost Sock	631	LF	\$ 5.75	\$ 3,628.25
2	18" Compost Sock	267	LF	\$ 6.50	\$ 1,735.50
3	32" Compost Sock	209	LF	\$ 8.00	\$ 1,672.00
4	Tree Protection Fencing	605	LS	\$ 4.00	\$ 2,420.00
5	Construction Entrance	1	LS	\$ 1,100.00	\$ 1,100.00
6	Inlet Protection	13	Ea	\$ 150.00	\$ 1,950.00
Subtotal					\$ 12,505.75
<u>Earthwork</u>					
7	Clearing	1	LS	\$ 18,000.00	\$ 18,000.00
8	Strip Topsoil	876	CY	\$ 1.65	\$ 1,445.40
9	Earth Cut	1,990	CY	\$ 1.78	\$ 3,542.20
10	Earth Fill	2,020	CY	\$ 1.42	\$ 2,868.40
11	Replace Topsoil	1,238	CY	\$ 2.77	\$ 3,429.26
12	Seed & Mulch	56,700	SF	\$ 0.10	\$ 5,670.00
Subtotal					\$ 34,955.26
<u>Stormwater Management</u>					
13	Infiltration Bed #1	1	LS	\$ 25,000.00	\$ 25,000.00
14	Infiltration Bed #2	1	LS	\$ 15,000.00	\$ 15,000.00
15	Manhole	3	Ea	\$ 2,000.00	\$ 6,000.00
16	Type M Inlet	2	Ea	\$ 1,750.00	\$ 3,500.00
17	Type C Inlet	2	Ea	\$ 2,400.00	\$ 4,800.00
18	15" RCP	555	LF	\$ 90.00	\$ 49,950.00
Subtotal					\$ 104,250.00
<u>Sanitary Sewer</u>					
19	4" Laterals	123	LF	\$ 65.00	\$ 7,995.00
20	6" Mains	392	LF	\$ 70.00	\$ 27,440.00
21	Manhole	1	Ea	\$ 2,000.00	\$ 2,000.00
Subtotal					\$ 37,435.00
<u>Site Lighting</u>					
19	Orsatti & Stuart 5/9/16 Cost Estimate	1	LS	\$ 12,157.00	\$ 12,157.00
<u>Landscaping</u>					
20	Orsatti & Stuart 13APR16 Cost Estimate	1	LS	\$ 50,051.00	\$ 50,051.00
<u>Miscellaneous</u>					
21	Concrete Monuments	12	Ea	\$ 120.00	\$ 1,440.00
22	As-Built Plans	1	LS	\$ 3,000.00	\$ 3,000.00

**ENGINEER'S OPINION OF PROBABLE COSTS
MOIR STREET TOWNHOUSES**

Item	Description	Quantity	Unit	Unit Price	Amount
23	Legal, Engineering & Inspection	1	LS	\$ 20,000.00	\$ 20,000.00
Subtotal					\$ 24,440.00
 TOTAL PROBABLE COSTS OPINION					\$ 275,794.01
 110% OF TOTAL OPINION AS PER THE MUNICIPAL PLANNING CODE					\$ 303,373.41

DRAFT



MONTGOMERY COUNTY CONSERVATION DISTRICT

143 Level Road • Collegeville, PA 19426-3313 • 610-489-4506 • Fax: 610-489-9795
www.montgomeryconservation.org

04/29/2016

Chris Arader
LS Realty Associates LLC
10 Balligomingo Rd Unit A-2
West Conshohocken, PA 19428

Re: Permit Authorization Cover Letter for General NPDES Permit for Stormwater Discharges
Associated with Construction Activities
Moir Ave Townhouses PAG02004615080
West Conshohocken Borough
Montgomery County, PA

Dear Mr. Arader:

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Section 1251 et seq ("the Act") and Pennsylvania's Clean Streams Law, as amended, 35 P.S. §§ 691.1 et seq., the Montgomery County Conservation District (District) hereby authorizes the notice of intent for the NPDES permit for Stormwater Discharges Associated with Construction Activities (NPDES Permit) from Moir Ave Townhouses to Schuylkill River.

PAG02004615080 is effective on 04/29/2016 and will expire on 04/29/2021. All dischargers are required by Sections 402 and 611 of The Clean Streams Law, 35 P.S. §§691.402 and 691.611 to comply with the terms and conditions of their permit.

In addition to the NPDES permit authorization, the permittee and any subsequent co-permittees have additional responsibilities related to this authorization. NPDES permit requirements and federal regulations at 40 C.F.R. 122.21(b) require "when a facility or activity is owned by one person but is operated by another person, it is the operator's duty to obtain a permit" (see permit condition Part B(1)(d)(1) and (3) for transfer of permit or co-permittee requirements.) Please be advised that once an operator/contractor has been selected for the project, the NPDES permit must either be transferred to the operator/contractor or the operator/contractor must be made a co-permittee and enter into an agreement with the permittee. Please use the enclosed Transferee/Co-Permittee Application form to transfer the permit or to add a co-permittee. This form must be received by this office at least 30 days prior to the co-permittee/transferee action taking place.

A pre-construction conference is required as specified in 25 Pa. Code § 102.5(e). The purpose of this conference is to review all aspects of the permit with the permittee, co-permittees, operators, consultants, the DEP inspectors and licensed professionals or their designees who will be responsible for the implementation of the critical stages of the approved PCSM plan.

It is a condition of NPDES permit that as part of the maintenance program for the operation and maintenance of Best Management Practices (BMPs) the permittee or co-permittee must conduct inspections of the BMPs on a weekly basis and after each stormwater event (including the repair or replacement of BMPs) to ensure effective and efficient operation (see permit condition part A, 2(a)). The Visual Site Inspection Report Form is enclosed and must be used to document these required site inspections.

For any property containing a PCSM BMP, the permittee or co-permittee shall record an instrument with the recorder of deeds which will assure disclosure of the PCSM BMP and the

related obligations in the ordinary course of a title search of the subject property. The recorded instrument must identify the PCSM BMP, provide for necessary access related to long-term operation and maintenance for PCSM BMPs and provide notice that the responsibility for long-term operations and maintenance of the PCSM BMP is a covenant that runs with the land that is binding upon and enforceable by subsequent grantees. Unless a later date is approved by the Department in writing, the permittee shall record an instrument as required under 25 Pa. Code § 102.8(m)(2) and condition 14b of this permit within 45 days from the date of issuance of this permit or authorization. The permittee shall provide the conservation district and the Department with the date and place of recording along with a reference to the docket, deed book or other record, within 90 days from the date of issuance of this permit or authorization.

The Notice of Termination (NOT) form is also enclosed and must be completed and filed when construction activities have ceased and final stabilization has been achieved as a condition of this permit as specified in Section 4 of the permit regarding Notice of Termination. The NOT is a NPDES permit requirement, as well as a regulatory requirement under 25 Pa. Code § 102.7. The NOT must identify the responsible person(s) for the long term operation and maintenance of the Post Construction Stormwater Management (PCSM) BMPs. Please be advised that the permittee and/or co-permittee remain responsible for all operational maintenance for this project site until the NOT has been filed and acknowledged.

Persons aggrieved by an action of a conservation district under 25 Pa. Code Chapter 102 (Section VII NPDES NOI for Coverage under NPDES General Permits) may request an informal hearing with the Department within 30 days of publication of this notice in the Pennsylvania Bulletin, pursuant to 25 Pa. Code § 102.32(c). The Department will schedule this informal hearing within 30 days of the request. After this informal hearing, any final determination by the Department may be appealed to the Environmental Hearing Board as provided below.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501-508 and 701-704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the Pennsylvania Bulletin unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

If you have additional questions, please contact Daniel Oskiera at 610-489-4506 ext. 17.

Sincerely,



Daniel Oskiera
Resource Conservationist
Montgomery CCD

cc: Patrick Spellman, Site Engineering Concepts, LLC
West Conshohocken Borough
Montgomery County Planning Commission
File

Attachments: PAG02 General NPDES Permit
E&S Plan
PCSM Plan
Visual Site Inspection Report Form
Transferee/Co-permittee Application Form
Notice of Termination Form
Recorder of Deeds Filing Form



**APPROVAL OF COVERAGE UNDER THE GENERAL NPDES
PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH
CONSTRUCTION ACTIVITIES
PAG-02 (2012 Amendment)**

NPDES PERMIT NO: PAG-02004615080

Project Name & Address

Permittee Name & Address

Moir Ave Townhouses

Chris Arader

Moir Ave and Maria Street

LS Realty Associates LLC

West Conshohocken Borough

10 Balligomingo Rd Unit A-2

Montgomery County

West Conshohocken, PA 19428

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Section 1251 *et seq.* ("the Act") and Pennsylvania's Clean Streams Law, as amended, 35 P.S. Section 691.1 *et seq.*, the Department of Environmental Protection hereby approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater **from an earth disturbance activity that involves equal to or greater than one acre of earth disturbance on any portion, part, or during any stage of, a larger common plan of development or sale that involves equal to or greater than one acre of earth disturbance**, to the following surface water(s) of this Commonwealth:

Schuylkill River, WWF

subject to the Department's enclosed PAG-02 which incorporates all effluent limitations, monitoring and reporting requirements, and other terms, conditions, criteria, and special requirements for the discharge of stormwater composed entirely of stormwater associated, in whole or in part, with construction activity, as defined in this general permit, to surface waters of this Commonwealth, including through municipal separate storm sewers and nonmunicipal separate storm sewers. Authorization to discharge is subject to the implementation of the plans and additional associated information submitted as part of the NOI.

APPROVAL TO DISCHARGE IN ACCORDANCE WITH THE TERMS AND CONDITIONS HEREIN MAY COMMENCE ON THE DATE OF THE APPROVAL OF COVERAGE, AND IS VALID FOR A PERIOD OF FIVE YEARS WHEN CONDUCTED PURSUANT TO THE TERMS AND CONDITIONS OF THE APPLICABLE PERMIT. COVERAGE MAY BE EXTENDED BY THE DEPARTMENT OR AUTHORIZED CONSERVATION DISTRICT IF A TIMELY ADMINISTRATIVELY COMPLETE AND ACCEPTABLE NOI RENEWAL IS SUBMITTED TO THE DEPARTMENT OR AUTHORIZED CONSERVATION DISTRICT AT LEAST 180 DAYS PRIOR TO DATE OF COVERAGE TERMINATION. THE PERMIT MAY BE TERMINATED PRIOR TO THE EXPIRATION DATE UPON RECEIPT AND ACKNOWLEDGEMENT OF A NOTICE OF TERMINATION FORM AND APPROVAL BY THE DEPARTMENT OR AUTHORIZED CONSERVATION DISTRICT. NO CONDITION OF THIS PERMIT SHALL RELEASE THE PERMITTEE OR CO-PERMITTEE FROM ANY RESPONSIBILITY OR REQUIREMENT UNDER PENNSYLVANIA, OR FEDERAL ENVIRONMENTAL STATUTES, REGULATIONS, OR LOCAL ORDINANCES.

COVERAGE APPROVAL DATE: 04/29/2016

COVERAGE EXPIRATION DATE: 04/29/2021

AUTHORIZED BY: 

TITLE: Resource Conservationist

Daniel Oskiera



October 20, 2015

Via Email

WCON 1317

Mr. Michael English
Borough of West Conshohocken
112 Ford Street
West Conshohocken, PA 19428

**RE: West Conshohocken, PA - L. S. Realty – 142 Moir Ave., 143 Josephine Ave.
Sewer Capacity**

Dear Mr. English:

We have completed our capacity review for the proposed dwellings located at 142 Moir Avenue and 143 Josephine Avenue. Based on the information provided, we offer the following comments.

Background

The project will consist of the demolition of the one (1) structure and the construction of ten (10) townhomes with separate sewer laterals. The current dwelling's lateral is connected to a 6 inch sewer located on Maria Street. It is proposed that the ten townhomes will be connected to a new sewer that will connect into the system at either MH 85 or MH 86 on Maria Street.

Sewer Capacity

The Maria Street sewer ties into the 6 inch sewer in Ford Street and then the 10 inch Elizabeth Interceptor and then to the Schuylkill River Pump Station. The permitted monthly average capacity of the Pump Station is 0.465 MGD, with a daily capacity of 1.07 MGD. Per the 2014 Chapter 94 Report, the current average daily flow is 0.146 MGD. This project will add 9 EDU to the system (note that the developer has requested capacity for 10 EDUs), which is equal to 2286 GPD or 0.0023 MGD. The additional flow will not result in the pump station or conveyance system exceeding its hydraulic flow capacity.

A separate capacity letter has been received from the Borough of Conshohocken Authority (attached) for Wastewater Treatment Plant Capacity.

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

Sincerely,

PENNONI ASSOCIATES INC.

Frank A. Ciufu, PE
Borough Sewer Engineer

CC: Kevin R. Sech, P.G., P.E.
Daniel Malloy, Pennoni Associates