

NOTICE

The Zoning Hearing Board of Upper Providence Township, Montgomery County, pursuant to Act 15 of 2020 due to the current COVID-19 disaster emergency, will meet on Thursday, **August 27, 2020**, at **7:00 p.m.**, virtually via ZOOM (a telephone and video conferencing service), and hold a public hearing to consider the following:

Application No. 20-01, as amended, of **Hallmark Building Group, Inc.**, owner of equitable title, **CONCERNING** certain premises, being an approximate 24-acre vacant tract, situate at 395 Greenwood Avenue, Upper Providence Township, in the R-1 Residential-Agricultural District and partly in the overlay SS Steep Slope Conservation District. Applicant proposes the subdivision and land development of the tract as and for 17 single-family residential lots, along a proposed cul-de-sac street, to be served by public water and public sewer, and 8.67 acres of open space. In connection with the proposed subdivision and land development, Applicant **REQUESTS THE FOLLOWING RELIEF** under or from the following provisions of the Upper Providence Township Zoning Ordinance: **(i)** a special exception under Section 182-134.A., to permit portions of the yard areas of proposed Lots 1 and 16 to be located within the SS District; **(ii)** a special exception under Section 182-134.F., or, in the alternative, a variance from Section 182-135.B., to permit a portion of the proposed cul-de-sac street to be located within the SS District; and **(iii)** a variance from Section 182-195.D., to extend the six-month permit-application time period provided in that section to 18 months from the date of the Zoning Hearing Board decision rendered in this matter.

This hearing is a continued hearing upon the Application No. 20-01; the initial hearing was held by the Zoning Hearing Board on July 23, 2020. The Application has been amended since the July 23, 2020, hearing; specifically, Applicant has withdrawn the special exception or variances initially requested under or from Sections 182-44.I., 182-134.G., 182-135.A., and 182-28.1.A. of the Zoning Ordinance.

A copy of Application No. 20-01, as amended, is available for review on the Upper Providence Township website at www.uprov-montco.org by following the posted link to the Application.

All citizens and interested persons may attend the hearing via ZOOM and will be given the opportunity to participate and be heard. Any citizen or interested person wishing to attend and participate in the hearing may do so by visiting the above Township website prior to the commencement of the hearing, and register as a participant in accordance with the instructions

posted on the website. In the alternative, any citizen or interested person may participate in the hearing by submitting written comments on Application No. 20-01, as amended, via U.S. mail (first-class postage prepaid) addressed to the Upper Providence Township Zoning Hearing Board at 1286 Black Rock Road, Phoenixville, PA 19460, or via e-mail to Geoffrey Grace, Township Director of Planning and Zoning, at ggrace@uprov-montco.org. All such written comments must be **received by 2:00 p.m. on August 27, 2020**, and must include the full name and address of the citizen or interested person submitting the comments, and a reference to Application No. 20-01, as amended, in the reference or subject line of the written comments.

The Zoning Hearing Board reserves the right, at the meeting, to consider such other matters and to conduct such other business as may properly come before the Board.

Terrence J. McKenna
Chairman
John A. Koury, Jr., Esquire
Solicitor

HRMM&L

HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN, PC
ATTORNEYS AT LAW

August 6, 2020

30642-000

www.HRMML.com

J. Edmund Mullin
Steven H. Lupin
Douglas I Zeiders
Carl N. Weiner
Jonathan Samel, LL.M.
Merle R. Ochrach
Mark F. Himsworth
Steven A. Hann
Steven B. Barrett
Christen G. Pionzio
Joseph J. McGroory, Jr.
Ethan R. O'Shea
Bernadette A. Kearney
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Nathan M. Murawsky
Timothy P. Briggs
Kathleen A. Maloles
John F. Walko
Steven J. English
Michael A. Luongo
Noah Marlier
Kevin M. McGrath
Graham R. Bickel
Daniel L. Maschi

OF COUNSEL:
John C. Rafferty, Jr.

LANSDALE
ACTS Center – Blue Bell
375 Morris Road
Post Office Box 1479
Lansdale, PA 19446-0773
Phone 215-661-0400
Fax 215-661-0315

LIMERICK
HARRISBURG

Via Certified Mail (7019 1640 0001 6919 0150)

and Via Email

Geoffrey Grace
Director of Planning and Zoning
Upper Providence Township
1286 Black Rock Road
Phoenixville, PA 19460

**Re: Hallmark Building Group, Inc. – 395 Greenwood Ave.
Zoning Hearing Board Application**

Dear Mr. Grace:

Enclosed are the following items in connection with the above-referenced Application to Zoning Hearing Board:

- Original and six (6) copies of the revised attachment to the Zoning Hearing Board Application. The Applicant is withdrawing the requested relief from Section 182.44.I; Section 182-134.G/Section 135.A; and from Section 182-28.1A.
- Seven (7) copies of a Zoning Plan, prepared by Richard C. Mast Associates, P.C. (dated 12/14/18, last revised 7/31/2020);

Also enclosed is an extra copy of the application. Please have it time-stamped and return it in the self, addressed stamped envelope provided.

Should you have any questions, please call me at (215) 661-0400. Thank you for your assistance in this matter.

Very truly yours,

HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN

By: 

BERNADETTE A. KEARNEY

BAK:ch
Enclosures

cc: Richard R. Carroll, III, via email
Rick Mast, via email

Zoning Attachment
Revised 8/6/2020

7., 8. & 9. The Applicant is proposing 17 single-family residential lots and open space of 8.80 acres. Applicant availed itself of the flexible lot size option set forth in Section 182-44 of the Township Code. The conditional use was granted on 9/26/19 and a copy of the Conditional Use Decision and Order is attached. A conventional subdivision allows 17 lots and the Applicant added no additional lots as part of the flexible lot size option.

The Applicant is requesting the following relief from the SS Steep Slope Conservation District:

A special exception from Section 182-134.A. for Lots 1 and 16 to have steep slopes within yard areas.

A special exception from Section 182-134.F., or in the alternative a variance from Section 182-135.B., for a portion of the cul-de-sac to be located in the Steep Slope Conservation District as there is no viable, alternative alignment or location that is feasible.

The Applicant is requesting a variance from Section 182-195.D. to extend the time period to apply for permits for 18 months from the Zoning Hearing Board decision.

The grant of the requested relief will not adversely affect the public health, safety and welfare and will not be adverse to the neighborhood and is the minimum to afford relief.

GENERAL NOTES

SOILS DATA

LEGEND

SITE LOCATION MAP 1"=2000'

- TITLE INFORMATION TAKEN FROM DEEDS OF RECORD AND A FINAL PLAN OF SUBDIVISION OF AUCTION PARCEL #6 PREPARED FOR DOUGLAS STEARLY, BY JOHN T. ASTON REGISTERED SURVEYOR, DATED AUGUST 28, 1980, AND LAST REVISED MAY 20, 1985.
- TOPOGRAPHIC AND ELEVATION INFORMATION BASED ON PENNSYLVANIA SPATIAL DATA ACCESS (PASDA) MAPPING AND AVAILABLE IMAGERY (2008 SOUTH-EASTER PA), REFERENCE PANEL NUMBER 3400 2600.
- NO PART OF THE SUBJECT TRACT IS LOCATED WITHIN A 100-YEAR FLOOD PLAIN BASED ON THE FLOOD INSURANCE RATE MAP (FIRM), NO. 42091 02286 AND 42091 02286, EFFECTIVE DATE MARCH 2, 2016, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- R1 (ROWLAND) SOILS ARE DESIGNATED AS AN ALLUVIAL SOIL WITHIN THE UPPER PROVIDENCE TOWNSHIP ZONING ORDINANCE. A ON-SITE INVESTIGATION PERFORMED BY VV CONSULTANTS, LLC. IN JULY 2020, HAS DETERMINED THAT NO ALLUVIAL SOILS ARE PRESENT IN THE AREAS PROPOSED FOR CONSTRUCTION.
- SOILS WITHIN STUDY AREA ARE SHOWN PER 'ONSITE SOILS DETERMINATION' BY VV CONSULTANTS, LLC., DATED JULY 23, 2020.
- THERE ARE NO WETLANDS ON THE SITE BASED ON A STUDY PERFORMED BY VV CONSULTANTS, LLC. IN JULY 2018.
- THE PROPOSED LOTS SHALL BE SERVED WITH PUBLIC SEWER SERVICE PROVIDED BY THE UPPER PROVIDENCE TOWNSHIP.
- THE PROPOSED LOTS SHALL BE SERVED BY PUBLIC WATER INTENDED TO BE PROVIDED BY THE PENNSYLVANIA AMERICAN WATER COMPANY.
- OPEN SPACE PARCEL A IS HEREBY OFFERED FOR DEDICATION TO UPPER PROVIDENCE TOWNSHIP.
- OPEN SPACE PARCELS A AND B ARE NOT BUILDING LOTS AND ARE TO BE PERMANENTLY PRESERVED AS OPEN SPACE IN ACCORDANCE WITH THE UPPER PROVIDENCE TOWNSHIP ZONING ORDINANCE.

SOIL INFORMATION FOR THE SITE WAS OBTAINED FROM THE US DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE WEB SOIL SURVEY WEBSITE. SOILS WITHIN STUDY AREA ARE SHOWN PER 'ONSITE SOILS DETERMINATION' BY VV CONSULTANTS, LLC., DATED JULY 23, 2020.

A-B-C-ABBOTTSTOWN SILT LOAM, 8 TO 12 PERCENT SLOPES

Urban-MADE LAND-URBAN SOIL, 0 TO 3 PERCENT SLOPES

PeB - PENN SILT LOAM, 3 TO 8 PERCENT SLOPES
RESTRICTIONS: 20 TO 27 INCHES TO PARALITHIC BEDROCK; 27 TO 33 INCHES TO LITHIC BEDROCK

PeC - PENN SILT LOAM, 8 TO 12 PERCENT SLOPES
RESTRICTIONS: 20 TO 40 INCHES TO LITHIC BEDROCK

ReA - READINGTON SILT LOAM, 0 TO 3 PERCENT SLOPES
RESTRICTIONS: 20 TO 36 INCHES TO FRAGIPAN; 40 TO 70 INCHES TO LITHIC BEDROCK

ReB - READINGTON SILT LOAM, 3 TO 8 PERCENT SLOPES
RESTRICTIONS: 20 TO 36 INCHES TO FRAGIPAN; 40 TO 60 INCHES TO LITHIC BEDROCK

RhA - REAVILLE SILT LOAM, 0 TO 3 PERCENT SLOPES
RESTRICTIONS: 20 TO 40 INCHES TO LITHIC BEDROCK

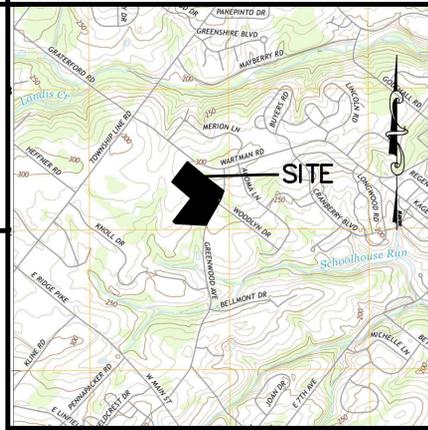
RhB - REAVILLE SILT LOAM, 3 TO 8 PERCENT SLOPES
RESTRICTIONS: 20 TO 40 INCHES TO LITHIC BEDROCK

RhC - REAVILLE SILT LOAM, 8 TO 15 PERCENT SLOPES
RESTRICTIONS: 20 TO 40 INCHES TO LITHIC BEDROCK

Ri - ROWLAND SILT LOAM, TERRACE
RESTRICTIONS: 60 TO 99 INCHES TO LITHIC BEDROCK

UdH-B-UDORTHERTS, 0 TO 3 PERCENT SLOPES

- OPEN SPACE AREA
- BASIN/RAIN GARDEN SIDE SLOPES
- BASIN/RAIN GARDEN BOTTOM AREA
- BUFFER AREA



STEEP SLOPES

RANGE	MIN. SLOPE	MAX SLOPE	AREA	LEGEND
1	15%	84%	3,983 SF	[Symbol]



U.S.G.S. COLLEGEVILLE QUADRANGLE 7.5' SERIES

TAX PARCEL DATA

PARCEL NO.: 61-00-02238-00-5 (UNIT 35) AND 61-00-02238-20-3 (UNIT 36)

BLOCK, UNIT DEED: BLOCK 2 UNITS 35 AND 36 BOOK 4788, PAGE 2177

PARCEL LOCATION: 395 GREENWOOD AVENUE

ZONING DISTRICT: R-1 RESIDENTIAL-AGRICULTURAL DISTRICT

OWNER OF RECORD: DOUGLAS AND LAURA B. STEARLY AND WALTER R. STEARLY 336 NICHOLAS LANE TRAPPE, PA 19426

EQUITABLE OWNER: HALLMARK BUILDING GROUP, INC. 865 EASTON ROAD, SUITE 320 WARRINGTON, PA 18976

GROSS TRACT AREA (TO TITLE LINE): 23.5606 ACRES (BY SURVEY)

ZONING DATA

REQUIRED INFORMATION OBTAINED FROM THE UPPER PROVIDENCE TOWNSHIP ZONING ORDINANCE.

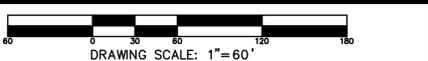
ZONING DISTRICT: R-1 RESIDENTIAL-AGRICULTURAL DISTRICT

EXISTING USE: VACANT LAND

PROPOSED USE: SINGLE-FAMILY DETACHED - FLEXIBLE LOT SIZES

	REQUIRED	PROPOSED
MIN TRACT SIZE	35 AC	23.56 AC (1)
MINIMUM LOT SIZE	20,000 SF	24,064 SF
MAXIMUM LOT SIZE	217,900 SF	44,475 SF
MINIMUM AVERAGE LOT SIZE	30,000 SF	32,049 SF
MIN LOT WIDTH @ BUILDING LINE	100 FT	100.0 FT
MIN LOT WIDTH (CORNER LOT)	125 FT	143.0 FT
MIN FRONT YARD SETBACK	40 FT	40 FT
MIN SIDE YARD SETBACK (EACH)	20 FT	20 FT
MIN SIDE YARD SETBACK (AGGREGATE)	50 FT	50 FT
MIN REAR YARD SETBACK	50 FT	50 FT
MAX BUILDING HEIGHT	35 FT	<35 FT
MAX BUILDING COVERAGE	15%	<15%
MINIMUM OPEN SPACE	4.71 AC	8.67 AC (2)
MAXIMUM LOTS DENSITY	17 LOTS	17 LOTS (3)

- NOTES:
- USE OF THE FLEXIBLE LOTTING PROVISION ON TRACTS SMALLER THAN 35 ACRES IS PERMITTED BY CONDITIONAL USE.
 - AN OPEN SPACE AREA OF NOT LESS THAN 20% OF GROSS LAND AREA (4.71 ACRES) SHALL BE PROVIDED.
 - MAXIMUM LOT DENSITY IS BASED ON A YIELD PLAN AND LOT LAYOUT DRAWN PURSUANT TO THE NORMAL R-1 RESIDENTIAL-AGRICULTURAL DISTRICT REQUIREMENTS.



NO.	REVISION	DATE
2	SOILS REVISED WITHIN STUDY LIMITS PER ONSITE SOILS DETERMINATION DATED JULY 23, 2020	JULY 31, 2020
1	UPDATED SURVEY AND SOILS TESTING DATA	JULY 22, 2020
	PLAN ORIGINATOR DATE	DECEMBER 14, 2018

ZONING PLAN
FOR THE
STEARLY TRACT
PREPARED FOR
HALLMARK BUILDING GROUP, INC.
SITE SITUATE IN
UPPER PROVIDENCE TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA

Richard C. Mast Associates, P.C.
Consulting Engineers and Surveyors
www.rcmaonline.com

DRAFTED BY: RAJ
PROJ. MNGR: RCM
PROJECT NO.: 30271
DRAWING NO.: 1 OF 1

UNDERGROUND UTILITY NOTE

LOCATIONS OF EXISTING UTILITIES SHOWN HEREON ARE BASED ON INFORMATION RECEIVED FROM FACILITY OWNERS FOLLOWING A CALL TO PA ONE CALL SYSTEM, INC. COMPLETENESS OR ACCURACY OF TYPE, SIZE, DEPTH, OR HORIZONTAL LOCATION OF UTILITIES CANNOT BE GUARANTEED. CONTRACTORS MUST VERIFY THE LOCATION AND DEPTH OF UNDERGROUND UTILITIES BEFORE THE START OF WORK BY NOTIFYING FACILITY OWNERS, THROUGH THE PA ONE CALL SYSTEM (1-800-242-1776 OR 811), NOT LESS THAN 3 BUSINESS DAYS NOR MORE THAN 10 BUSINESS DAYS IN ADVANCE OF BEGINNING EXCAVATION OR DEMOLITION WORK PER THE REQUIREMENTS OF PA ACTS 287 AND 121, AS AMENDED.

DESIGN SERIAL NO.: 20171931160 (JULY 12, 2017)



50' WIDE BUFFER (LANDSCAPED IN ACCORDANCE WITH Z.O. SECTION 182-44.J.(2) AND 1(3).



March 29, 2019

Richard R. Carroll, III
President
Hallmark Homes Group, Inc.
rrcarroll@hallmarkhomesgroup.com

**RE: Wetland and Alluvial Soil Delineation
Stearly Tract 395 Greenwood Road
Upper Providence Twp. Montgomery Co
PARID: 61-00-02238-00-5
VW#18-31**

Dear Mr. Carroll:

VW Consultants, LLC (VW) completed an evaluation of the above referenced parcel to determine if regulated wetlands or waters are present. Our findings indicate that there are no wetlands present on this site. There are waters which were flagged for location by your surveyor.

The site was evaluated by a staff soil scientist and biologist. The delineation was performed using:

- The US Army Corps of Engineers (ACOE) Wetland Delineation Manual (January 1987)
- The ACOE Regional Supplement to the Manual: Eastern Mountains and Piedmont Region (July 2010).
- The USDA-NRCS Field Indicators of Hydric Soils in the United States, version 8.0 dated 2016.

Using the three parameter approach outlined in the ACOE Manuals of soil, vegetation and hydrology it was determined that there are no wetlands present on the site. There is a storm water pipe that bisects the tract. This storm water pipes discharges to a bank and channel ditch that would be a regulated waters. The waters were flagged for location by your surveyor.

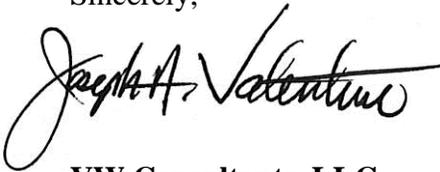
VW also determined if alluvial soils were present on the site. There are Rowland alluvial soils mapped by the USDA-NRCS on the site. Our findings would best classify these soils as local alluvium. Local alluvium is erosional topsoil material that has been transported short distances by storm water. This condition is aggravated by agricultural practices that have accumulated topsoil in a foot slope position. These soils are not subject to flooding by a stream and are not considered floodplain soils.

In conclusion, the site does have regulated waters but no wetlands. The USDA –NRCS soil mapping of Rowland would best be classified as local alluvium and not a floodplain soil.

Should you have any questions please do not hesitate to contact me at 267-784-6873 or by email at valsoils@verizon.net.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Joseph A. Valentine". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke at the end.

VW Consultants, LLC
Joseph A. Valentine
Soil Scientist

cc: R. Mast; PE



July 23, 2020

Richard R. Carroll, III
President
Hallmark Homes Group, Inc.
rrcarroll@hallmarkhomesgroup.com

1st Order Soil Survey Map
Stearly Tract 395 Greenwood Road
Upper Providence Twp. Montgomery Co
PARID: 61-00-02238-00-5
VW#18-31

Dear Mr. Carroll:

VW Consultants, LLC (VW) completed a detailed soil survey mapping of a portion of the above referenced parcel. The purpose of the investigation was to determine the accuracy of the published USDA-NRCS Web Soil Survey of alluvial soils in the study area. Our findings conclude that there are no alluvial soils in the study area. This confirms our previous findings as reported on March 29, 2019.

The site was evaluated by a staff soil scientist. Utilizing the soil mapping procedures of the USDA-NRCS as published in the Soil Survey Manual (agricultural handbook No. 18) issued March 2017, a detailed 1st order soil survey was conducted at the subject site. A 1st order soil survey has mapping units of less than 1.25 acres. The detailed soil survey was limited to an area of about seven acres along Greenwood Avenue. This area was mapped by the USDA-NRCS to have a Rowland (Rt) terrace mapping unit. A copy of the USDA-NRCS web Soil Survey map for the site is attached to this report. The published Web Soil Survey is a 3rd Order 1:20,000-65,000 (4 to 37 acre map units) with some portions a 2nd Order 1:12,000-32,000 (1.25 to 10 acre map units) map. The Rowland series is an alluvial soil composed of red sediments deposited in a floodplain from the flooding by a stream. A terrace position would be higher than the current active floodplain. There is no stream at this site that has created a floodplain or a terrace position.

Twenty-three back hoe excavated soil test pits were used to supplement our previous investigation using a hand turned soil auger. Four transits perpendicular to slope were evaluated across the seven acre study site. The soil profiles were described in accordance to the criteria of the USDA-SCS *Soil Survey Manual* Handbook No. 18 (03/2017) and the USDA-NRCS *Field Book for Describing and Sampling Soils* Version 3.0 (9/2012). A copy of the prepared soil profile descriptions are enclosed with this report.

The test pits in the study area identified five mapping soil mapping units. Those mapping units are:

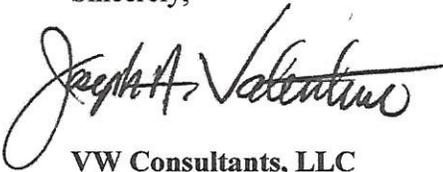
- Penn Silt Loam 3-8 % slope (PeB)
- Penn Silt Loam 8-12% slope (PeC)
- Abbottstown Silt Loam 8-12 % slope (AbC)
- Made land-Urban Soil 0-3 % slope
- Udorthent 0-3% slope

The Penn and Abbottstown mapping units are residual upland soils. The Made Land –Urban Soil is composed of Human Transported Material (HTM) commonly called fill placed on an upland soil. The Udorthent mapping unit is composed of erosional deposition of soil material collected at an upland foot slope position due to past agricultural practices. The classification of the twenty-three soil pedons described by VW can be found on the attached soil profile descriptions. The detailed 1st Order soil map prepared by VW is also attached.

In conclusion, the Rowland Soil series mapped by the USDA-NRCS at this site is not present. The Rowland Terrace mapping unit (Rt) used by the USAD-NRCS mapped erosional soil deposition since a soil series mapping unit did not exist for this condition (personal communication with the USDA-NRCS). The soils at the study location consist of residually weathered Triassic red shale and erosional deposition of this Triassic red shale material. Our findings would best classify these erosional soils as young Udorthents composed of local colluvium accelerated by storm water which has transported the material to the upland foot slope position. These soils are not subject to flooding by a stream and should not be considered floodplain soils. A small area of Urban Soil composed of HTM was identified by VW which was not mapped by the USDA-NRCS.

Should you have any questions please do not hesitate to contact me at 267-784-6873 or by email at jvalentine@vw-consultants.com.

Sincerely,



VW Consultants, LLC
Joseph A. Valentine
Soil Scientist

Attachments:

Soil profile descriptions
USDA-NRCS Web Soil Survey map
1st Order Detail Soil map prepared by VW

cc: R. Mast; PE



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

July 31, 2020

File No.: 18-07050T

Mr. Geoff Grace, Director of Planning and Zoning
Upper Providence Township
1286 Black Rock Road
P.O. Box 406 Oaks, PA 19456

Reference: Stearly Tract Twp. Plan #8-002035-21153(T)LD
Parcel Soil Study – Floodplain Conservation District Review

Dear Geoff:

In accordance with the Township's request, we have reviewed the site soil survey submission for 395 Greenwood Avenue. We reviewed the following documents in the submission:

- 1st Order Soil Survey Map letter prepared by VW Consultants dated July 23, 2020
- Stearly Tract: Greenwood Avenue Lidar Plan, prepared by V W Consultants LLC, dated 7/21/20 (1 sheet)
- Test Pit Soil Profile data sheets prepared by Joseph A. Valentine, dated 7/20/20 (23 sheets)
- Soil Map for the Stearly parcel from the USDA NRCS Web Soil Survey Soil Map Montgomery County, PA, date 7/20/2020 (3 sheets)

This review pertains to compliance with the Floodplain Conservation District only. We offer the following comments for your consideration:

General Description

1. The subject property is the Stearly Tract, Parcel No. 61-00-02238-00-5, located along the westerly side of Greenwood Avenue at the intersection with Woodlyn Drive. The tract is within the R-1 Residential-Agriculture Zoning District. The total tract area is 24.146 acres with the applicant proposing to develop the site with 17 single family dwellings as allowed for tracts under 35 acres with Conditional Use approval in the R-1 District. The development is proposed to be served by public water and public sewer.

Zoning

1. Chapter 182-28.1. A.
Proposed dwellings on Lot#1, #2, #16 and #17 are potentially in the Floodplain Conservation District based on prior County soil map classification. We find the data presented to be an adequate determination that the Floodplain District designated soil type, Rowland silt loam, terrace soils, are not present on this site.

Based on the detailed soil classification mapping and previous plans submitted it appears that there is a defined drainage feature the crosses the parcel parallel to Greenwood Avenue from a headwall on parcel in

184 West Main Street | Suite 300 | Trappe, PA 19426 | Phone: 610-489-4949 | Fax: 610-489-8447

the vicinity of the northeast corner of the parcel to the southwest parcel boundary. This drainageway also receives runoff from two Greenwood Avenue drainage culverts. A Wetland and/or Water of the Commonwealth or US delineation and report for the drainage feature shown of the plans shall be submitted for review. The plans should indicate if there are any regulated water courses on the tract. Documentation submitted shall be signed and sealed by the person that prepared the report.

If regulated perennial and intermittent waterways of the Commonwealth or US are present on the parcel, they are subject to the Floodplain District regulations. The 1% Chance (100 Year) Floodplain and/or Floodway for regulated waterways shall be determined by either of the following two options:

- Option 1: A Flood Study to determine the 1% Chance (100 Year) Floodplain from the point of discharge at the southwestern parcel boundary upstream to the limit of the waterway (where the channel become ephemeral and not regulated).
- Option 2: would be they could use the PADEP unstudied waterways 50 ft either side from Top of Bank 1% Chance (100Yr) Floodway.

Additionally, drainage easements for the drainage feature(s) will also be required.

Additional Comments

1. A resident on Woodlyn Dr. has written to the Township in regards to drainage issue at the existing Woodlyn and Greenwood Ave. (SR 4011). It appears that stormwater runoff being convey in the curbed gutter on the northeast side of Woodlyn Dr. leaves the gutter at the curb return near the Greenwood Ave. intersection and flows across Woodlyn Dr to the existing roadside/shoulder drainage swale on the east side of Greenwood Ave. We request the applicant review this item in conjunction with any intersection improvements.

The above comments are made with the understanding that all existing features and topography are accurately represented on the plans, and that all designs, calculations and surveys are accurate and have been prepared in accordance with the current laws, regulations and currently accepted Professional Land Surveying and Engineering practices. Should you have any questions please contact our office.

Very truly yours,



William K. Dingman, P.E.
Gilmore & Associates, Inc.

- cc: Upper Providence Township Board of Supervisors (distributed by UPT)
Upper Providence Township Planning Commission Members (distributed by UPT)
Mr. Timothy J. Tieperman, Manager, Upper Providence Township (email)
Mr. Bryan Bortnichak, Upper Providence Assistant Township Manager (email)
Mr. Joseph Bresnan, Esquire, Upper Providence Township Solicitor (email)
Mr. Casey Moore, P.E., McMahon Associates (email)
Mr. Richard Carroll, (Agent for the Applicant) (email)
Mr. Richard C. Mast P.E., Richard C. Mast Associates (Applicant's Engineer) (email)
Mr. J. Edmund Mullin, Esquire (Applicant's Attorney) (email)

May 29, 2020

30642-000

www.HRMML.com

J. Edmund Mullin
Steven H. Lupin
Douglas I Zeiders
Carl N. Weiner
Jonathan Samel, LL.M.
Merle R. Ochrach
Mark F. Himsworth
Steven A. Hann
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John F. Walko
Steven J. English
Michael A. Luongo
Noah Marlier
Kevin M. McGrath
Graham R. Bickel
Daniel L. Maschi

OF COUNSEL:

John C. Rafferty, Jr.

LANSDALE

ACTS Center – Blue Bell
375 Morris Road
Post Office Box 1479
Lansdale, PA 19446-0773
Phone 215-661-0400
Fax 215-661-0315

LIMERICK

HARRISBURG

Via Certified Mail (7019 1640 0001 6919 0150)
and Via Email

Geoffrey Grace
Director of Planning and Zoning
Upper Providence Township
1286 Black Rock Road
Phoenixville, PA 19460

**Re: Hallmark Building Group, Inc. – 395 Greenwood Ave.
Zoning Hearing Board Application**

Dear Mr. Grace:

Enclosed are the following items in connection with the above-referenced Application to Zoning Hearing Board:

- Original and six (6) copies of Application to Zoning Hearing Board with Attachments;
- Seven (7) copies of the *redacted* Agreement of Sale and Agreement to Assign Agreement of Sale;
- 9/26/19 Condition Use Decision;
- Seven (7) copies of a Zoning Plan, prepared by Richard C. Mast Associates, P.C. (dated 12/14/18, last revised 5/20/20); and
- Filing fee in the amount of \$1,350.00

Also enclosed is an extra copy of the application. Please have it time-stamped and return it in the self, addressed stamped envelope provided.

Should you have any questions, please call me at (215) 661-0400. Thank you for your assistance in this matter.

Very truly yours,

HAMBURG, RUBIN, MULLIN,
MAXWELL & LUPIN

By: 
BERNADETTE A. KEARNEY

BAK:ch
Enclosures

cc: Richard R. Carroll, III, via email
Rick Mast, via email

Hallmark Partners, L.P.

865 Easton Road
Suite 320
Warrington, PA 18976

VENDOR:031220 Upper Providence Townshi CHECK NO:001696 CHECK DATE:05/22/20

DATE INVOICE ENTITY GROSS DISCOUNT NET EXPLANATION

05/22/20 052220 001 Hallmark Partners, 1,350.00 .00 1,350.00 ZHB Stearly

Check Total: 1,350.00 .00 1,350.00

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

Hallmark Partners, L.P.
865 Easton Road
Suite 320
Warrington, PA 18976

Meridian Bank
Malvern PA 18355

CHECK NO.
001696

DATE
05/22/20

CHECK AMOUNT
*****1,350.00

PAY *****ONE THOUSAND THREE HUNDRED FIFTY AND 00/100 DOLLARS*****



AUTHORIZED SIGNATURE

TO THE ORDER OF
Upper Providence Township
1286 Black Rock Road
PO Box 406
Oaks, PA 19456

THIS DOCUMENT CONTAINS REAL SENSITIVE INFORMATION. IF THIS MESSAGE APPEARS HERE, IT MAY BE A SECURITY BREACH. CONTACT THE ISSUING AGENCY AT 1-800-833-8333.

⑈001696⑈ ⑆031220⑈ ⑆052220⑈ ⑆025383⑈



Security Features included: Details on back.

APPLICATION NO. _____

FEE AMOUNT: \$ _____

DATE FILED: _____

TIME FILED: _____

(THIS SECTION FOR TOWNSHIP USE ONLY)

APPLICATION TO ZONING HEARING BOARD

Upper Providence Township
1286 Black Rock Road, P.O. Box 406
Oaks, Pennsylvania 19456

1. DATE: 5/29/2020

2. CLASSIFICATION OF APPLICATION (CHECK ONE OR MORE IF APPLICABLE):

A. Request for Variance (PA MPC, Section 909.1(a)(5)-910.2)

B. Request for Special Exception (PA MPC, Section 909.1(a)(6)-912.1)

C. Appeal of decision of the Zoning Officer (PA MPC, Section 909.1(a)(3)(4)(8))

D. Challenge of the validity of ordinance or map by person aggrieved by use or development permitted on land of another (PA MPC, Section 909.1(a)(1)(2))

3. APPLICANT:

OWNER:

Hallmark Building
Name (a) Group, Inc.

Douglas Stearly
Laura B. Stearly
(a) Walter R. Stearly

Mailing Address (b) _____
865 Easton Road
Suite 320
Warrington, PA 18976

(b) 366 Nicholas Lane
Trappe, PA 19426

Phone Number (c) 215-491-7900 (c) _____

APPLICATION TO ZONING HEARING BOARD

Page Two

4. LEGAL STATUS OF APPLICANT (check one):

- Owner of Legal Title - Copy of deed must be attached as Exhibit A
- Owner of Equitable Title-Agreement of Sale must be attached as Exhibit A
- Tenant with the Permission of Owner of Legal Title - Lease must be attached as Exhibit A
- Other (describe)

5. APPLICANT'S ATTORNEY, if any:

- (a) Name Bernadette A. Kearney, Esq. / Hamburg Rubin Mullin Maxwell & Lupin
- (b) Mailing Address 375 Morris Road, PO Box 1479, Lansdale, PA 19446

- (c) Phone Number 215-661-0400 Email: bkearney@hrmml.com

6. PROPERTY:

- (a) Present Zoning Classification R-1 Residential Agricultrual
- (b) Number and Street (if assigned pursuant to Township Ordinance No. 179, June 28, 1976, as amended):
395 Greenwood Ave.

- (c) Location, with reference to nearby intersections or prominent features:
Located on Greenwood Avenue near the intersection with Wartman Road;
Woodlyn Drive (opposite side)

- (d) Tax Map Identification: 61-00-02238-00-5 Block: 002 Unit: 035
61-00-02238-20-3 Block: 002 Unit: 036
- (e) Dimensions: Area 24.16 acres
Frontage 851 Depth approx. 1226.24'
- (f) Describe the size, construction and use of existing improvements or use of land, if unimproved:
vacant land

APPLICATION TO ZONING HEARING BOARD

Page Three

7. DESCRIBE THE PROPOSED USE OR CONSTRUCTION:

See attached.

8. DESCRIBE HOW THE PROPOSED USE OR CONSTRUCTION DIFFERS FROM WHAT IS PERMITTED:

See attached.

9. STATE LEGAL GROUNDS FOR APPEAL, CITE SPECIFIC SECTIONS OF PENNSYLVANIA MUNICIPALITIES PLANNING CODE, ZONING ORDINANCE, SUBDIVISION REGULATIONS OR OTHER ACTS OR ORDINANCES:

See attached.

10. HAS ANY PREVIOUS APPEAL BEEN FILED CONCERNING SUBJECT MATTER OF THIS APPEAL?

Yes No If yes, specify: Conditional use granted on 9/26/19 (copy attached)

11. CHALLENGES (IF 2 (d) IS CHECKED ON PAGE 1). LIST REQUESTED ISSUES OF FACT OR INTERPRETATION:

N/A

APPLICATION TO ZONING HEARING BOARD

Page 4

12. I (We) hereby certify that the above information is true and correct to the best of my (our) knowledge, information or belief:

Donald W. Kinnear, Esquire
Attorney for Applicant
Applicant's Signature _____ Owner's Signature

Applicant's Signature _____ Owner's Signature

Check One:

Owner of Record

Equitable Owner

Zoning Attachment

7., 8. & 9. The Applicant is proposing 17 single-family residential lots and open space of 8.80 acres. Applicant availed itself of the flexible lot size option set forth in Section 182-44 of the Township Code. The conditional use was granted on 9/26/19 and a copy of the Conditional Use Decision and Order is attached. A conventional subdivision allows 17 lots and the Applicant added no additional lots as part of the flexible lot size option.

Public sewer is available to the property. However after investigating with Pennsylvania American Water as to the availability of public water, it is not feasible to provide public water to the site. Applicant is requesting a variance from Section 182-44.I. to provide on-site wells for the proposed single-family residential lots rather than the a centralized water system. Other than providing for wells on the lots, there will be no material change in the layout of the Property proposed at the conditional use hearing. The Applicant continues to propose open space of 8.80 acres and continues to meet the intent of the flexible lot option of preserving open space, encouraging the creation of internalized building patterns and consolidating otherwise scattered development. The use of flexible lotting better achieves the Township's goals for maintaining its rural character than would development under standard R-1 requirements.

The Applicant is requesting the following relief from the SS Steep Slope Conservation District:

A special exception from Section 182-134.A. for Lots 1 and 16 to have steep slopes within yard areas.

A special exception from Section 182-134.G, or in the alternative a variance from Section 135.A. for a small area of the dwelling on proposed Lot 16 to be located in a steep slope area as there is no viable, alternative location for the proposed dwelling that is feasible.

A special exception from Section 182-134.F., or in the alternative a variance from Section 182-135.B., for a portion of the cul-de-sac to be located in the Steep Slope Conservation District as there is no viable, alternative alignment or location that is feasible.

The Applicant is also requesting the following relief from the Floodplain Conservation District:

A variance from Section 182-28.1.A for the proposed dwellings on Lots 1, 2, 16 and 17 to be located in the Floodplain Conservation District

The Applicant is requesting a variance from Section 182-195.D. to extend the time period to apply for permits for 18 months from the Zoning Hearing Board decision.

The grant of the requested relief will not adversely affect the public health, safety and welfare and will not be adverse to the neighborhood and is the minimum to afford relief.

AGREEMENT OF SALE

THIS AGREEMENT is made and entered into this 12th day of January 2018, by and between Douglass & Laura B. Stearly & Walter Stearly (collectively, "Seller"), and Danny Jake Corp., ("Purchaser").

BACKGROUND

Seller is the owner of a parcel of land located in Montgomery County, Pennsylvania. Seller now desires to sell the land, and Purchaser desires to purchase the land, upon the terms and conditions set forth in this Agreement.

NOW THEREFORE, in consideration of the covenants and provisions contained herein and other good and valuable consideration, and intending to be legally bound hereby, the parties hereto agree as follows:

1. Agreement to Sell and Purchase. Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, subject to the terms and conditions of this Agreement, the following: that certain tract or piece of land containing approximately 23.43 acres, more or less, and the improvements (if any) erected thereon, known as Parcel 61-00-02238-005, Upper Providence Township, Montgomery County, Pennsylvania, together with (a) all easements, rights of way, licenses, privileges, hereditaments and appurtenances, if any, belonging to or inuring to the benefit of the land, and (b) all right, title and interest of Seller in and to any land lying in the bed of any highway, street, road or avenue, opened or proposed, in front or abutting or adjoining the land, any and all awards made, or to be made in lieu thereof, for damage thereto by reason of a condemnation or change in the grade of any highway, street, road or avenue (collectively, "Premises").

2. Purchase Price; Deposit.

(b) The remaining portion of the Purchase Price, plus or minus Closing adjustments, at Closing (hereinafter defined) by title company check or wired funds.

3. Condition of Title.

(a) Title to the Premises shall be good and marketable, and free and clear of all liens, restrictions, easements, encumbrances, leases, tenancies and other title objections except for the "Permitted Encumbrances" (as hereafter defined). In addition, such title shall be insurable under an ALTA Owner's Policy, Form B, Amended 1992, as aforesaid by any

IN WITNESS WHEREOF, and intending to be legally bound hereby, the parties hereto have executed this Agreement (for the Premises known as Parcel 61-00-02238-005, 23.43 acres, more or less, in Upper Providence Township, Montgomery County, Pennsylvania) as of the later date signed below and initialed any revisions herein by Purchaser and Seller.

PURCHASER:
Danny Lake Corp.

Witness: *[Signature]*

By: *Wayne Rosen, Pres.* Date *1/27/18* *AM*
Wayne Rosen, President

AM
WZ

Witness:

Marcello Balla

SELLER:

[Signature] Date *1/9/18*
Walter Stearly

AGREEMENT TO ASSIGN AGREEMENT OF SALE

This Agreement to Assign Agreement of Sale ("Assignment Agreement") is made as of the 25th day of May, 2018, by and between Danny Jack Corp. ("Assignor") and Hallmark Building Group, Inc. ("Assignee"), or its Permitted Assignee or Nominee. Assignor and Assignee are sometimes hereinafter referred to individually as a "Party" and collectively as the "Parties".

BACKGROUND

Assignor entered into an Agreement of Sale dated January 12, 2018 with Walter Stearly, ("Stearly") pursuant to the terms of which Stearly, as the "Seller", agreed to sell to Assignor an approximate 23.43 acre parcel with frontage on Greenwood Avenue known as Parcel 61-00-02238-005 in Upper Providence Township, Montgomery County, Pennsylvania ("Premises").

The Agreement of Sale was amended and reinstated by Addendum/Reinstatement of/to Agreement of Sale, dated May 7, 2018 ("First Addendum"), executed by Assignor and Stearly. The Agreement as amended by the First Addendum, are hereinafter collectively referred to as the "Agreement of Sale" and are attached hereto as Exhibit A.

Assignor has agreed to assign all of its right, title and interest in and to the Agreement of Sale to Assignee, and Assignee has agreed to accept that assignment on the terms and conditions hereinafter set forth. This Assignment Agreement is entered into to confirm the agreement of the Parties.

TERMS OF ASSIGNMENT

1. Assignment of Agreement of Sale. Assignor hereby assigns, transfers and sets over unto Assignee all of its right, title and interest in and to the Agreement of Sale, and all deposits made by Assignor on account of the Agreement of Sale, all effective as of the date hereof (the "Assignment"). Assignee hereby accepts the Assignment.

2. Consideration.

B. In the event Assignee elects to not proceed with the acquisition of the Property, pursuant to the terms of the Agreement of Sale, Assignee may elect to terminate its interest in the Agreement of Sale, the Assignment and in this Assignment Agreement on or before five (5) days prior to the expiration of the Due Diligence Period under the Agreement of Sale, by giving notice to Assignor of such election, whereupon, Assignor or Escrow Agent, as applicable, shall promptly return the Deposit referenced in Section 2(a) of this Assignment Agreement to Assignee, this Assignment Agreement shall become null and void, and neither Party shall have any further obligation to the other.

to any entity that is directly or indirectly controlled by Assignee or an affiliate of Assignee ("Permitted Assignee or Nominee").

IN WITNESS WHEREOF, Assignor and Assignee have set their hands and seals the day and year first above written with intent to be legally bound.

Assignor:

Danny Jake Corp.

By: Wayne Rosen, Pres.
Wayne Rosen,
President

Assignee:

Hallmark Building Group, Inc.

By: [Signature]
Richard R. Carroll, III
President

UPPER PROVIDENCE TOWNSHIP, MONTGOMERY COUNTY, PA

**IN RE Conditional Use Application
Of Hallmark Building Group, Inc.**

8-002 035 1154(CU)

**(395 Greenwood Ave.)
Stearley Tract
Tax parcel 61-00-02238-00-5**

DECISION AND ORDER

1. On December 17, 2018, Hallmark Building Group, Inc. submitted a conditional use application as equitable owner of 395 Greenwood Avenue.
2. The legal owners of 395 Greenwood Avenue are Douglas and Laura B. Stearly and Walter R. Stearly, 336 Nicholas Lane, Trappe PA 19426.
3. The application involves a 24.16 acre parcel on which Applicant intends to develop the property as 17 single family building lots. To do so, Applicant seeks to avail itself of the flexible lot size option set forth in Section 182-44.B of the Township Codified Ordinances. For lots under 35 acres, this option is available, but requires conditional use approval.
4. A hearing was held on April 1, 2019. The hearing was properly advertised in accordance with the Municipalities Planning Code and proof of publication was made a part of the record.
5. No person or entity sought party status.
6. Applicant was represented at the hearing by Bernadette Kearney Esquire.
7. All members of the Board were present and participated in the decision.
8. Engineer Richard Mast testified on behalf of Applicant and went through the ordinance criteria applicable to an application seeking to make use of the flexible lot size option for parcels under 35 acres, and presented exhibits showing the intended layout of the building lots.
9. Applicant demonstrated prima facie compliance with the criteria of the zoning ordinance and thus is presumptively entitled to the relief sought. No person or entity attempted to rebut the presumption and indeed no person indicated any manner of objection to the application.
10. The Board opted to vote at the conclusion of the testimony and voted unanimously, 5-0, to approve the application without the inclusion of any conditions.
11. The Board of Supervisors, pursuant to ordinance as well as the Pennsylvania Municipalities Planning Code, has sole jurisdiction to consider an application for conditional use relief.
12. As a matter of law, a zoning action that is allowed as a conditional use shall be granted when the applicant demonstrates compliance with the objective requirements of the ordinance and no party has rebutted that entitlement with contrary evidence.
13. Accordingly, the Board of Supervisors properly voted to approve the application and such approval is confirmed here. Applicant is granted approval to develop the subject parcel under the flex lot option set forth in 182-44.B of the Township codified ordinances.

UPPER PROVIDENCE TOWNSHIP, MONTGOMERY COUNTY, PA

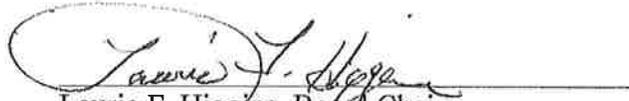
**IN RE Conditional Use Application
Of Hallmark Building Group, Inc.**

8-002 035 1154(CU)

**(395 Greenwood Ave.)
Stearley Tract
Tax parcel 61-00-02238-00-5**

ORDER

AND NOW, this 26th day of September, 2019, the decision of the Board rendered on April 1, 2019 is affirmed and Applicant is granted conditional use approval to develop 395 Greenwood Avenue under the flex lot option set forth in section 182-44.B of the Zoning Ordinance.


Laurie F. Higgins, Board Chair

GENERAL NOTES

- TITLE INFORMATION TAKEN FROM DEEDS OF RECORD AND A FINAL PLAN OF SUBDIVISION OF AUTION PARCEL, AS PREPARED FOR DOUGLAS STEARLY, BY JOHN F. ASTON REGISTERED SURVEYOR, DATED AUGUST 28, 1988, AND LAST REVISED MAY 20, 1988.
- TOPOGRAPHIC AND ELEVATION INFORMATION BASED ON PENNSYLVANIA SPATIAL DATA ACCESS (PSADA) MAPPING AND AVAILABLE MASTERY (2008 SOUTH-EASTERN PA) REFERENCE PANEL NUMBER 3400 2603.
- NO PART OF THE SUBJECT TRACT IS LOCATED WITHIN A 100-YEAR FLOOD PLAIN BASED ON THE FLOOD INSURANCE RATE MAP (FIRM) NO. 43081 C02260 AND 43081 C02261, EFFECTIVE DATE MARCH 2, 2016, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- RI (ROWLAND) SOILS ARE DESIGNATED AS AN ALLUVIAL SOIL WITHIN THE UPPER PROVIDENCE TOWNSHIP ZONING ORDINANCE. A ON-SITE INVESTIGATION PERFORMED BY V.W. CONSULTANTS, LLC, IN JULY 2016, HAS DETERMINED THAT NO ALLUVIAL SOILS ARE PRESENT IN THE AREAS PROPOSED FOR CONSTRUCTION.
- THERE ARE NO WETLANDS ON THE SITE BASED ON A STUDY PERFORMED BY V.W. CONSULTANTS, LLC, IN JULY 2016.
- THE PROPOSED LOTS SHALL BE SERVED WITH PUBLIC SEWER SERVICE PROVIDED BY THE UPPER PROVIDENCE TOWNSHIP.
- THE PROPOSED LOTS SHALL BE SERVED WITH PUBLIC WATER INTENDED TO BE PROVIDED BY THE PENNSYLVANIA AMERICAN WATER COMPANY.
- OPEN SPACE PARCEL A IS HEREBY OFFERED FOR DEDICATION TO UPPER PROVIDENCE TOWNSHIP.
- OPEN SPACE PARCELS A AND B ARE NOT BUILDING LOTS AND ARE TO BE PERMANENTLY PRESERVED AS OPEN SPACE IN ACCORDANCE WITH THE UPPER PROVIDENCE TOWNSHIP ZONING ORDINANCE.

SOILS DATA

SOIL INFORMATION FOR THE SITE WAS OBTAINED FROM THE US DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE WEB SOIL SURVEY WEBSITE.

PHB - PENN SILT LOAM, 3 TO 8 PERCENT SLOPES
RESTRICTIONS: 20 TO 27 INCHES TO PARALITHIC BEDROCK, 27 TO 33 INCHES TO LITHIC BEDROCK.

RAA - READINGTON SILT LOAM, 0 TO 3 PERCENT SLOPES
RESTRICTIONS: 20 TO 38 INCHES TO FRAGIPAN, 40 TO 70 INCHES TO LITHIC BEDROCK.

RAE - READINTON SILT LOAM, 3 TO 8 PERCENT SLOPES
RESTRICTIONS: 20 TO 38 INCHES TO FRAGIPAN, 40 TO 60 INCHES TO LITHIC BEDROCK.

RVA - REAVILLE SILT LOAM, 0 TO 3 PERCENT SLOPES
RESTRICTIONS: 20 TO 48 INCHES TO LITHIC BEDROCK.

RNB - REAVILLE SILT LOAM, 3 TO 8 PERCENT SLOPES
RESTRICTIONS: 20 TO 48 INCHES TO LITHIC BEDROCK.

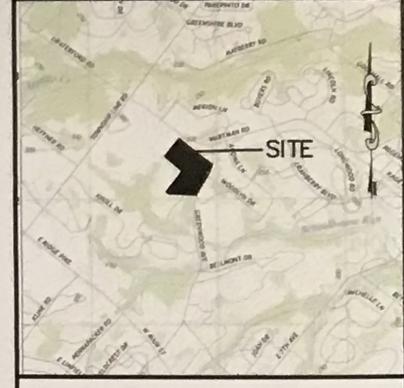
RIC - REAVILLE SILT LOAM, 8 TO 15 PERCENT SLOPES
RESTRICTIONS: 20 TO 40 INCHES TO LITHIC BEDROCK.

RI - ROWLAND SILT LOAM, TERRACE
RESTRICTIONS: 60 TO 89 INCHES TO LITHIC BEDROCK.

STEEP SLOPES

SUBD	MIN. SLOPE	MAX. SLOPE	AREA	LEGEND
1	12%	24%	3,983 SF	

SITE LOCATION MAP 1"=2000'



U.S.G.S. COLLEGEVILLE QUADRANGLE 7.5' SERIES

TAX PARCEL DATA

PARCEL NO. 01-05-02238-00-5
BLOCK/LINT BLOCK 2 UNIT 9
DEED BOOK 4780, PAGE 2177
PARCEL LOCATION 395 GREENWOOD AVENUE
ZONING DISTRICT R-1 RESIDENTIAL-AGRICULTURAL DISTRICT
OWNER OF RECORD DOUGLAS AND LAURA B. STEARLY AND WALTER R. STEARLY 336 NICHOLAS LANE TRAPPE, PA 19426
EQUITABLE OWNER HALLMARK BUILDING GROUP, INC. 855 EASTON ROAD, SUITE 320 WARRINGTON, PA 18975
GROSS TRACT AREA (TO TITLE LINE) 24.1460 ACRES

ZONING DATA

REQUIRED INFORMATION OBTAINED FROM THE UPPER PROVIDENCE TOWNSHIP ZONING ORDINANCE.

ZONING DISTRICT: R-1 RESIDENTIAL-AGRICULTURAL DISTRICT
EXISTING USE: VACANT LAND
PROPOSED USE: SINGLE-FAMILY DETACHED - FLEXIBLE LOT SIZES

	REQUIRED	PROPOSED
MIN TRACT SIZE	35 AC	23.25 AC ⁽¹⁾
MINIMUM LOT SIZE	20,000 SF	22,710 SF
MINIMUM LOT SIDE	217.000 SF	47,310 SF
MINIMUM AVERAGE LOT SIZE	30,000 SF	33,115 SF
MIN LOT WIDTH @ BUILDING LINE	100 FT	115.9 FT
MIN LOT WIDTH (CORNER LOT)	125 FT	143.0 FT
MIN FRONT YARD SETBACK	40 FT	20 FT
MIN SIDE YARD SETBACK (EACH)	50 FT	50 FT
MIN SIDE YARD SETBACK (AGGREGATE)	50 FT	50 FT
MIN REAR YARD SETBACK	50 FT	50 FT
MAX BUILDING HEIGHT	35 FT	<35 FT
MAX BUILDING COVERAGE	15%	<15%
MINIMUM OPEN SPACE	4.71 AC	8.27 AC ⁽²⁾
MAXIMUM LOTS DENSITY	17 LOTS	17 LOTS ⁽³⁾

NOTES:
(1) USE OF THE FLEXIBLE LOTTING PROVISION ON TRACTS SMALLER THAN 35 ACRES IS PERMITTED BY CONDITIONAL USE.
(2) AN OPEN SPACE AREA OF NOT LESS THAN 20% OF GROSS LAND AREA IN 7% ACRES SHALL BE PROVIDED.
(3) MAXIMUM LOT DENSITY IS BASED ON A YIELD PLAN AND LOT LAYOUT DRAWN PURSUANT TO THE NORMAL R-1 RESIDENTIAL-AGRICULTURAL DISTRICT REQUIREMENTS.

NO.	DESCRIPTION	DATE
1	UPDATED SURVEY	MAY 26, 2020

DRAWING SCALE: 1"=60'

NO.	REVISION	DATE
1	UPDATED SURVEY	MAY 26, 2020

PLAN ORIGINATOR DATE: DECEMBER 14, 2018

ZONING PLAN
FOR THE
STEARLY TRACT
PREPARED FOR
HALLMARK BUILDING GROUP, INC.
THE SITE IS IN
UPPER PROVIDENCE TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA

Richard C. Mast Associates, P.C.
Consulting Engineers and Surveyors
www.rcmaonline.com

THE VILLAGE @ LINDSBURGH
658 Hatterville Pike, Suite 150
Hatterville, PA 19426
(215) 513-2100

DRAWN BY: PHILIP MUEHL PROJECT NO: 3021 DRAWING NO: 1 OF 1
DATE: MAY 26, 2020

UNDERGROUND UTILITY NOTE

LOCATIONS OF EXISTING UTILITIES SHOWN HEREON ARE BASED ON INFORMATION RECEIVED FROM FACILITY OWNERS FOLLOWING A CALL TO PA ONE CALL SYSTEM, INC. COMPLETENESS OR ACCURACY OF TYPE, SIZE, DEPTH, OR HORIZONTAL LOCATION OF UTILITIES CANNOT BE GUARANTEED. CONTRACTORS MUST VERIFY THE LOCATION AND DEPTH OF UNDERGROUND UTILITIES BEFORE THE START OF WORK BY NOTIFYING FACILITY OWNERS THROUGH THE PA ONE CALL SYSTEM (1-800-242-1770 OR 811), NOT LESS THAN 3 BUSINESS DAYS MORE THAN 10 BUSINESS DAYS IN ADVANCE OF BEGINNING EXCAVATION OR DEMOLITION WORK FOR THE REQUIREMENTS OF PA ACTS 287 AND 121, AS AMENDED.

DESIGN SERIAL NO.: 2017103180 (JULY 12, 2017)

