



BOROUGH OF NORTH WALES

300 School Street, North Wales, PA 19454
Phone: 215-699-4424 • Fax: 215-699-3991
<http://northwalesborough.org>

PLANNING COMMISSION MEETING Wednesday, March 5th, 2025 – 7:00 P.M.

Gregory J. D'Angelo
Lillian Higgins
Star Little
Mark Tarlecki
Jocelyn Tenney

Call to Order, Date and Time
Roll Call
Pledge of Allegiance

1. Public Comment

2. Discussion: Comprehensive Plan Audit Survey Results

3. Consideration: SALDO Review

4. Consideration: Approval of Minutes – February 5th, 2025

5. Old Business / New Business

Adjournment

All interested parties may participate on the date and time noted above and when called upon by the Chair. The public may also submit questions or comments prior to the meeting by e-mail to info@northwalesborough.org; these must be received no later than 12 Noon on the day of the meeting. Persons with disabilities who wish to attend the meeting and require auxiliary aid, service, or other accommodation to participate in the meeting should contact North Wales Borough at 215-699-4424 or by e-mail to info@northwalesborough.org.

Article VII. Improvement Construction Requirements

§ 184-90. Applicability.

Before the final plan is signed and made ready for recording or prior to the issuance of any permits needed for construction or occupancy of any subdivision or land development, all applicants are required to complete to the satisfaction of Borough Council or ensure the completion of all required public improvements in manner set forth in this article.

§ 184-91. Completion or guarantee of required improvements.

The applicant shall comply with the public improvement construction requirements in the following ways:

- A. Complete all of the improvements required by Borough Council for final plan approval, in compliance with the requirements of this chapter; or
- B. Provide proper financial security in a manner acceptable to the Borough to ensure the completion of all improvements, as required by this article, in compliance with the Pennsylvania Municipalities Planning Code.
 1. The work completed or guaranteed shall be in strict accordance with the conditionally approved plans and the requirements of this chapter.
 2. No lot in a subdivision may be sold, and no permit to erect, alter, or repair any building upon land in a subdivision or land development will be issued unless and until a subdivision and/or land development plan has been approved, and where required, recorded, and until the required improvements in connection therewith have either been completed or guaranteed for completion as required herein.
 3. The applicant shall also guarantee that no lot will be sold or building constructed in any floodplain area except in compliance with the floodplain management requirements of this chapter, **Chapter 208, Zoning**, and the Borough Building Code.
 4. Borough Council may defer at the time of final plan approval, subject to appropriate conditions, the provision of any or all required improvements, as in its judgment, are not requisite in the interests of public health, safety and welfare, or which are inappropriate due to the inadequacy or nonexistence of connecting facilities. A separate public improvement agreement may be executed by Borough Council guaranteeing completion of any deferred improvement at some later date.

§ 184-92. Financial security.

- A. In lieu of the completion of improvements required for final plan approval, financial security, in an amount required, shall be guaranteed to the Borough in compliance with the applicable requirements of the Pennsylvania Municipalities Planning Code. Such financial security shall assure the complete installation of all the required improvements to be completed on or before the date fixed in the conditional plan approval, subdivision agreement, and/or development agreement for completion of such improvements.

- B. The amount of such security to be posted for the completion of required improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Annually, the Borough may adjust the amount of the required financial security by comparing the actual cost of improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after the original scheduled date for completion or a rescheduled completion date.
- C. Determination of the cost of the completion of improvements used for setting the amount of financial security shall be based upon an estimate of the cost of completion of required improvements submitted by the applicant or developer, and prepared by a professional engineer and certified to be fair and reasonable. The Borough, under recommendation of the Borough Engineer, shall review the estimate and adjust the estimates as necessary.
- D. When requested by the applicant in order to facilitate financing, Borough Council shall furnish the applicant with a signed copy of a resolution indicating approval of the final plan contingent upon the applicant obtaining a satisfactory financial security. Final plans will not be signed or recorded until the financial improvements agreement is executed. The resolution of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days, unless a written extension is granted by Borough Council.
- E. The Borough at its option, may accept financial security in the form of cash escrow placed with the municipality, irrevocable letter of credit, escrow account, or surety bond with a bonding company or chartered lending institution chosen by the party posting financial security provided said institution or company is authorized to conduct such business in the Commonwealth of Pennsylvania.

§ 184-93. Release of financial security.

Borough Council may release all or parts of the posted financial security as completion of improvements proceeds, in compliance with the applicable requirements of the

FINANCIAL SECURITY

In order to provide a safeguard against noncompliance of required aspects of an approved plan, a financial guarantee must be provided to the borough that is to be held in escrow. We are retaining the 110% of cost of required improvements.

Process:

1. Applicant's engineer provides a proposal for the cost of required improvements, setting the starting point for negotiation.
2. The Borough Engineer reviews the proposal and proposes an alternative, if they find it necessary.
3. Once the borough has the cash in-hand, a contingent approval is granted that allows work to commence.
4. The applicant may then draw-down the escrow account as improvements are made, which are to be confirmed by the Borough Engineer.
5. In the event of noncompliance, the borough can seek to revoke plan approval, utilize the funds held to construct required improvements, or take other enforcement action.
6. In some cases, such as landscaping material, funds are held for 18-months, ensuring that funds are available to address any post-construction failure of material.

Pennsylvania Municipalities Planning Code and according to the following requirements:

- A. Partial release of security. As the work of the installation of the required public improvements proceeds, the party posting the financial security may request the Borough to release or authorize the release, from time to time, such portions of the financial security necessary for the payment of the contractor or contractors performing the work. Any such request shall be done in writing addressed to the municipality. Upon receipt of the request for release of a portion of the improvement security, the municipality shall within 45 days allow the Borough Engineer to certify, in writing, that such portion of the public improvements has been completed in accordance with the approved plan at which time the Borough shall authorize the release to the applicant or his designee by the bond company or lending institution of an amount of funds that the Borough Engineer feels fairly represents the value of the work completed. If the municipality fails to act upon a request for release of security within 45 days, the Borough shall be deemed to have approved the full release of security as requested.
- B. Incomplete improvements. If the required improvements are not completely installed within the period fixed or extended by Borough Council, Borough Council may take one or more of the following actions:
 - 1. Declare the financial security in default and require that all improvements be installed regardless of the of the extent of the building development at the time the agreement is declared in default;
 - 2. Suspend final plan approval until the development improvements are completed and record a document to that effect for the purpose of public notice;
 - 3. Obtain funds under the security and complete improvements;
 - 4. Assign the right to receive funds under the security to any third party, including a subsequent owner of the property wherein improvements were not completed in exchange for that subsequent owner's promise to complete improvements;
 - 5. Exercise any other available rights under the Pennsylvania Municipalities Planning Code.
- C. Post-completion security. The applicant shall be responsible for maintenance of all improvements for a period of 18 months after final acceptance and certification of project completion.
- D. Security. The applicant shall be responsible for the full replacement of all dead or diseased trees or shrubs for 18 months after final acceptance and certification of project completion. Final inspection of landscaping shall be performed while trees are fully leafed out, typically May 1 through November 1.

§ 184-94. Inspection of work materials.

- A. Notice. The Borough Engineer shall be notified 48 hours in advance of the commencement of any construction or installation operation, to schedule an inspection by the Borough. Construction and installation operations shall also be subject to inspection by the Borough during the progress of the work. The applicant, developer, or builder shall pay the reasonable

and necessary expenses for inspections in accordance with the fee schedule established by resolution of Borough Council.

- B. Improvement specifications. All required road improvements should be constructed in accordance with the applicable provisions of **PennDOT Publication 408, 2020 edition (Change number 11, Publication #408/2020-11)**, and other applicable regulations. All other required improvements shall be constructed in accordance with approved specifications found in this Chapter. If the appropriate standards are not provided in this chapter, the following procedures shall be used:
1. Specifications. The specifications will be furnished to the applicant by the Borough. If any of the specifications are unavailable at Borough Hall, the Borough Engineer shall provide the applicable specifications.
 2. Sample of materials. During or after construction of any required improvement, if the Borough requires a sample of materials, said sample shall be furnished by the appropriate contractor, in a form specified by the Borough Engineer.
- C. Delivery slips. Copies of all delivery slips for materials used in the construction of any storm sewers, sanitary sewers, roads, curbs, sidewalks, or any other facility within a Borough right-of-way or easement or in areas proposed for future dedication to the Borough shall be supplied to the Borough.

§ 184-95. Off-site improvements.

Certain improvements beyond the geographical boundaries of a site to be subdivided and/or developed, including but not limited to road improvements, may be requested by the Borough where it can clearly be demonstrated that such improvements have been made necessary solely through the additional burden imposed by the subdivision and/or development of the site. All such improvements or contributions for future off-site improvements shall be considered voluntary and will not be refunded to the developer. The developer may also be requested to cover certain costs which must be incurred by the Borough or other governmental jurisdiction in order to make these improvements feasible. The legal and financial arrangements to cover costs of the off-site improvements shall be the same as those prescribed in **§ 184-91**, above.

§ 184-96. Conditions of acceptance.

- A. Conditions. The Borough shall have no obligation to accept dedication of any street or other improvement unless:
1. The required improvements, utility mains and laterals, and monuments, shown on the approved plan or plans have been constructed to meet all requirements, and are free of defects or deterioration, as evidenced by inspection as well as by as-built plans produced by the applicant.
 2. It is established to the satisfaction of Borough Council that there is a need for the dedication of improvements.
 3. A deed of right-of-way is submitted and accepted by PennDOT conforming to the required standards qualifying the street for liquid fuels funding.
- B. Acceptance. The borough shall have no responsibility with respect to any street or other

improvement, notwithstanding the use of the same by the public, unless the street or other improvement is accepted by the Borough through the passage of an ordinance or resolution adopted by Borough Council.

C. Offer of dedication.

1. The applicant shall submit a written offer of dedication to the Borough for the streets and other improvements including but not limited to sidewalks, streetlights, underground wiring including cable boxes, wifi, etc., and other such improvements. The written offer of dedication shall include the following:
 - a. A deed of dedication covering the improvements.
 - b. A copy of a title insurance policy establishing the applicant's clear title to the property.
2. The items required § 184-96.C.1., above, shall be submitted to the Borough Engineer and Solicitor for their review and recommendations.
3. Borough Council may accept dedication of the streets or other improvements by passing an ordinance or resolution to that effect.

§ 184-97. Guarantee of completed improvements.

When Borough Council accepts dedication of required improvements following their completion or certifies project completion, Borough Council may require posting of financial security by the applicant to secure the structural integrity and functioning of these improvements in accordance with the design and specifications as depicted on the approved final plan.

- A. Said financial security shall be of the same type as otherwise required by § 184-92, above.
- B. The amount of financial security shall be 15% of the actual cost of installation of the improvements.
- C. The term of the guarantee shall be 18 months from the date of acceptance of dedication or certification of project completion.
- D. Prior to the issuance of the final letter to the applicant from the Borough certifying project completion and accepting dedication, said final letter shall be cosigned by the Borough Manager, Borough Secretary, and Borough Council President.

§ 184-98. Private maintenance of improvements.

Where the maintenance of improvements is to be the responsibility of individual lot owners, a homeowners' association or similar entity, or an organization capable of carrying out maintenance responsibilities, the Borough Council shall require that maintenance responsibilities be set forth in perpetual covenants or deed restrictions binding on the landowners' successors in interest and may further require that an initial maintenance fund be established in a reasonable manner.

§ 184-98. Required contracts.

Before the Borough Council shall cause its approval to be endorsed upon the final plans of any subdivision or land development (except in the case of minor subdivisions wherein Borough Council may impose no condition or conditions for the approval of the plan), and as a requirement for the approval thereof, the owners shall enter into a written agreement with the Borough in the manner and form set forth by the Borough Solicitor which shall include but not be limited to the following:

- A. To construct or cause to be constructed or installed, at the owners' expense, all streets, curbs, sidewalks, fire hydrants, streetlights, stormwater facilities, water and sewer facilities, street signs, monuments, capped sewers, parks, landscaping, line painting, and other improvements shown the final plan when required to do so by Borough Council in accordance with the standards and specifications of the Borough.
- B. To maintain at the owners' expense all streets, curbs, sidewalks, stormwater facilities, water and sewer facilities, street signs, parks, monuments, fire hydrants, streetlights, capped sewers, line painting, landscaping, and other improvements, until the same are accepted or condemned by the Borough for public use, and for a period of 18 months thereafter to repair and reconstruct the same of any part of one of them when such repair or reconstruction shall be specified by Borough Council as necessary by reason of faulty construction, workmanship, or materials, or the structural integrity or functionality of the improvements are not satisfactory as determined by the Borough or Borough Engineer.
- C. To pay all costs, charges, or rates, of the utility furnishing electric service for the lighting of the streets on or abutting said subdivision, from the lights installed by the owner, until such time as the streets shown on the subdivision plans shall be accepted as public streets of the Borough by ordinance or resolution, and to indemnify and hold harmless the Borough from and against all suit, actions, claims, and demands for electric service to the streets shown on said plans, or any part thereof, to the time that said streets shall be accepted as public streets of the Borough in the manner hereinabove set forth.
- D. Pay the inspection fees required by the Borough.
- E. To obtain the easements and releases required when any street, drainage facility or other improvement wherein a subdivision abuts or traverses land of persons other than the person holding legal title to the lands of the subdivision at his own cost, and obtain from the owner of the lands so abutted or traversed full releases from all damages which may change in grade, construction, or otherwise, of the street, drainage facility or other improvements and such releases shall insure to the benefit not only of the owner of the subdivision but to the Borough as well.
- F. To promptly remove or cause to be removed snow from the streets as may be required for safe traverse of the streets prior to dedication.
- G. To promptly reimburse to the Borough reasonable solicitor's and engineers' fees.
- H. To provide in a timely manner, all construction and shop drawings and plans including a full set of "as built" plans in paper and in appropriate electronic format as specified by the Borough Engineer.
- I. Such other provision(s) as deemed necessary or desired by Borough Council.

Article VIII. Special Reports and Studies

§ 184-100 Purpose and Contents.

The following special studies or reports to be developed by qualified professionals may be required to support and justify subdivision and land development proposals as required by this chapter and **Chapter 208, Zoning**.

§ 184-101 Transportation Impact Study.

- A. Intent. A transportation impact study (TIS) is intended to enable North Wales Borough to assess the transportation impacts of a proposed development or redevelopment. Specifically, its purpose is to:
1. Ensure a safe and efficient transportation network for all users, including drivers, pedestrians and bicyclists.
 2. Identify any transportation problems that may be created in the existing transportation system as a result of the proposed development.
 3. Identify solutions to potential problems and to present mitigation improvements to be incorporated into the proposal or into the transportation systems within the study area.
 4. Assist in the protection of air quality and the conservation of energy and to encourage the use of alternative transportation modes where available.
 5. Ensure that TIS submissions to the Municipality are consistent with the **PennDOT Publication 282, Appendix A, "Policies and Procedures for Transportation Impact Studies," (February 28, 2024)**.
- B. Preparation of study. The transportation impact study shall be prepared by a qualified traffic engineer and/or transportation planner in accordance with **PennDOT Publication 46, Traffic Engineering Manual (March 3, 2014)**. All costs associated with the preparation of a TIS shall be borne by the applicant. The procedures and standards for the transportation impact study are set forth below. The applicant may provide funds to the Borough to enable the Borough to hire a traffic engineer of its choice to conduct the study, if this procedure is deemed appropriate and approved by the Borough.
- C. Applicability. A transportation impact study shall be submitted as part of all subdivision, land development, and conditional use applications for all development that

SPECIAL REPORTS AND STUDIES

This article identifies a handful of special reports and studies that need to be submitted alongside a Subdivision and/or Land Development application. This includes the following: transportation impact study, stormwater management report, historic resources report and a community and fiscal impact analysis. These studies provide a more in-depth exploration of the topic under consideration, and the findings help to paint a more complete picture of the anticipated impacts of the proposed development.

TRANSPORTATION IMPACT STUDY

A Transportation Impact Study, or TIS, provides an analysis of the anticipated impact on vehicular, pedestrian, bicycle, and transit users. The applicant may opt to have their own consultant undertake the study, or they may pay a fee to the borough to cover the cost of review by the borough engineer. In the past, this type of study was often referred to as a "traffic impact study" and focused only on vehicular transportation. As proposed, a TIS would require a more thorough examination of how all modes of travel are expected to be impacted and how these impacts may be mitigated.

Much of the guidelines are based upon PennDOT Publication 282, Appendix A, "Policies and Procedures for Transportation Impact Studies," (February 2024).

meets any of the following conditions:

1. Any development proposals that generate 40 or more trips during the site peak hour, or 400 or more trips per day, regardless of the proposed land use.
 2. Any proposed subdivision or land development with 25 or more lots or dwelling units.
 3. Any proposed subdivision or land development with 50,000 or more square feet of building area.
 4. Any subdivision or land development application whose site, in the opinion of Borough Council, has a significant impact on traffic flow and safety.
 5. A TIS may also be required for zoning map or text amendments, special exceptions, variances, and/or any other pertinent proposal, or as requested by the Borough.
- D. Coordination. Coordination with PennDOT or county highway occupancy permit (HOP) managers shall occur as appropriate. A TIS prepared in accordance with the guidelines of PennDOT as part of an application for a state HOP should be submitted to the Borough in fulfillment of the requirement for a TIS by North Wales Borough.
- E. Trip generation. The anticipated number of peak hour trips and trips per day shall be determined using the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition*. The proposed use or development shall be identified using the appropriate ITE land use code. The appropriate ITE land use code shall be agreed upon by the applicant and the Borough.
- F. Municipal scoping meeting. A municipal scoping meeting may be required to ensure that the parameters used in the TIS accurately reflect municipal conditions and expectations. The applicant should confirm the need for a municipal scoping meeting prior to submission. The municipal scoping meeting will address the number and locations of proposed access points, project schedule and phasing, number of intersections of local streets with Main Street (Sumneytown Pike) additional intersections to be included in the analysis, specific ITE trip generation land use codes, pass-by volumes, modal splits, any trip adjustments to be used, and other area developments and programmed roadway improvements to be included in the future conditions analysis as well as potential opportunities to implement transportation demand management (TDM) activities. Agreement on all scoping parameters shall be obtained prior to initiation of the TIS. The municipal scoping meeting may be held in conjunction with the PennDOT or county scoping meeting.
- G. If a municipal scoping meeting is not held, the applicant shall include, at minimum, the three intersections of a local street with Main Street (Sumneytown Pike) that are closest to the proposed development.

TIS CONTINUED...

Applicability

An applicant must submit a TIS when one of the following thresholds are met: the development is anticipated to generate 40 or more trips per peak hour or 400 or more trips per day; any development that provides for 25 or more lots or dwelling units; any development that includes 50,000 SF of building; any site that Borough Council would consider to have a “significant impact on traffic flow and safety”. Other circumstances noted under #5 covers where a TIS is required by Zoning.

Process

Coordination with PennDOT and/or the county should occur when a road under their jurisdiction may be impacted. MCPC generally CC’s PennDOT when we receive 247 reviews where we foresee a PennDOT impact, but it is still important to start that process early.

County: Sumneytown Pike, just east of the borough (UG Twp.)

PennDOT: East and West Walnut Avenue

H. General requirements and standards. A Transportation Impact Study shall contain the following information:

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

TIS CONTINUED...

Requirements and Standards

1. The **general site description** requires a detailed explanation covering the physical characteristics of the site, construction staging and timeline, and a description of the proposed land use. Going along with the proposed land use, there is a requirement to describe who is anticipated to be a visitor or resident.
2. The **transportation facilities description** required data related to traffic volume, land use context in study area, site access and associated site distance calculations, details on pedestrian, bike, and transit facilities. Photos may also be relevant to review of this data, as it could highlight existing deficiencies.
3. The **existing conditions scenario** requires a study of current traffic conditions surrounding the subject property. As drafted, we would be requiring data on the three (3) nearest intersections of a local road with Main Street. Should Walnut and/or Beaver also be considered for inclusion?
4. The **background traffic analysis** includes a projection of how traffic (from other uses/developments) will change at set points in the future, starting with year one.
5. The traffic characteristics of the proposed development requires that the applicant conduct a traffic generation study for the proposed development.

current year of the study, unless approved by the Borough Engineer.

5. Traffic characteristics of the proposed development. The following characteristics of traffic generated by a proposed development shall be estimated based upon reasonable sources as agreed upon by North Wales Borough, PennDOT, and the applicant.
 - a. Trip generation - total volume of traffic arriving at and departing from a site. This shall include projected vehicular, pedestrian, and bicycle volumes, as well as transit ridership.
 - b. Modal split - the form or type of transportation used to reach or depart from a site.
 - c. Trip distribution - the arrival and departure pattern of traffic at a site.
 - d. Traffic assignment - typical routes used to arrive at or depart from a site.
6. Future analysis. Future traffic volumes for the study area at the project opening year and design horizon year shall be projected in at least two scenarios: with and without the proposed development.
7. Level of service requirements. The TIS shall compare the operating LOS and delay for the design horizon year both with and without the development. An evaluation comparing the without development and with development scenarios shall be used to determine if the overall LOS has dropped. The impact of development on the level of service at all intersections within the study area shall be evaluated. This shall include the three intersections of a local street with Main Street (Sumneytown Pike) that are closest to the proposed development. Level of service below "C" shall be considered deficient and a mitigation analysis shall be performed.
8. Mitigation analysis. If level of service requirements are not realized, the study shall outline mitigation measures and demonstrate any changes to the level of service achieved by these measures. Any alternatives or suggested phasing of improvements shall be described. The mitigation measures may include recommendations such as roadway widening, changes in striping, turning lanes, deceleration lanes/tapers, changes to signalization, use of access management techniques, or a reduction in the proposed intensity of the use. The responsibility and timing of all recommended roadway improvements shall be described within the transportation impact study.

TIS CONTINUED...

Requirements and Standards

6. The future analysis is similar to the background traffic analysis, in that it looks at the anticipated changes in traffic generation for the proposed development at set intervals, starting with year one.
7. The **level of service requirements** requires a comparison of existing conditions to future conditions, and requires that the development does not create new delays in the transportation system.
8. The **mitigation analysis** is required only if adverse impact is found during the level of service requirements review. This is when the application would propose improvements to avoid any adverse impact created by the development.
9. The street improvements requirement states that the applicant must recommend physical improvements to bordering roadways that would allow for the accommodation of the new development. This is fairly similar to the above mitigation analysis, but more localized (immediate area).
10. Lastly, if **multiple phases** are planned, the applicant must provide calculations for each phase. Borough Council (and Engineer) then reviews the findings of the study. Any mitigation measures (physical upgrades) are then negotiated. Emergency Response organizations are provided with the study as well, and they may request the ability for signalized intersection preemption.

9. Street improvements. The study shall include recommendations for street improvements bordering the site that will be used to accommodate the traffic generated by the proposed subdivision or land development; and cost estimates for the associated recommendations. In any location where signalization is considered, so too shall the addition of a roundabout or mini-roundabout be considered and studied.
 10. Multiple phases. If the proposed subdivision or land development will occur in multiple phases, then calculations for the completion of each phase shall be provided in the study.
- I. Time of submission. The transportation impact study shall be submitted to the Borough with the preliminary plan submission. Revisions to preliminary plans may constitute the need for re-submission of the transportation impact study for the revised conditions. The applicant shall coordinate the submission of plans and highway occupancy permit applications to PennDOT with the Borough review process. An application which requires a TIS shall not be considered complete until the TIS is submitted.
 - J. Implementation. Borough Council shall review the transportation impact study to analyze its adequacy in solving any traffic problems that will occur due to the land development or subdivision. Borough Council may determine that certain improvements on and/or adjacent to the site, including those related to access or egress, are necessary requirements for land development or subdivision plan approval and may attach these as conditions to the approval. If Borough Council determines that such additional improvements are necessary, the developer shall have the opportunity to submit alternative improvement designs to obtain plan approval. When PennDOT or the Montgomery County Roads and Bridges Division maintain the road upon which access from a development is sought, the Borough and applicant shall coordinate with the appropriate entity.
 - K. Emergency response organizations. The Borough shall submit all land development plans to the fire department, police department, and any other emergency response organization having jurisdiction within the area of the proposed development for review and comment. If requested by any emergency response organization, Borough Council may require the developer of a land development to provide emergency signal preemption for any traffic signals located within or immediately adjacent to the development.

§ 184-102 Stormwater Management Reports.

A stormwater management report shall be submitted alongside any application for Subdivision and/or Land Development in accordance with **Chapter 180, Stormwater Management**. All plans showing the proposed storm sewer construction must be accompanied by a complete design prepared by a registered engineer currently licensed in the Commonwealth of Pennsylvania. An application shall not be considered complete until a Stormwater Management Report is submitted in compliance with **Chapter 180, Stormwater Management**.

SWM REPORTS

Stormwater management is comprehensively addressed in Chapter 180, Stormwater Management, so we are only citing this ordinance within the SALDO. Without the citation, the requirement to comply with Chapter 180 would still apply.

§ 184-103 Historic Resources Reports.

- A. Historic resources report. Any subdivision and/or land development involving or adjacent to a site or structure within the North Wales Historic District or that is listed in federal or state inventory as historic resources or historic districts shall require the preparation of a historic resource report prepared by a qualified historic preservation professional knowledgeable in the historic period of the structure. The historic resources report shall be submitted with an application for Subdivision and/or Land Development and shall be submitted to the Historical Architectural Review Board in accordance with **Chapter 130, Historic Preservation District**. A Historic Resources Report shall address the following minimum considerations:
1. A site layout plan of the proposed development site that highlights any historic resources that are on-site or within 100 feet of the property boundary. The site layout plan shall include a depiction of the existing conditions and the proposed layout following development.
 2. Physical description of the site and setting of the historic buildings.
 3. Narrative describing the resource's historical significance, including citations.
 4. Photographic documentation, including general site conditions, and details of the building, both exterior and, where possible, interior.
 5. A detailed description of anticipated impact that the proposed development will have on the historic resource(s) in question.
 6. Architectural renderings of any structures proposed as part of the development. Architectural renderings shall include detail on the proposed massing and architectural treatments proposed.
 7. A description of any buffering, landscaping or other screening that will be used to protect the integrity of the existing historic resources.
- B. Application for demolition of an historic structure. If demolition of a historic resource is proposed, the applicant shall file a report prepared by a qualified historic preservation professional knowledgeable

HISTORIC RESOURCES REPORT

A historic resources report will only be required for properties within or adjacent to the local historic district. As new landmarks are added, these would also be a trigger for this requirement (e.g., properties listed in the National Register). The Planning Commission, HARB, and Borough Council would be allowed a chance to review the report.

The applicant will be required to provide a site plan, photographs, and narrative description of any impacted or potentially impacted historic sites. Any impacts must also be discussed, and any proposed buffering to mitigate impact must also be noted. Architectural renderings of the proposed development must be provided, which would already be the case for HARB review.

If a developer is looking to demolish a historic structure, standards are provided to aid the HARB in review of the application. The applicant must prove:

- Use: the current use of the building is no longer feasible, and other permitted uses are infeasible due to Zoning or Building Code.
- Adaptive reuse is infeasible due to site or building constraints or a financial hardship.
- That the applicant has not contributed to existing conditions, either through neglect or prior renovation, conversion, alternation, or similar actions.
- That a proposed new building will not adversely impact the neighborhood/district.
- That the building is structurally unsound.

If demolition is approved, documentation of the soon-to-be-lost resource is required.

in the historic period of the structure which shall be submitted to the Historical Architectural Review Board pursuant to **Chapter 130, Historic Preservation District**. To support the demolition of the property the report should clearly demonstrate the following:

1. That the current use of the building is no longer feasible.
 2. That other possible uses have been denied or have been deemed infeasible due to the requirements of **Chapter 208, Zoning**, or the applicable building code.
 3. That potential adaptive reuses of the building are infeasible due to the constraints related to the building, structure or property.
 4. That the building, its permitted uses, and adaptive reuse potential does not provide a reasonable rate of return, based on a reasonable initial investment.
 5. That the applicant has not contributed to existing conditions, either through neglect or prior renovation, conversion, alternation, or similar actions.
 6. That a proposed new building or use of the property will not adversely affect the character of the neighborhood.
 7. That the building is structurally unsound. Historic and cultural resources may be studied and documented when proposed development would remove or alter them.
- C. If a demolition permit is granted for the historic building, the applicant shall prepare a historic structure report with the following information:
1. Physical description of the site and setting of the historic buildings.
 2. Narrative describing the resource's historical significance, including citations.
 3. Photographic documentation including general site conditions, and details of the building, both exterior and, where possible, interior.
 4. Chain of title.
 5. Measured drawings labeled for cross reference to the photographs.
 6. Appendices should include copies of the deeds and relevant wills, maps and other supporting materials.

§ 184-104 Community and Fiscal Impact Analysis.

- A. This analysis shall be submitted for land developments involving more than 25 residential units or 10,000 or more square feet of gross leasable floor area. These impact statements must be found to be satisfactory prior to approving the land development.
- B. The analysis shall include the following information:
 1. An analysis of the social and demographic characteristics of the proposed development in terms of future residents and users.

COMMUNITY AND FISCAL IMPACT ANALYSIS

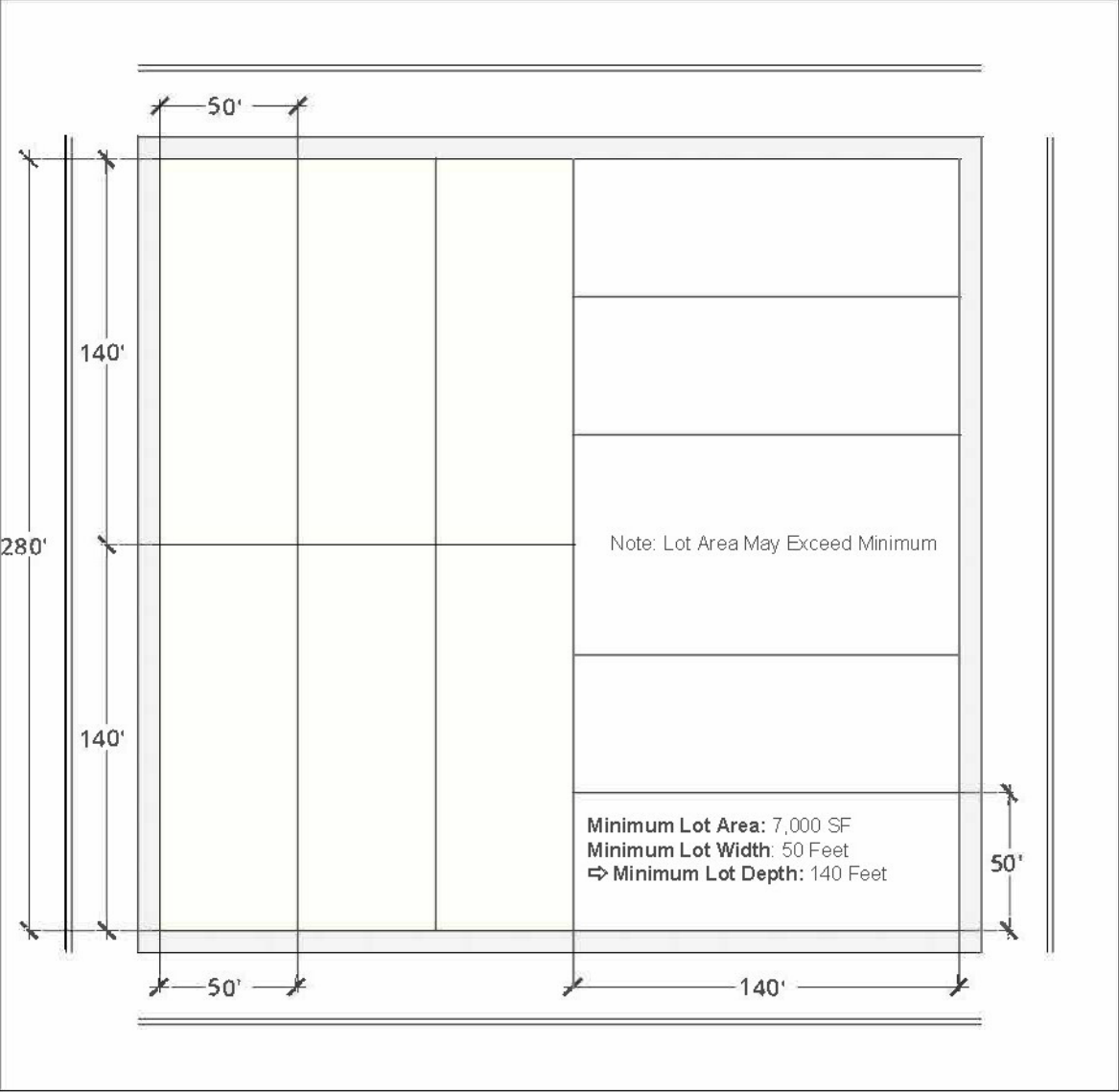
This is new addition to the SALDO that would be required when 25+ dwelling units are proposed or 10,000+ SF of new building is proposed. The analysis includes a description of the anticipated socioeconomic status of future residents/users, a cost-benefit analysis showing how tax revenue versus cost compare, and the impact on community facilities and utilities. Ultimately, this is aimed to catch any potential downsides of the proposed development that may not be covered otherwise; that is to say, we do not always get a clear picture of fiscal impact from proposed development via traditional SALDO submission requirements.

2. An analysis of the potential cost/benefits of the development, including a profile of any possible borough, county and/or school district revenues that the proposal may generate and any respective costs which it may create.
3. An analysis of the proposed impact of the development on the community's facilities, including schools, parks and recreational areas, libraries, hospitals, fire protection, police protection, and ambulance and rescue services. In the case of parks and recreational needs, the analysis should explain how these needs would be met on-site.
4. Identification of utility needs of the future residents and users of the site, including water supply, sewage disposal, refuse disposal, storm drainage and electric transmissions. The analysis should discuss:
 - a. The ability of existing utility installations to meet the projected needs of the development.
 - b. The need for additional or expanded utility installations.
 - c. The ability to achieve an adequate system for storm drainage and stormwater management.

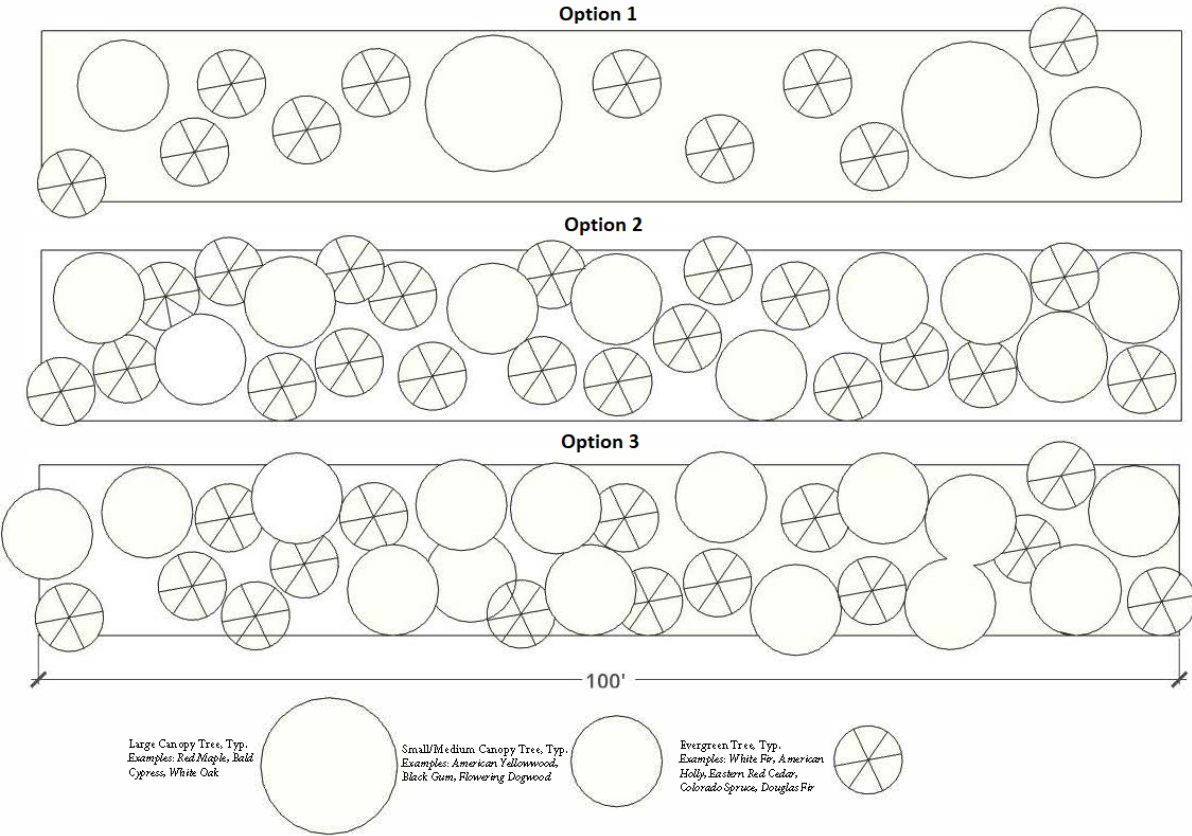
DRAFT

New Graphics for Inclusion in the SALDO:

184-29, Blocks



184-57, Landscape Screening Buffers



§ 184-89 Electric vehicle charging stations and associated infrastructure.

- A. Intent. The intention of the ordinance provisions herein are to:
1. Ensure the safe, efficient installation of EVCS;
 2. Provide reasonable standards for the installation, maintenance, and management of EVCS;
 3. Ensure equitable access to EVCS and avoid adverse impacts to any community or neighborhood;
 4. Enable the shift from internal combustion engine vehicles to EV through the expansion of supportive infrastructure; and
 5. Reduce greenhouse gas emissions from the transportation sector.
- B. Applicability. The regulations of this section shall apply to all EV charging stations, whether located off-street on private or public property.
- C. Permitting.
1. Permit required. Any person seeking a permit for the installation, operation, and/or maintenance of an EVCS shall file a written application with the Building Inspector on a form provided for such purpose.
 - a. If the applicant is not the owner of the subject property, written authorization of the property owner shall be required as part of the application.
 - b. The following shall be provided in order for an application to be deemed complete:
 1. An electrical utility plan shall be provided.
 2. An operation and maintenance plan shall be provided.
 3. A site plan may be provided, if requested.
 4. Photographs of the site may be provided, if requested.
 5. The application shall be accompanied by the permit fee, which shall be established in the Fee Schedule, as adopted and amended by Borough Council from time to time.
 2. Proof of insurance required.
 - a. A permittee shall maintain an insurance policy that covers any risk for any injury or damage resulting from the installation, operation, and/or maintenance of the EV charger, and the property owner shall agree to indemnify and hold the municipality harmless from any claims arising from the installation, operation, and/or maintenance of the EVCS to the extent permitted by law. The insurance policy shall be submitted to the Borough Solicitor for review before the application is approved, a copy of which shall be filed with the borough.

INTENT

The legislative intent of an ordinance provides the rationale and justification for the regulations within the ordinance. The provided language is meant to act as a starting point.

PERMITTING

Just like any other electrical work, appropriate permits must be obtained by the applicant. Additional supporting documentation, such as site plan and electrical utility plan, ought to be required at the time of application submittal.

Upper Merion Township has made this process more efficient for applicants and municipal staff by offering a unified permit application.

3. Concurrent review. The applicant may concurrently file for the required building and/or electrical permit.

D. Installation standards.

1. Installation of EVSE shall meet the standards and requirements of the National Electrical Code Article 625, "Electrical Vehicle Charging and Supply Equipment Systems."
2. Equipment shall be certified to UL Standard 2202 by a nationally recognized testing laboratory (e.g., UL or ETL) and listed and approved for EV use.
3. Connectors for a Level 1 EVCS shall comply with the J1772 Charging Standard, as maintained by the Society of Automotive Engineers International. The applicant may be permitted to utilize an alternative charging standard when approved by the Borough Engineer, provided that the standard is useable by a wide range of EV.
4. Connectors for a Level 2 EVCS shall comply with the J1772 or J3400 Charging Standard, as maintained by the Society of Automotive Engineers International. The applicant may be permitted to utilize an alternative charging standard when approved by the Borough Engineer, provided that the standard is useable by a wide range of EV.
5. Connectors for a Level 3 EVCS shall comply with the J3400 Charging Standard, as maintained by the Society of Automotive Engineers International. The applicant may be permitted to utilize an alternative charging standard, such as CCS or CHAdeMO, when approved by the Borough Engineer, provided that the standard is useable by a wide range of EV.
6. An EVCS shall be installed by a qualified electrician that has completed a State registered electrician apprenticeship program; is in compliance with all applicable State or municipality codes, regulations and ordinances regarding electricians; and holds a certification from the Electric Vehicle Infrastructure Training Program (EVITP).

E. Siting and design standards.

1. EVCS may be installed in standard parking spaces or accessible parking spaces.
 - a. Standard parking spaces served by an EVCS shall meet the size and surfacing requirements for a standard parking space, pursuant to **§ 184-38, Off-Street Parking and Internal Drive Aisle Standards**.

INSTALLATION STDS.

The installation standards under subsection D ensure consistency with national standards for EVSE and EVCS. After some consternation, EV manufacturers have come together to adopt universal standards for EVCS connectors. These standard specifications are included in the model ordinance; however, in the event that new connector types enter the market, this section will need to be updated.

It is recommended that the borough ensure that a qualified electrician install all EVSE and EVCS. Subsection D(6) requires that the installing electrician be certified under the [Electric Vehicle Infrastructure Training Program](#) (a national certification program that has trained thousands of electricians). The EVITP website provides a comprehensive list of all EVITP certified contractors within the Commonwealth.

Please note that Alex and I (Tim) are discussing how to address any overlap with the International Construction Code so that we are not duplicating any standards.

PERMITTING

A softer approach is recommended for siting and design standards, as EVCS are not anticipated to be an overly obtrusive land use (similar to parking meters). EVCS may be located on pedestals, lighting posts, bollards, walls of buildings/structures, or kiosks. The included siting standards promote a clear sidewalk and orderly operations.

- b. Accessible parking spaces served by an EVCS shall meet the size and surfacing requirements of the Americans with Disabilities Act (ADA) Standards for Accessible Design (2010).
 2. EVCS shall be mounted on pedestals, lighting posts, bollards, walls of buildings/structures, or kiosks.
 3. EVCS shall either be installed a minimum of 24 inches from the face of the curb or shall be protected by wheel stops, bollards, or the like.
 4. EVCS outlets and connector devices shall be no less than 24 inches and no higher than 48 inches from the surface where mounted.
 5. EVSE and EVCS shall be designed and located as to not impede a pedestrian clear pathway.
 6. EVCS cords shall be retractable or shall be provided a place to be coiled and neatly stored.
 7. No portion of an EVCS, including but not limited to cords, shall cross a driveway, sidewalk, pathway, or passenger unloading area.
 8. Only EVSE and EVCS that are designed to be floodproof shall be permissible within a Special Flood Hazard Area. The applicant shall provide floodproofing specifications at the time of application submittal.
 9. When located within a historic district created pursuant to the Historic Districts Act (Act 167 of 1961), the Historical Architectural Review Board (HARB) having jurisdiction shall follow their regular review procedure. The applicant shall be notified at the time of application submittal if HARB review is required.
- F. Universal design.
 1. Applicability.
 - a. Single- and two-family homes are not subject to the requirements of this section (F, Universal Design).
 - b. When only one EVCS is provided, it shall be accessible for people with disabilities in accordance with the standards of this section.
 - c. When more than one EVCS is provided, at least one and no less than 5% of the EVCS provided shall be accessible to those with disabilities.
 2. Use last principle.
 - a. An accessible EVCS, being reserved for use by an EV, shall not count towards the meeting the minimum number of accessible spaces as required by the Americans with Disabilities Act (ADA) Standards for Accessible Design (2010).
 - b. An accessible EVCS shall be preferred for those with a handicap placard; however, an accessible EVCS may be used when all other EVCS are occupied. This “use last” principle shall be indicated by signage stating, “USE LAST – DESIGNED FOR ACCESSIBILITY.”

SAFETY

One of the principal concerns with electric vehicle safety is the potential for lithium-ion fires, which are extremely rare but also extremely dangerous and difficult to extinguish. These fires occur within the battery of electric vehicles, so the concerns lie with the vehicles rather than the charging infrastructure. Because of this concern, it is recommended that local emergency response agencies be notified of the installation of new EVCS. Furthermore, an emergency power shutoff for EVCS is recommended to allow first responders to mitigate the spread of electrical fires.

The potential for vandalism is another concern for EVCS, particularly due to their high cost to install. To address this and to promote increased personal safety, all EVCS should be illuminated at night. It is recommended that municipalities require a minimum illumination level for all parking areas that will be utilized at night and, where this standard exists, it should apply to EVCS. If such a standard does not exist, the municipality may establish an illumination standard or siting standard for EVCS, such as requiring that the EVCS is located nearest the entrance of the building served.

Alternative language may be utilized, provided that it adequately describes this usage limitation.



3. Compliance required.
 - a. An accessible parking space served by an EVCS shall comply with the minimum requirements of the ADA Standards for Accessible Design (2010), the Architectural Barriers Act (ABA) Accessibility Guidelines (2005), and the Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (2023).
4. Location.
 - a. When accessible EVCS are provided along the curb of a street, they shall not be located within the middle 50% of a block, unless a mid-block curb ramp is provided, and shall connect to an accessible route to the EVCS.
 - b. When accessible EVCS are provided in a parking lot or parking structure, they shall be located on the shortest accessible route to the accessible entrance of the principal building served.
5. Physical design.
 - a. An accessible parking space served by an EVCS shall include the provision of a 5 foot wide access aisle on three (3) sides of the parking space, which shall provide an accessible route to the EVCS.
 - b. EVCS shall provide a 30 inch by 48 inch minimum clear floor or ground space at the interactive side(s) of an EVCS that connects to an accessible route.
 - c. For on-street EVCS, interactive side(s) of the EVCS shall face the sidewalk and shall not face the curb, to allow unobstructed access.
6. Operable/interactive parts.
 - a. Operable/interactive parts shall be designed for use by one hand with no tight grasping, pinching, or twisting of the wrist, and no more than 5 pounds of force to operate.
 - b. Operable/interactive parts shall be tactically discernable.

G. Safety.

ADA

It is of the utmost importance that EVCS that are accessible for those with physical disabilities are provided throughout the county, but reserving accessible EVCS for only those with a disability placard may result in underutilized EVCS. With this in mind, the “use last” principle was selected for nonresidential and multifamily land uses. This concept requires a fairly significant number of accessible EVCS, at 5% or a minimum of one, but would allow for the use of an accessible EVCS by those without a disability placard when all other EVCS are in use. The U.S. Access Board proposed making use of this concept in their [Design Recommendations for Accessible Electric Vehicle Charging Stations \(2023\)](#).

The regulatory foundation for accessible design is quite strong. The U.S. Access Board states that, under the Americans with Disabilities Act and Architectural Barriers Act Accessibility Standards, EV charging stations must comply with the technical requirements for floor and ground surfaces (§302), clear floor or ground space (§305), reach ranges (§308), operable parts (§309), accessible routes (§402), and other provisions when needed, such as some of the provisions in parking (§502), signs (§703), and fare machines (§707). The provided regulations comply with these standards, but they are not exhaustive. The applicable legislation and guidelines should be reviewed by the design professional on the project.

1. The installation shall comply with construction codes, safety standards, and any federal, state, or local rule or regulation concerning EVSE and EVCS.
2. In order to promote the safety of emergency responders and promote efficient emergency response, the borough shall notify local emergency response agencies of the location and specifications of EVCS following installation thereof. Furthermore, an emergency disconnect shall be provided that allows emergency responders to terminate electrical power supply to the EVCS(s). The emergency disconnect shall be located a minimum of 25 feet from the EVCS(s) being controlled, and shall have signage stating, "Fire Department Use Only – Emergency Shutoff." The municipal Fire Code Official shall be provided an opportunity to review the specifications of the disconnect system.
3. All applicants are recommended to have their electrical system inspected by a professional electrician and/or fire safety official before pursuing the installation of EVSE/EVCS.
4. Adequate site lighting shall be provided in the EVCS location, unless facility is limited to daytime use. Such lighting shall comply with **§ 184-88, Outdoor Lighting**.
5. EVCS pedestals shall be designed to minimize their potential damage by accidents and vandalism and to be safe for use in inclement weather.

H. Signage and display screens.

1. An EVCS shall be identified with signage in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), 11th Edition (2023).
2. The following information shall be provided at every public EVCS:
 - a. Contact information, such as the phone number/TTY or text message support number, for the appropriate party to be notified if the EVCS is inoperable, inaccessible, or unsafe that is available 24/7.
 - b. The address of the EVCS for emergency response purposes.
 - c. Installation date, model number, and the voltage and amperage levels of the EVCS.
 - d. The hours of operation and/or time limit restrictions.
 - e. Parking and charging payment methods/options and fees/rates.
 - f. A statement indicating that the space is only for EV parking and/or charging purposes.

SIGNAGE

The signage standards promote transparency for users of EVCS, and also provide certain design standards. Every EVCS must provide a support system that enables users to get assistance and report malfunction. The required information will ensure that the user has access to important information, and will also promote better emergency response.

Display screens are limited to 64 square inches, which will ensure they fit into a streetscape without adverse impact. The other standards promote accessibility and, in many cases, are based upon the requirements of the ADA or ABA (e.g., 3/16 inch minimum character height, no rapid flashing).

FEES

A public or privately-owned EVCS may be fee-based. Any fee for use of an EVCS should reflect the actual costs of installation, maintenance, management, use, and administration of the EVCS. To promote accessibility, it is recommended that any payment systems be contactless (e.g., tap to pay, Apple Pay, Google Pay, etc.). These systems require either a bank account or smart phone, which adversely impacts those who rely on cash; however, cash or coin collection is more difficult to administer

- g. Enforcement warnings (e.g., monetary fine, towing provisions).
 - h. A statement reading “In case of an emergency, dial 911.”
 - 3. Display Screens. When display screens are used to relay information or purchase, the following standards shall apply:
 - a. EVCS may have electronic informational screens displaying the operational information up to 64 square inches in area. Screens larger than 64 square inches shall be considered a sign and must comply with all applicable sign regulations of **Chapter 208, Zoning**.
 - b. Display screens shall be visible from a point located 40 inches above the clear floor or ground space at an EVCS.
 - c. Display screens shall not flash more than 3 times per second.
 - d. The user shall be provided with a text size option, which in no case shall permit a minimum character height less than 3/16 inch.
 - e. There shall be an option for display screens to provide speech output that is capable of full and independent use by individuals with vision impairments.
 - 1) Braille instructions for initiating text-to-speech output shall be provided.
 - 2) Speech output must be coordinated with information displayed on the display screen.
 - 3) Speech output shall offer volume control by the user, which shall have a maximum decibel limit in compliance with **Chapter 208, Zoning**.
 - 4) If a timed response is required, audible cues warning of such time limit and the ability to request additional time shall be provided.
- I. Fees.
 - 1. A nonresidential or multifamily property owner is not restricted from collecting a reasonable service fee for the use of an EVCS made available to residents, tenants, employees, customers, and/or visitors to the private property on which it is located. Such fees shall be established in an amount to cover costs of installation, supervision, operation, maintenance, inspection, control, and use of electric charging stations and the electric energy supplied.
 - 2. Payment Methods.
 - a. All EVCS payment systems shall provide for contactless payment methods.
 - b. All EVCS payment systems shall provide a tactically discernable location for contactless payment, such as a raised card reader or by a location indicated by braille or another tactile method.
 - c. Visual and audible feedback shall be provided at all EVCS payment systems.
- J. Violations and enforcement. Any violation of this Chapter shall be subject to **§ 184-108, Violations and Penalties**.