Whitemarsh TOWNSHIP

616 GERMANTOWN PIKE – LAFAYETTE HILL, PA 19444-1821
TEL: 610-825-3535 FAX: 610-825-9416
www.whitemarshtwp.org

BOARD of SUPERVISORS

Laura Boyle Nester– Chair
Fran McCusker– Vice Chair
Michael Drossner
Vincent Manuele
Jacy Toll

Richard L. Mellor, Jr.
Township Manager

WHITEMARSH TOWNSHIP ZONING HEARING BOARD
PUBLIC HEARINGS FOR WEDNESDAY, AUGUST 12, 2020 6:30 PM
ZOOM MEETING PARTICIPATION INFORMATION

The Whitemarsh Township Zoning Hearing Board will conduct public hearings on **Wednesday, August 12, 2020 at 6:30 PM for the cases as listed on the agenda for this date.**

In response to the Governor's Stay Home Order due to the COVID 19 health pandemic, these hearings will be conducted via ZOOM. All members of the Board, staff and public will participate remotely. The public may join these hearings by either telephone using the dial in number or entering the URL on an internet browser. Below you will find instructions on how to access and participate in the hearing:

- **Hearing Date:** Wednesday, August 12, 2020
- **Hearing Time:** 6:30 PM
- **Hearing URL:** https://us02web.zoom.us/j/82406033682?pwd=WUVLREovYnIxVTU5SUpRVDc2MC9lZz09
- **Hearing via Zoom App:** if you have the Zoom App on your smartphone, tablet, or computer, open the program, click join a meeting, and enter the Meeting ID: 824 0603 3682
- **Hearing dial in number (no video):** 1 646 558 8656
- **Hearing ID number (to be entered when prompted):** 824 0603 3682
- **Hearing Password:** 774952

THE PUBLIC MAY ALSO SUBMIT QUESTIONS OR COMMENTS PRIOR TO THE HEARINGS BY U.S. MAIL ADDRESSED TO CHARLES GUTTENPLAN, ZONING OFFICER, WHITEMARSH TOWNSHIP, 616 GERMANTOWN PIKE, LAFAYETTE HILL, PA 19444 RECEIVED NO LATER THAN AUGUST 10, 2020 OR BY E-MAIL TO CGUTTENPLAN@WHITEMARSHTWP.ORG NO LATER THAN 12 NOON ON AUGUS 11, 2020.

PERSONS WHO WISH TO BECOME PARTIES TO ANY OF THE APPLICATIONS MUST DO SO DURING THE HEARING ON THE RECORD THROUGH THE ZOOM LINK AS INSTRUCTED, FOLLOWED BY WRITTEN ENTRY OF APPEARANCE FORM. PERSONS MAY ALSO REQUEST PARTY STATUS IN WRITING IN ADVANCE OF THE HEARINGS, BY E-MAIL TO CGUTTENPLAN@WHITEMARSHTWP.ORG RECEIVED NO LATER THAN 12 NOON ON AUGUST 11, 2020 AND THEN BEING AVAILABLE THROUGH THE ZOOM CONFERNCE LINK ON THE DATE AND TIME OF THE HEARING. A SAMPLE FORMAT FOR THE WRITTEN REQUEST FOR ENTRY OF APPEARANCE WILL BE POSTED ON THE TOWNSHIP WEBSITE.

Persons with a disability who wish to participate in the public hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Whitemarsh Township at 484-594-2625.

WHITEMARSH TOWNSHIP ZONING HEARING BOARD
ENTRY OF APPEARANCE AS A PARTY

I/We_____

request to be granted party status in Application ZHB #2020-___ ,

Applicant: _____

Please Print Name and Address Below:

_____

_____

_____

_____

Please Sign Below:

_____

_____

WHITEMARSH TOWNSHIP
ZONING HEARING BOARD AGENDA
AUGUST 12, 2020
6:30 PM
DUE TO THE COVID-19 HEALTH EMERGENCY, THESE CASES WILL BE CONDUCTED VIA THE INTERNET USING 'ZOOM' TELECOMMUNICATION TECHNOLOGY
INSTRUCTIONS FOR PARTICIPATING IN THE MEETING WILL BE POSTED ON THE TOWNSHIP'S WEBSITE

___ Bacine ___ Behr ___ Casacio ___ Kramer ___ Weinstein ___ Rubin (Alt.)

---

1. CALL TO ORDER

2. ANNOUNCEMENTS & CORRESPONDENCE

- **ZHB#2019-22:** Stavroula Efthimiou, Eric Olivero-Ramirez and Phipps Station Group, LLC., 3049 Spring Mill Road, Plymouth Meeting, PA; Parcel #65-00-11005-01-8; Block 027; Unit 115; A-Residential District; Conservation Design Overlay District. By e-mail dated July 13, 2020, the applicant is requesting an 180-day extension of approval.

- Applicants are requested not to remove signs after the hearing at this time; Township staff will remove them once the hearing is completed.

3. ZONING HEARING BOARD APPLICATIONS

- **ZHB#2020-18:** Janene Dugan, 108 E. Fourteenth Avenue, Conshohocken,PA; Parcel #65-00-04123-00-6; Block 019; Unit 18; B-Residential District. The applicant desires to construct a 395 sq. ft. addition to the rear of the existing dwelling, an in-ground swimming pool, a patio and walkways. To do so, the following relief is being requested: 1) **Variance from Section 116-24.D.(3)** to permit 38% of the area between the rear principal building plane and the rear property line to be devoted to accessory strucutres (an increase of 265.2 sq. ft.); this section permits a maximum of 30% of this area to be devoted to accessory structures. 2) **Variance from Section 116-24.E.(3)(c)** to permit the proposed dwelling to be 10.70 ft. from the existing detached garage; this section requires a 15 ft. minimum separation. 3) **Special Exception under Section 116-31.1.B.** to permit the proposed swimming pool to be 14 ft. from the side yard setback on the westerly side of the property versus the required 15 ft. and to permit the proposed swimming pool to be 26 ft. from the dwelling on the property to the west and 34 ft. from the dwelling on the property to the east, versus the required 50 ft. 4) **Variance from Section 116-57.G.** to permit building coverage of to 24.6% (1,723 sq. ft.); this section sets a maximum building coverage of 20%. 5) **Variance from Section 116-57.H.** to permit impervious ground cover of 46.7% (3,271 sq. ft.); this section sets a maximum impervious ground cover of 30%. 6) **Variance from Section 116-194.A.** to allow an increase in non-conforming building coverage of 20.1% (1,407 sq. ft.) to the proposed 24.6% (1,723 sq. ft.), and to allow an increase in non-conforming impervious ground cover of 46.2% (3,237 sq. ft.) to the proposed 46.7% (3,271 sq. ft.). This section permits expansions/alterations as long as existing nonconformities are not increased.

- **ZHB#2020-12:** Mark and Anne Dooley, 7215 Sheaff Lane, Fort Washington, PA; Parcel#65-00-10615-00-3; Block 049; Unit 027 & 274 Woodcock Lane, Fort Washington, PA; Parcel #65-00-13093-56-7; Block 049F; Unit 011; AAA-Residential District; RCCD-Riparian Corridor Conservation Overlay District. The applicants are requesting a modification of the Decision in case ZHB #2017-29, which modification would eliminate Conditions 7.(B)(v) and 7.(B)(vi) based upon the recommendations of the Montgomery County Conservation District.

4. ADJOURNMENT

Deana Shuler

To: Charlie Guttenplan
Subject: FW: Variance Extension
Attachments: decision and order - application granted (02675502x9DAE0).pdf

From: Stavroula Efthimiou [mailto:stephanie19008@verizon.net]
Sent: Monday, July 13, 2020 10:11 PM
To: Charlie Guttenplan
Cc: Eric Olivero
Subject: Variance Extension

Charlie,

I am writing you this e-mail to ask for an 180-day extension on a variance under section 116-223.B. Originally, we had requested this variance to move the school house to the perimeter of our property with the intention of rebuilding it. During this time and prior to proceeding with our project, we discovered that members of the community had great interest in the preservation of the school house as is and proposed to relocate it to the Friends School. We were agreeable and have been working with David Miller who has taken the lead in organizing the many aspects involved in this project. Unfortunately, due to the pandemic and the many unknowns of the current social climate we require an extension to determine if moving the schoolhouse is still an option or if we need to revert to our original plan of rebuilding a replica of the school house. We look forward to hearing from you. Thank you.

Eric & Stepha
nie Olivero

ZHB APPEAL #2020-18
SUMMARY

APPLICANT: Janene Dugan

PROPERTY LOCATION: Parcel #65-00-04123-00-6
Block 019, Unit 018
108 E. Fourteenth Avenue
Conshohocken, PA 19428

ZONING DISTRICT: B-Residential District

SUMMARY OF RELIEF REQUEST:

The applicant desires to construct a 395 sq. ft. addition to the rear of the existing dwelling, an in-ground swimming pool, a patio and walkways. To do so, the following relief is being requested:

1) **Variance from Section 116-24.D.(3)** to permit 38% of the area between the rear principal building plane and the rear property line to be devoted to accessory strucutres (an increase of 265.2 sq. ft.); this section permits a maximum of 30% of this area to be devoted to accessory structures.

2) **Variance from Section 116-24.E.(3)(c)** to permit the proposed dwelling to be 10.70 ft. from the existing detached garage; this section requires a 15 ft. minimum separation.

3) **Special Exception under Section 116-31.1.B.** to permit the proposed swimming pool to be 14 ft. from the side yard setback on the westerly side of the property versus the required 15 ft. and to permit the proposed swimming pool to be 26 ft. from the dwelling on the property to the west and 34 ft. from the dwelling on the property to the east, versus the required 50 ft.

4) **Variance from Section 116-57.G.** to permit building coverage of to 24.6% (1,723 sq. ft.); this section sets a maximum building coverage of 20%.

5) **Variance from Section 116-57.H.** to permit impervious ground cover of 46.7% (3,271 sq. ft.); this section sets a maximum impervious ground cover of 30%.

6) **Variance from Section 116-194.A.** to allow an increase in non-conforming building coverage of 20.1% (1,407 sq. ft.) to the proposed 24.6% (1,723 sq. ft.), and to allow an increase in non-conforming impervious ground cover of 46.2% (3,237 sq. ft.) to the proposed 46.7% (3,271 sq. ft.). This section permits expansions/alterations as long as existing nonconformities are not increased.

PRIOR DECISIONS: None

Respectfully Submitted,

Charles L. Guttenplan, AICP
Director of Planning and Zoning/Zoning Officer

APPEAL NO: 2020-18

APPEAL TO ZONING HEARING BOARD
WHITEMARSH TOWNSHIP
COMMONWEALTH OF PENNSYLVANIA

Applicant/Appellant: Janene Dugan

Address: 108 E. Fourteenth Avenue, Conshohocken, Pa. 19428

Phone #: [redacted] **Cell Number:** [redacted] **E-Mail:** [redacted]

Owner: same

Address: same

Phone #: same **Cell Number:** same **E-Mail:** same

Location of the Property Involved: 108 E. Fourteenth Avenue, Conshohocken, Pa. 19428

Block #: 019 **Unit #:** 018 **Parcel #:** 65-00-04123-00-6

NATURE OF APPLICATION (Describe proposed use and/or construction: type of appeal requested and specific section(s) of Whitemarsh Township Zoning Code which is (are) relied upon):

Refer to attached narrative - Sections 116-57G; 116-57H; 116-194A; and 116-24E(3)(c)

GROUNDS FOR APPEAL (State reasons for appeal and nature of hardship, if claimed):
****Attach additional sheets if necessary**

Refer to attached narrative

Legal Counsel (if represented): Edward J. Hughes, Esquire

Address: 1250 Germantown Pike, Suite 205, Plymouth Meeting, PA 19462

Phone #: (610) 279-6800 **E-Mail:** ehughes@hkolaw.com

My (Our) signature(s) authorize(s) permission to pose my (our) property and permission to the Zoning Hearing Board and their representative to enter thereon for inspection purposes.

I (We) certify the information provided on this application and supporting documentation and plans are true and correct to the best of my (our) knowledge, information, and belief. You are required to submit proof that you are one of the following:

RECEIVED
JUN 25 2020
WHITEMARSH TOWNSHIP
ZONING & ENGINEERING

I am (We are)

- [x] **Owner(s) of Legal Title**
- [ ] **Owner(s) of Equitable Title**
- [ ] **Tenant(s) with permission of Owner(s) of Title (Enclose letter attesting to same)**

Date: June 25, 2020

Janene Dugan
Signature of Applicant/Appellant:

Signature of Applicant/Appellant:

OTM, *LLC* *Surveying, Land Planning & Design Services*

200 Spring Ridge Drive, Suite 201, Wyomissing, Pa. 19610
(484) 336-6454; www.otm-surveying.com

July 14, 2020

PROJECT NARRATIVE AND
ZONING ORDINANCE RELIEF REQUEST
PROPERTY OF JANENE DUGAN
108 E. FOURTEENTH AVENUE

Dear Members of the Board,

This application by Janene Dugan of 108 E. Fourteenth Avenue is being made to request several dimensional variances of the Whitemarsh Township Zoning Ordinance which are outlined in the following narrative.

Existing Property Description:
The subject property is located at 108 E. Fourteenth Avenue, Conshohocken, Pa. and contains one single family detached dwelling served by both public water and public sewer facilities. The site is located within the "B" Residential Zoning District as defined by the Township Zoning map.
The site currently has 50 ft. of street frontage, a lot area of 7,000 sq. ft.; a building coverage of 20.1%; side yard setbacks of 9.16 ft. and 15.71 ft.; and an impervious coverage of 46.2%, all of which are both non-conforming and exceed the current zoning district requirements.

Proposed Property Description:
The homeowner/applicant desires to construct a 395 sq. ft. addition to the rear of the existing dwelling, an inground swimming pool, a patio and walkways. These additions result in the expansion of several non-conformities as outlined below and the need for the zoning relief set forth below.

Requested Relief:

1) Section 116-57.G. (Building coverage) variance to permit the expansion of the existing non-conforming dwelling from the current building coverage of 1407 sq. ft. (20.1%) to 1723 sq. ft. (24.6%)

2) Section 116-57.H. (Impervious ground cover) variance to permit the expansion of the existing impervious ground cover from 3,237 sq. ft. (46.2%) to 3,271 sq. ft. (46.7%)

3) Section 116-194(A) variance to permit an extension or alteration to an existing non-conforming structure.

4) Section 116-24(E)(3)(c) variance to permit the proposed dwelling to be 10.70 ft. from the existing detached garage vs. the required 15 ft. separation.

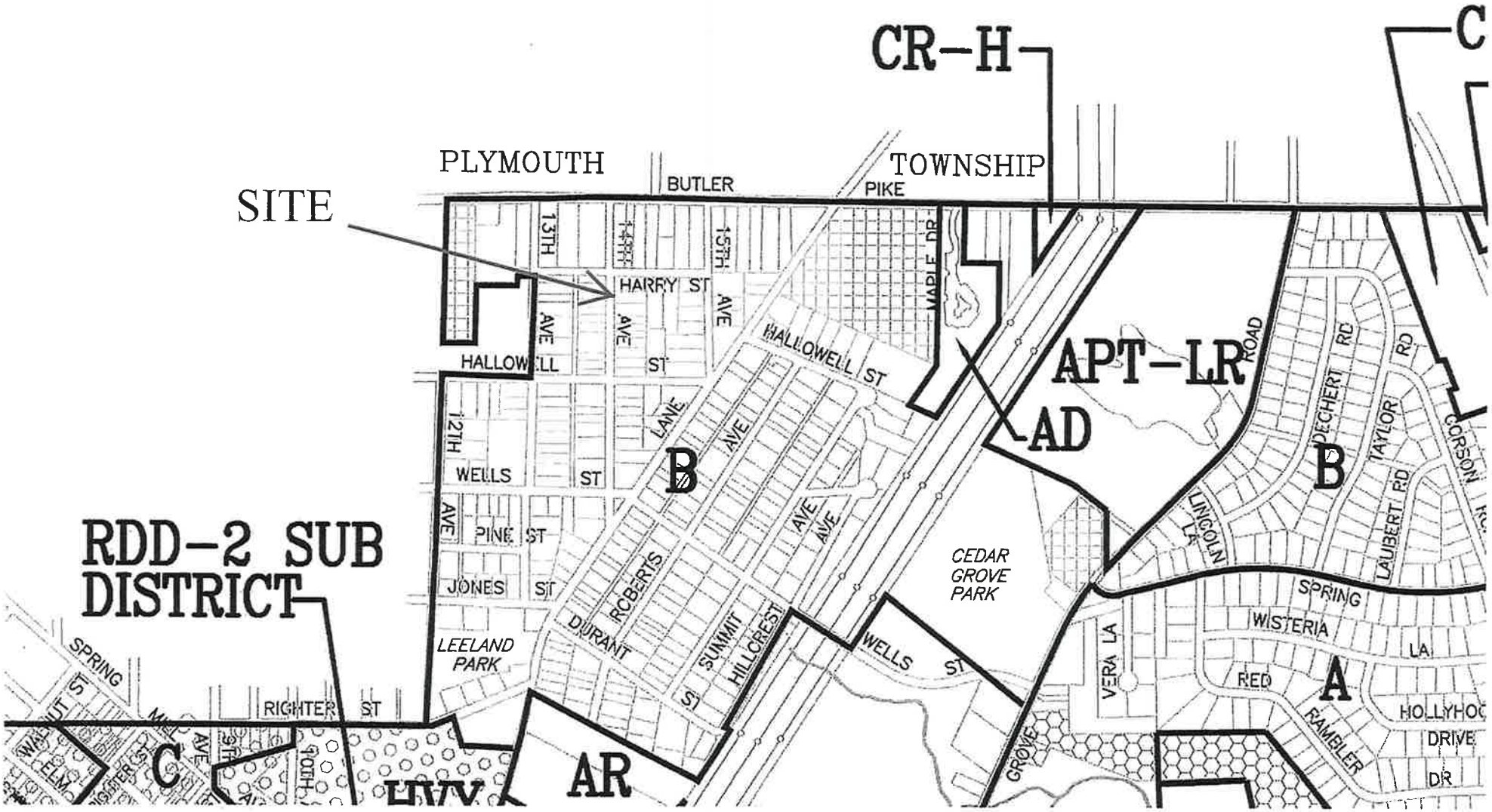
5) Section 116-31.1(B) special exception to permit the proposed swimming pool to be 14 ft. from the side yard setback on the westerly side of the property versus the required 15 ft. and to permit the proposed swimming pool to be 26 ft. from the dwelling on the property to the west and 34 ft. from the dwelling on the property to the east, versus the required 50 ft.

6) Section 116-24.D.(3) variance to permit an increase of 265.2 sq. ft of accessory structures located in a rear yard from the permitted maximum of 30% to 38%

Thank you for the Board's kind consideration of this application and should you have any questions or need any further information, please do not hesitate to contact me directly at (484) 638-0206 or via email at bradgr.otm@gmail.com.

Sincerely,

Bradford R. Grauel, PLS
Owner/President
OTM, LLC



CR-H
C
PLYMOUTH
TOWNSHIP
SITE
BUTLER
PIKE
13TH
14TH
15TH
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HALLOWELL
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HALLOWELL ST
MAPLE DR
APT-LR
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ROAD
DECHERT RD
TAYLOR RD
CORSON
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WELLS
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LANE
AVE
AVE
AVE
PINE ST
JONES ST
ROBERTS
DURANT
SUMMIT
HILLCREST
ST
CEDAR
GROVE
PARK
LINCOLN
LA
LAUBERT RD
SPRING
WISTERIA
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RED
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RAMBLER
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DRIVE
DR
VERA LA
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RDD-2 SUB
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PARK
SPRING
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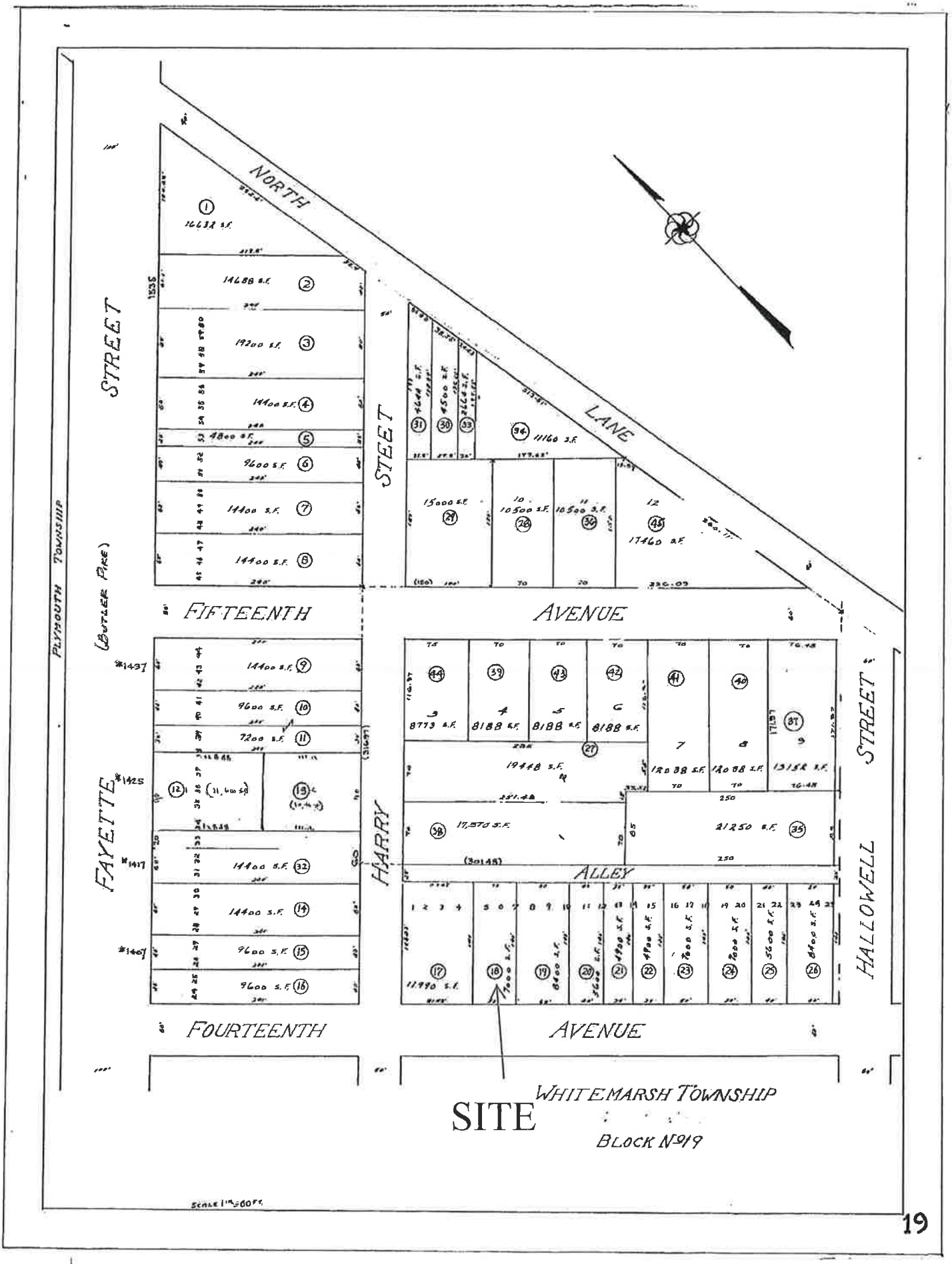
AR


NORTH LANE
FAYETTE STREET
(BUTLER PIKE)
PLYMOUTH TOWNSHIP
FIFTEENTH AVENUE
HARRY STEET
HALLOWELL STREET
ALLEY
FOURTEENTH AVENUE
SITE
WHITEMARSH TOWNSHIP
BLOCK No 19
SCALE 1" = 60 FT.

GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

65 E. Butler Avenue, Ste 100
New Britain, PA 18901
(215) 345-4330
Fax (215) 345-8606
www.gilmore-assoc.com

MEMORANDUM

Date: July 23, 2020

To: Charles L. Guttenplan, AICP - Director of Planning and Zoning

From: Jim Hersh, P.E., Township Engineer

Reference: 108 E. Fourteenth Avenue
ZHB# 2020-18
G&A Project No. 2020-01116

In reference to the above-mentioned property, we have reviewed the application prepared by the applicant, Janene Dugan, and offer the following comments for your consideration.

The applicants are requesting zoning relief to construct a building addition, in ground swimming pool and a patio on an existing residential lot. The resultant increase in impervious surface coverage would be approximately 34 square-feet. The maximum impervious coverage for a lot in the B-Residential District is 30% of the total lot area.

The proposed addition would result in an increase of approximately 34 square-feet in impervious surface coverage which will increase the impervious coverage from 46.2% to 46.7%, which is greater than the allowable amount of 30%.

There are no engineering objections to or environmental impacts associated with the proposed increase in impervious surface. Any relief granted should be conditioned that the applicant obtains an earth disturbance permit. The proposed limit of disturbance appears to exceed 1,200 square feet, and may alter drainage patterns and therefore would require the applicant to obtain an earth disturbance permit, as required by Section 58-3 of Chapter 58, "Grading, Erosion Control, Stormwater Management and Best Management Practices".

Should you have any questions or need further information regarding this matter, please do not hesitate to contact me at this office.

WHITEMARSH TOWNSHIP

To: Charlie L. Guttenplan, Director of Planning & Zoning/Zoning Officer

From: NICHOLAS W. WEAVER, FIRE MARSHAL

Subject: **ZHB #2020-18 108 E. Fourteenth Avenue**

Date: July 28, 2020

cc:

This application is approved as submitted. No additional fire rated construction is required due to being it between two structures on a residential lot.
Reference 2015 International Building Code Section 602 & Section 705.3

Nicholas W. Weaver
Fire Marshal
616 Germantown Pike
Lafayette Hill, PA 19444
Phone: 610-825-3535 ext. 2614
Email: nweaver@whitemarshtwp.org

RECORDER OF DEEDS
MONTGOMERY COUNTY
Nancy J. Becker

One Montgomery Plaza
Swede and Airy Streets ~ Suite 303
P.O. Box 311 ~ Norristown, PA 19404
Office: (610) 278-3289 ~ Fax: (610) 278-3869

DEED BK 5962 PG 01567 to 01570
INSTRUMENT # : 2015053490
RECORDED DATE: 07/20/2015 03:27:17 PM

3227484-0014S

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Document Type:	Deed	**Transaction #:**	3237846 - 2 Doc(s)
Document Date:	07/20/2015	**Document Page Count:**	3
Reference Info:		**Operator Id:**	dcane

RETURN TO: (Simplifile)
Aaron Abstract
526 Township Line Road
Blue Bell, PA 19422
(215) 283-4800

PAID BY:
AARON ABSTRACT

*** PROPERTY DATA:**

Parcel ID #:	65-00-04123-00-6
Address:	108 E FOURTEENTH AVE CONSHOHOCKEN PA 19428
Municipality:	Whitemarsh Township (100%)
School District:	Colonial

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: [redacted]

DEED BK 5962 PG 01567 to 01570
Recorded Date: 07/20/2015 03:27:17 PM

FEES / TAXES:

Recording Fee:Deed	[redacted]
State RTT	[redacted]
Whitemarsh Township RTT	[redacted]
Colonial School District RTT	[redacted]
Total:	[redacted]

I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.

RECORDER'S OFFICE MONTGOMERY COUNTY, PA

Nancy J. Becker
Recorder of Deeds

PLEASE DO NOT DETACH

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

NOTE: If document data differs from cover sheet, document data always supersedes.
***COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.**

Digitally signed 06/19/2020 by montgomery.county.rod@kofile.us

Certified and Digitally Signed

Validation may require Adobe 'Windows Integration'

eCertified copy of recorded # 2015053490 (page 1 of 4)
Montgomery County Recorder of Deeds

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
65-00-04123-00-6 WHITEMARSH TOWNSHIP
108 E FOURTEENTH AVE
BACKENSTOSE BRIAN C & BINGAMAN LILA J $15.00
B 019 L U 018 1101 07/20/2015 CS

Prepared by: Aaron Abstract Company
526 Township Line Road, Ste 200
Blue Bell, Pa 19422
Phone No. 215-283-4800

Return to: Aaron Abstract Company
526 Township Line Road, Ste 200
Blue Bell, Pa 19422
Phone No. 215-283-4800

File No. **AAF7751**
Parcel ID No. **65-00-04123-00-6**

This Indenture, made the 20th day of July 2015,

Between

BRIAN C. BACKENSTOSE AND LILA J. BINGAMAN, NOW KNOWN AS LILA J. BACKENSTOSE

(hereinafter called the Grantors), of the one part, and

JANENE DUGAN

(hereinafter called the Grantee), of the other part,

Witnesseth, that the said Grantors for and in consideration of the sum of [redacted] Dollars ([redacted]) lawful money of the United States of America, unto them well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained and sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm unto the said Grantee, as sole owner

ALL THAT CERTAIN piece of land with the buildings and improvements thereon erected, hereditaments and appurtenances, Situate in the Township of Whitemarsh, County of Montgomery and State of Pennsylvania, being lots Nos 5, 6 and one half of Lot No. 7 on a plan of lots laid out by Messrs. Hiltner and Hitchcock in September 1922, on the John Tracy Estate as follows, viz

BEGINNING at a stake on the Northeast side of Fourteenth Avenue at the distance of 81.48 feet Southeastwardly from the East corner of Fourteenth Avenue and Harry Street; thence North 44 degrees 51 minutes East 140 feet

to the Southwest side of a 20 feet wide alley laid out for the common use of this and other lots bordering thereon, thence South 45 degrees 9 minutes East along the margin of said Alley 50 feet to a point; thence South 44 degrees 51 minutes West 140 feet to the Northeast side of Fourteenth Avenue aforesaid and thence North 45 degrees 9 minutes West along the margin thereof 50 feet to the place of Beginning.

BEING the same premises which Francis A. Altieri and Helen M. Altieri, husband and wife, by Deed dated August 20, 2004, and recorded September 1, 2004, in the Office of the Recorder of Deeds in and for the County of Montgomery, Pennsylvania, in Book 5523, Page 1921, granted and conveyed unto Brian C. Backenstose and Lila J. Bingaman, in fee.

AND THE SAID Lila J. Bingaman and since intermarried with Brian C. Backenstose and is now known as Lila J. Backenstose.

Together with all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of them, the said grantors, as well at law as in equity, of, in and to the same.

To have and to hold the said lot or piece of ground described above, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, her heirs and assigns, to and for the only proper use and behoof of the said Grantee, her heirs and assigns, forever.

And the said Grantors, for themselves and their heirs, executors and administrators, do, by these presents, covenant, grant and agree, to and with the said Grantee, her heirs and assigns, that they, the said Grantors, and their heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, her heirs and assigns, against them, the said Grantors, and their heirs, and against all and every other person and persons whosoever lawfully claiming or to claim the same or any part thereof, by, from or under him, her, it, or any of them, shall and will

Warrant and Forever Defend.

In Witness Whereof, the parties of the first part have hereunto set their hands and seals. Dated the day and year first above written.

Sealed and Delivered
IN THE PRESENCE OF US:

_____ _____{SEAL}
Brian C. Backenstose

_____ _____{SEAL}
Lila J. Bingaman

_____ _____{SEAL}
Lila J. Backenstose

Commonwealth of Pennsylvania } ss
County of Montgomery

On this the 20 day of July 2015, before me, the undersigned Notary Public, personally appeared **Brian C. Backenstose and Lila J. Bingaman, now known as Lila J. Backenstose,** known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Commonwealth of Pennsylvania
NOTARIAL SEAL
KAREN MANCINI, NOTARY PUBLIC
Plymouth Township, Montgomery County
My Commission Expires April 8, 2018

_____
Notary Public
My commission expires _____

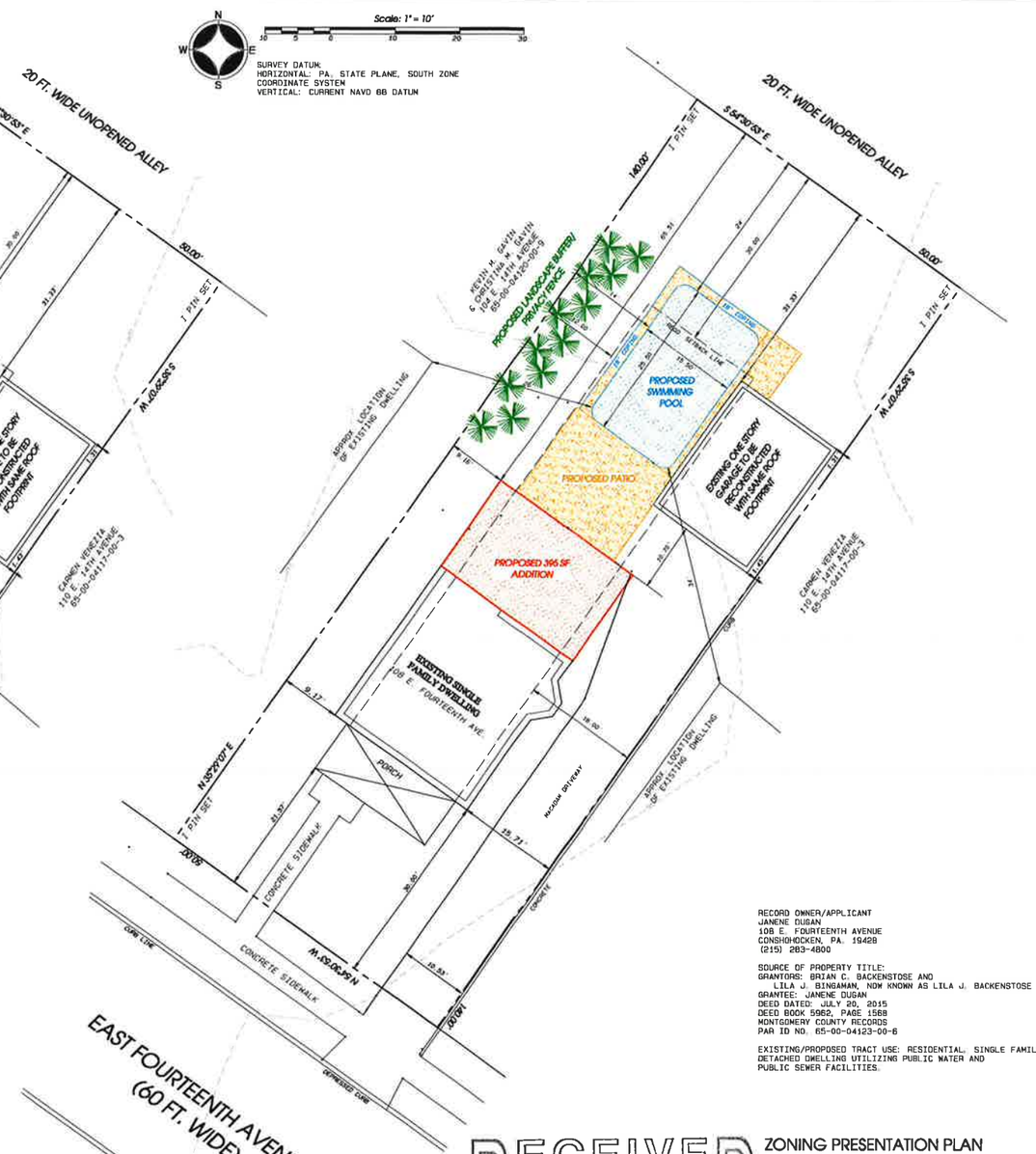
The address of the above-named Grantee is:

108 E. Fourteenth Avenue, Conshohocken, PA 19428

_____
On behalf of the Grantee

eCertified copy of recorded # 2015053490 (page 4 of 4)
Montgomery County Recorder of Deeds

EXISTING SITE



PROPOSED SITE

SURVEY DATUM:
HORIZONTAL: PA. STATE PLANE, SOUTH ZONE
COORDINATE SYSTEM
VERTICAL: CURRENT NAVD 88 DATUM

RECORD OWNER/APPLICANT
JANENE DUGAN
108 E. FOURTEENTH AVENUE
CONSHOHOCKEN, PA. 19428
(215) 283-4800

SOURCE OF PROPERTY TITLE:
GRANTORS: BRIAN C. BACKENSTOSE AND
LILA J. BINGAMAN, NOW KNOWN AS LILA J. BACKENSTOSE
GRANTEE: JANENE DUGAN
DEED DATED: JULY 20, 2015
DEED BOOK 5962, PAGE 1568
MONTGOMERY COUNTY RECORDS
PAR ID NO. 65-00-04123-00-6

EXISTING/PROPOSED TRACT USE: RESIDENTIAL, SINGLE FAMILY DETACHED DWELLING UTILIZING PUBLIC WATER AND PUBLIC SEWER FACILITIES.

CURRENT ZONING: B, RESIDENTIAL
MIN. LOT AREA REQUIRED: 10,000 SF
EXISTING LOT AREA: 7,000 SF (*)
MIN. LOT WIDTH REQUIRED: 80 FT.
EXISTING LOT WIDTH: 50 FT. (*)
MIN. FRONT YARD SETBACK REQUIRED: 30 FT.
EXISTING FRONT YARD SETBACK: 30 FT.
MIN. SIDEYARD SETBACK REQUIRED: 12 FT. ONE SIDE/ 30 FT. TOTAL
EXISTING SIDE YARD SETBACKS: 9.16 FT. ONE SIDE / 24.87 FT. TOTAL (*)
PROPOSED SIDE YARD SETBACKS: 9.16 FT. ONE SIDE / 24.87 FT. TOTAL (**)
MIN. REAR YARD SETBACK REQUIRED: 30 FT.
EXISTING REAR YARD SETBACK: 74.57 FT.
PROPOSED REAR YARD SETBACK: 55.51 FT.
MAX. PERMITTED BUILDING COVERAGE: 20%
EXISTING BUILDING COVERAGE: 1407 SQ. FT. (20.1%) (*)
PROPOSED BUILDING COVERAGE: 1723 SF (24.6%) (**)
MAX. PERMITTED IMPERVIOUS COVERAGE: 30%
EXISTING IMPERVIOUS COVERAGE: 3237 SF (46.2%) (*)
STRUCTURES= 1407 SF; DRIVEWAY, SIDEWALK AND PATIO = 1830 SF
PROPOSED IMPERVIOUS COVERAGE: 3271 SF (46.7%) (**)
STRUCTURES = 1723 SF; DRIVEWAY AND SIDEWALK = 1113 SF
PROPOSED PATIO/POOL COPING = 435 SF
NOTE: WATER SURFACE OF POOL EXCLUDED FROM CALCULATIONS

SECTION 115-24.0(3) ACCESSORY USE LIMITATIONS
EXISTING REAR YARD AREA = 3,276 SQ. FT.
3,276 SQ. FT. X 30% = 982.8 SQ. FT. PERMITTED
PROPOSED ACCESSORY USES = 1248 SQ. FT (38%) (**)

(*) DENOTES EXISTING NON-CONFORMITY
(**) DENOTES REQUIRED VARIANCE

PLAN CERTIFICATION
I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, THAT THIS PLAN DEPICTS AND REPRESENTS A TRUE AND ACCURATE DEPICTION OF BOTH THE PROPERTY BOUNDARY AND IMPROVEMENTS (BOTH EXISTING AND PROPOSED) THEREON AND WAS PREPARED BY MYSELF OR UNDER MY DIRECT SUPERVISION, BASED ON AN ACTUAL FIELD SURVEY COMPLETED BY OTM, LLC

RECEIVED
JUL 16 2020
WHITEMARSH TOWNSHIP
ZONING & ENGINEERING

ZONING PRESENTATION PLAN
FOR ADDITION TO SINGLE
FAMILY DWELLING
PREPARED FOR
JANENE DUGAN
108 E. FOURTEENTH AVE.
Situate In:
The Township of Whitemarsh
Montgomery County, Pennsylvania

REVISIONS
BR GRAEBL, PLS 07/16/20

OTM LLC
SURVEYING - LAND PLANNING
& DESIGN SERVICES
200 Spring Ridge Drive, Suite 201, Wyomissing, Pa. 19610
(484) 336-6454 www.otm-surveying.com

© 2020 OTM, LLC

DRAWN	CHECK	SCALE	PROJECT NO. 20-062
BR GRAEBL, PLS 06/18/20		1"= 10'	SHEET

2

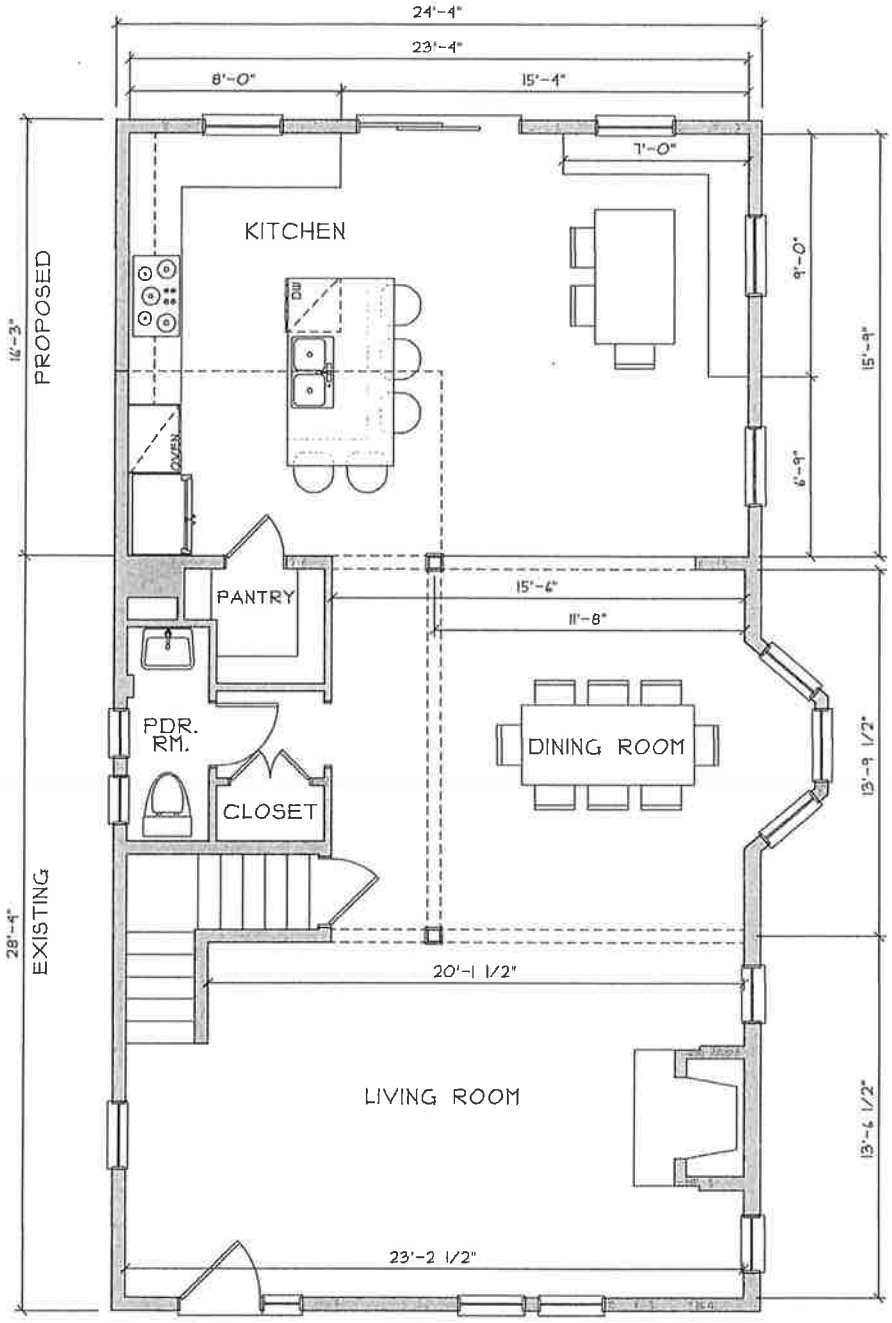
FRONT ELEVATION:

SCALE: 1/4" = 1'-0"

FRONT ELEVATION:

SCALE: 1/8" = 1'-0" EXISTING

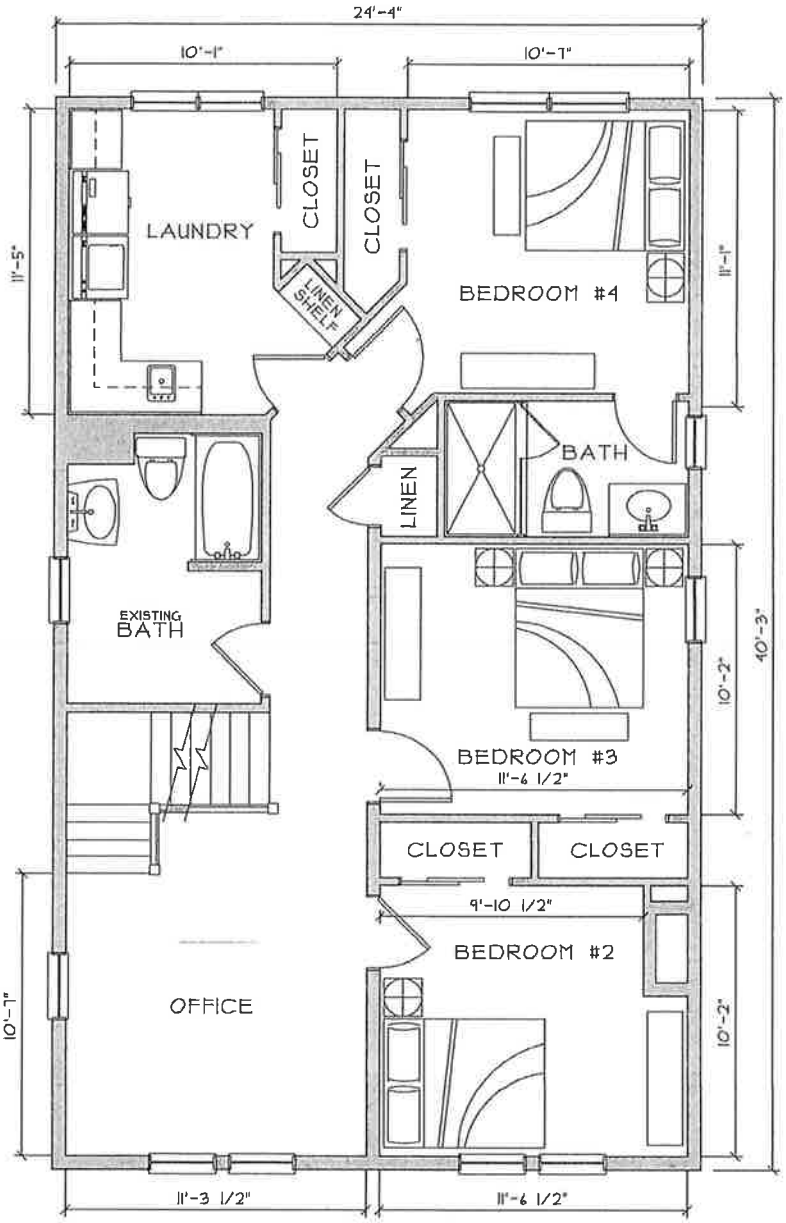
RHC DESIGN, LLC PLAN NO. 19050 55 PLANK AVE. PAOLI, PA 19301
484-716-3023 - RICK@RHCDESIGNLLC.COM



FIRST FLOOR PLAN:

SCALE: 3/16" = 1'-0"

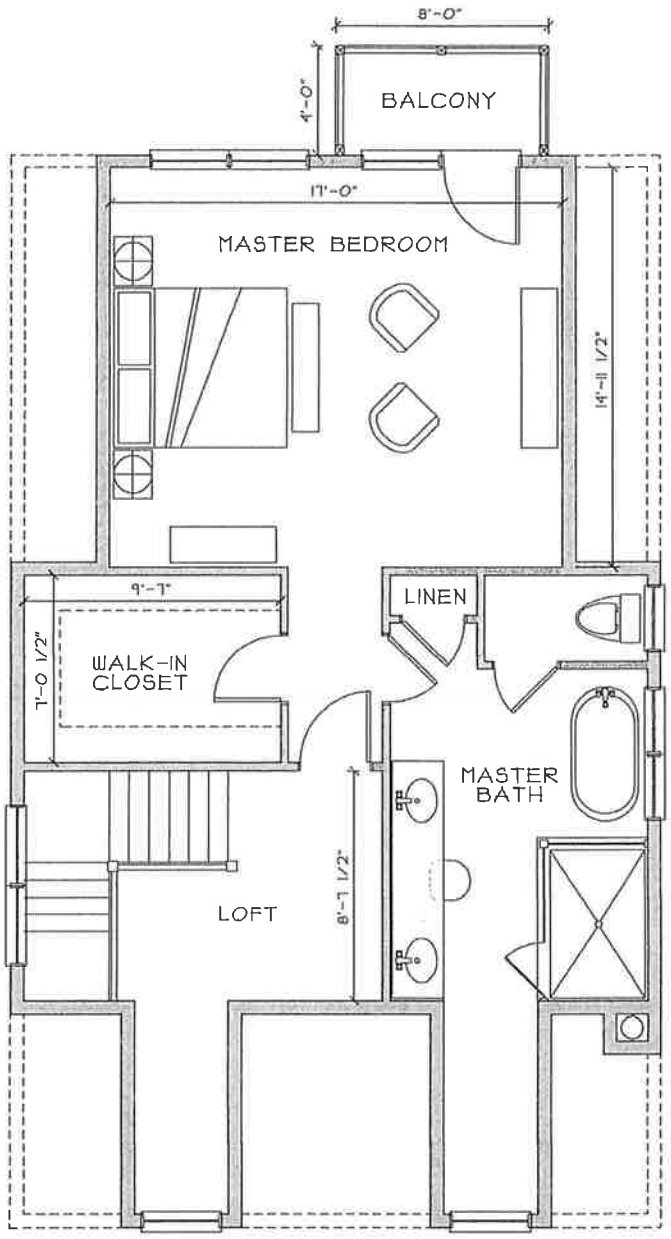
RHC DESIGN, LLC PLAN NO. 19050 55 PLANK AVE. PAOLI, PA 19301
484-716-3023 - RICK@RHCDESIGNLLC.COM



SECOND FLOOR PLAN:

SCALE: 1/4" = 1'-0"

RHC DESIGN, LLC PLAN NO. 19050 55 PLANK AVE, PAOLI, PA 19301
484-716-3023 - RICK@RHCDESIGNLLC.COM



THIRD FLOOR PLAN:

SCALE: 1/4" = 1'-0"

55 PLANK AVE. PAOLI, PA 19301
484-716-3023 - RICK@RHCDESIGNLLC.COM

ZHB APPEAL #2020-12
SUMMARY

APPLICANTS: Mark and Anne Dooley

PROPERTY LOCATION: Parcel #65-00-10615-00-3
Block 049, Unit 027
7215 Sheaff Lane
Parcel #65-00-13093-56-7
Block 049F, Unit 011
274 Woodcock Lane
Fort Washington, PA 19034

ZONING DISTRICT: AAA-Residential District
RCCD – Riparian Corridor Conservation Overlay District

SUMMARY OF RELIEF REQUEST:

The applicants are requesting a modification of the Decision in case ZHB #2017-29, which modification would eliminate Conditions 7.(B)(v) and 7.(B)(vi) based upon the recommendations of the Montgomery County Conservation District.

PRIOR DECISIONS:

Both Parcels
ZHB# 2017-29: New House & Accessory Structure

7215 Sheaff Lane
ZHB#1989-31 Special Exception/Pool in Front Yard

Respectfully Submitted,

Charles L. Gutteplan, AICP
Director of Planning and Zoning/Zoning Officer

APPEAL TO ZONING HEARING BOARD
WHITEMARSH TOWNSHIP
COMMONWEALTH OF PENNSYLVANIA

APPEAL NO: 2020-12

Applicant/Appellant: Mark and Anne Dooley

Address: 7215 Sheaff Lane Ft. Washington, PA 19034

Phone #: **Cell Number:** **E-Mail:** [redacted]

Owner: Mark and Anne Dooley

Address: 7215 Sheaff Lane Ft. Washington, PA 19034

Phone #: **Cell Number:** **E-Mail:** [redacted]

Location of the Property Involved: 7215 Sheaff Lane and 274 Woodcock Lane

Block #: 049 **Unit #:** 011 and 027 **Parcel #:** 65-00-13093-56-7 & 65-00-10615-00-3

NATURE OF APPLICATION (Describe proposed use and/or construction: type of appeal requested and specific section(s) of Whitemarsh Township Zoning Code which is (are) relied upon):

The Applicants respectfully request a modification of ZHB Decision 2017-29, to remove conditions 7(B)(v) and 7(B)(vi) based upon the recommendations of the Montgomery County Conservation District.

GROUNDS FOR APPEAL (State reasons for appeal and nature of hardship, if claimed):
****Attach additional sheets if necessary**

Please see Addendum to Application attached.

Legal Counsel (if represented): Neil Andrew Stein, Esquire

Address: 910 Harvest Drive, Suite #200 Blue Bell, PA 19422

Phone #: (610) 941-2469 **E-Mail:** nstein@kaplaw.com

My (Our) signature(s) authorize(s) permission to pose my (our) property and permission to the Zoning Hearing Board and their representative to enter thereon for inspection purposes.

I (We) certify the information provided on this application and supporting documentation and plans are true and correct to the best of my (our) knowledge, information, and belief. You are required to submit proof that you are one of the following:

I am (We are)

- [x] **Owner(s) of Legal Title**
- [ ] **Owner(s) of Equitable Title**
- [ ] **Tenant(s) with permission of Owner(s) of Title (Enclose letter attesting to same)**

RECEIVED
MAR 02 2020
WHITEMARSH TOWNSHIP
ZONING & ENGINEERING

Date: January 17, 2020

By:

Signature of Applicant/Appellant:
Neil Andrew Stein, Esquire
Attorney for Applicants

Signature of Applicant/Appellant:

APPLICATION OF MARK AND ANNE DOOLEY
WHITEMARSH TOWNSHIP ZONING HEARING BOARD

ADDENDUM TO APPLICATION

Mark and Anne Dooley (the "**Applicants**") for relief from the Whitemarsh Township Zoning Hearing Board ("**Board**"), in the form of a modification of Decision #2017-29 (the "**Decision**"), which modification would eliminate Conditions 7(B)(v) and (vi) (the "**Requested Relief**").

I. BACKGROUND

(1) The Applicants own the following properties (collectively, the "**Property**"):

- Mark Dooley is the owner of 274 Woodcock Lane, Tax Parcel #65-00-13093-56-7, consisting of 9.81 acres ("**Woodcock Lane Parcel**").
- Mark and Anne Dooley are the owners of 7215 Sheaff Lane, Tax Parcel #65-00-10615-00-3, consisting of 5.06 acres ("**Sheaff Lane Parcel**").

The deeds for the Property are attached as ***Exhibit "1"*** and ***Exhibit "2"***.

(2) The Property is located in the AAA–Residential zoning district and contains, in the aggregate, 14.92 acres of land. The Woodcock Lane Parcel and the Sheaff Lane Parcel both contained existing structures, which have since been removed and replaced with a single-family home and accessory structures (the "**Dwelling**").

II. THE ZHB DECISION

(1) On or about January 12, 2018, memorializing a vote taken on December 13, 2017, the Board issued the Decision, which granted certain relief to the Applicants, subject to various enumerated conditions. A copy of the Decision is attached as ***Exhibit "3"***. Conditions 7(B)(v) and (vi) (the "**Conditions**") are as follows:

> (B) Subject to receipt of all applicable governmental permits and approvals, including but not limited to approval of the Township Engineer, the Applicants shall perform the following work at their sole cost and expense:

(v) Remove the rocks from the dry creek beds/watercourses to reduce the velocity of the stormwater that flows towards the Thomas property;

(vi) Replant the sides of the dry creek beds/watercourses (the watercourses currently lined with stone) with plantings to further reduce the velocity of the water moving towards the Thomas property....

(collectively, the "**Required Work**").

Photographs depicting the areas in question are attached collectively as ***Exhibit "4"***.

III. THE MCCD'S CONCLUSIONS

(1) The motivation for the Required Work work was to retard the flow velocity. The Applicants applied to the Montgomery County Conservation District ("**MCCD**") for approval to complete the Required Work. The MCCD made the following observations (See ***Exhibit "5"*** attached):

(a) There was no evidence of any indicators of channel straightening, channel steepening or channelization and there were no signs of accelerated streambank erosion or channel degradation.

(b) The channels appear to have gently sloping stream banks and access to a well vegetated floodplain in which velocity and energy can be dissipated. The river stone "check" appears to be functioning as a velocity and energy dissipator. The river stone that is currently lining the channel bottom is providing "roughness" and additional velocity and energy reduction.

(c) The existing stream channel conditions themselves are not causing accelerated streambank erosion downstream. Rather as the steam flows through the adjacent property that is located immediately downstream, the stream banks have been mowed and appear to be devoid of deep-rooted vegetation that would otherwise help reduce or prevent stream bank erosion within that localized area and further downstream. Such management practices (mowing of streambanks/removal of deep-rooted vegetation) may be contributing to accelerated stream bank erosion along that particular reach of the stream.

(d) The downstream property owner(s) should explore the possibility of establishing and allowing for the existence of native riparian vegetation along their stream banks in an effort to reduce future stream bank erosion.

(2) The MCCD determined that the river stone check and channel lining not be removed and be allowed to remain in place and as is. The MCCD found it likely that removal would create an unnecessary disturbance to existing channel morphology, vegetation and soils, and could lead to soil compaction, reduced infiltration and increased runoff.

III. THE REQUESTED RELIEF

As a result of the MCCD's determinations, the Applicants respectfully request that the Decision be modified to eliminate the Conditions and the Required Work.

Respectfully Submitted,

By:_____
NEIL ANDREW STEIN, ESQUIRE
Attorney for the Applicants
Mark and Anne Dooley

Exhibit "1" - Woodcock Lane Deed

Exhibit "2" - Sheaff Lane Deed

Exhibit "3" - Plan of Property

Exhibit "4" - Decision #2017-29

Exhibit "5" - MCCD Email Chain

Exhibit "6" - Photographs of Affected Areas

Exhibit "7" - Zoning Map

Exhibit "8" - Tax Map

Exhibit "9" - Aerial Photograph

EXHIBIT "1"

RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

One Montgomery Plaza
Swede and Airy Streets ~ Suite 303
P.O. Box 311 ~ Norristown, PA 19404
Office: (610) 278-3289 ~ Fax: (610) 278-3869

DEED BK 6017 PG 02357 to 02361
INSTRUMENT # : 2016075777
RECORDED DATE: 10/03/2016 01:48:31 PM

3389376-0019%

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Document Type: Deed
Document Date: 09/27/2016
Reference Info:

Transaction #: 3452641 - 1 Doc(s)
Document Page Count: 4
Operator Id: sford

RETURN TO: (Simplifile)
Trident Land Transfer Company LP - Devon
431 W. Lancaster Ave. 3rd Floor
Devon, PA 19333
(610) 889-7660

PAID BY:
TRIDENT LAND TRANSFER COMPANY LP - DEVON

*** PROPERTY DATA:**
Parcel ID #: 65-00-13093-56-7
Address: 274 WOODCOCK LN
AMBLER PA
19002
Municipality: Whitemarsh Township (100%)
School District: Colonial

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: [redacted]
TAXABLE AMOUNT:

FEES / TAXES:
Recording Fee:Deed [redacted]
State RTT
Whitemarsh Township RTT
Colonial School District RTT

Total:

DEED BK 6017 PG 02357 to 02361
Recorded Date: 10/03/2016 01:48:31 PM

I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.

Jeanne Sorg
Recorder of Deeds

Rev1 2016-01-29

PLEASE DO NOT DETACH

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Certification signature by montgomery.county.rod@propertyinfo.com, Validity Unknown
Certified and Digitally Signed
Validation may require Adobe 'Windows Integration'

Prepared by:
Trident Land Transfer Company LP
431 West Lancaster Avenue
Devon, PA 19333
Phone: (610)889-7660

Return To:
ATTN: Post-Closing Department
Trident Land Transfer Company LP
Parcel No.: 65-00-13093-56-7

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
65-00-13093-56-7 WHITEMARSH TOWNSHIP
274 WOODCOCK LN
LLOYD DAVID & SUSAN L $15.00
B 049F L 12 U 011 1101 10/03/2016 LG

File No.: 16PA05631

DEED

David Lloyd and Susan L. Lloyd, husband and wife

to

Mark Dooley

PREMISES:
274 Woodcock Lane
Township of Whitemarsh
County of Montgomery
Pennsylvania
Parcel No.: 65-00-13093-56-7

The address of the above named Grantee(s) is:
1511 Stockton Road
Jenkintown, PA 19046

Certified by: Carmelita L. Dillon agent for Mark Dooley

DEED

THIS INDENTURE made this 27 day of September, 2016.

Between DAVID LLOYD AND SUSAN L. LLOYD, HUSBAND AND WIFE, (hereinafter called the Grantors) and

MARK DOOLEY, (hereinafter called the Grantees)

Witnesseth That the said Grantors for and in consideration of the sum of [redacted] lawful money of the United States of America, unto them well and truly paid by the said Grantees, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained and sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm unto the said Grantees, their heirs and assigns , fee simple absolute.

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

TOGETHER with all and singular the improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantors, as well at law as in equity, of, in, and to the same.

TO HAVE AND TO HOLD the said lot or piece of ground above described with the improvements, hereditaments and premises hereby granted, or mentioned, and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns, forever.

AND the said Grantors do by these presents, covenant, grant and agree, to and with the said Grantees, their heirs and assigns that the said Grantors all and singular the Hereditaments and premises herein above described and granted, or mentioned and intended so to be with the Appurtenances unto the said Grantees, their heirs and assigns, against the said Grantors and against all and every Person or Persons whomsoever lawfully claiming or to claim the same or any part thereof, by from, or under them or any of them, shall and will WARRANT and forever DEFEND.

EXHIBIT A

ALL THAT CERTAIN lot or parcel of land being Lot No. 12 as shown on the "Subdivision of Albert J. Westrum, and wife", situate in Whitemarsh Township, Montgomery County, Pa. as shown on a Plan of property prepared for Donald McLean as dated July 13, 1984 as prepared by C. Raymond Weir Associates, Inc., Civil Engineers and Surveyors, Ambler, Pennsylvania bounded and described as follows to wit:

BEGINNING at a point on the Southwesterly right-of-way line of Woodcock Lane, 50 feet, which said point is located South 62 degrees 55 minutes 34 seconds West 25 feet from a point on the center line which last said point is located by a curve line bearing to the left in a Southeasterly direction with a radius of 160 feet the arc distance of 58.98 feet the junction with the center line of Mill Spring Drive, 50 feet wide, which last said point is located by a curved line bearing to the left in a Southwest to Southeast direction with the radius of 160 feet the arc distance of 163.3 feet from a point of curvature which last said point of curvature is located South 52 degrees 31 minutes 34 seconds West 283.04 feet from a point of tangency which last said point of tangency is located by a curved line bearing to the right in a Southwesterly direction with a radius of 175 feet the arc distance of 25.69 feet from a point of curvature which last said point of curvature is located South 44 degrees 07 minutes West 251.33 feet from the intersection of the center line of Mill Spring Drive with the center line of Morris Road 46.5 feet wide that is to said 16.5 feet to the Northeast and 30 feet to the Southwest of the center line of the original 33 feet road; thence from the point of beginning along the Southwesterly right of way line of Woodcock Lane aforementioned the three following courses and distances to wit: (1) by a curved line bearing to the left in a Southwest to Southeasterly direction with a radius of 185 feet the arc distance of 130.42 feet to a point of tangency; (2) South 67 degrees 28 minutes East 55.32 feet to a point of curvature; (3) by a curve line bearing to the right in a Southeasterly direction with a radius of 1040 feet the arc distance of 362.97 feet to a point a corner of Lot No. 11; thence along the same and along land of Maurice Hecksher South 42 degrees 12 minutes West 700.23 feet to an iron pin a corner in line of land of Elmer F. & G. Eileen Hansen; thence along the same North 47 degrees 51 minutes 55 seconds West 749.55 feet to a point a corner of land of Michael Newbold; thence along the same the two following courses and distances to wit: (1) North 59 degrees 40 minutes 25 seconds East 646.80 feet to a point of curvature; (2) by a curved line bearing to the right in a Northeast to Southeast direction with a radius of 15 feet the arc distance of 24.41 feet to a point of reverse curve the point and place of beginning.

Being Parcel No. 65-00-13093-56-7

Being the same premises which Mona T. McLean by Deed dated 10/5/1998 and recorded 11/16/1998 in Montgomery County in Deed Book 5248 Page 2038 and re-recorded 10/4/1999 in Deed Book 5290 page 2430 conveyed unto David Lloyd and Susan L. Lloyd, as tenants by the entierty, in fee.

Parcel No.: 65-00-13093-56-7

IN THE WITNESS WHEREOF, the said Grantors has/have caused these presents to be duly executed dated the day and year first above written.

SEALED AND DELIVERED
In the presence of us:

David Lloyd

Susan L. Lloyd

State of Rhode Island
~~Commonwealth of Pennsylvania~~

County of Washington

On this, the 27 day of Sep 2016, before me, the undersigned Notary Public, personally appeared David Lloyd and Susan L. Lloyd, husband and wife known to me (or satisfactorily proven) to be the person whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My Commission Expires: 5/22/18

DIANA ZERBARINI
Notary Public, State of Rhode Island
My Commission Expires May 22, 2018

EXHIBIT "2"

RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

One Montgomery Plaza
Swede and Airy Streets ~ Suite 303
P.O. Box 311 ~ Norristown, PA 19404
Office: (610) 278-3289 ~ Fax: (610) 278-3869

DEED BK 6014 PG 00794 to 00799
INSTRUMENT # : 2016067526
RECORDED DATE: 09/06/2016 10:44:53 AM

3378894-00192

MONTGOMERY COUNTY ROD

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RETURN TO: (Simplifile)
Trident Land Transfer Company LP - Devon
431 W. Lancaster Ave. 3rd Floor
Devon, PA 19333
(610) 889-7660

PAID BY:
TRIDENT LAND TRANSFER COMPANY LP - DEVON

*** PROPERTY DATA:**

Parcel ID #:	65-00-10615-00-3
Address:	7215 SHEAFF LN
	PA
Municipality:	Whitemarsh Township (100%)
School District:	Colonial

*** ASSOCIATED DOCUMENT(S):**

CONSIDERATION/SECURED AMT: [redacted]
TAXABLE AMOUNT:

FEES / TAXES:
Recording Fee:Deed [redacted]
Additional Pages Fee
Additional Names Fee
Affordable Housing Pages
Affordable Housing Names
State RTT
Whitemarsh Township RTT
Colonial School District RTT
Total:

DEED BK 6014 PG 00794 to 00799
Recorded Date: 09/06/2016 10:44:53 AM

I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.

RECORDER'S OFFICE MONTGOMERY COUNTY, PA

Jeanne Sorg
Recorder of Deeds

Rev1 2016-01-29

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Certified and Digitally Signed
Validation may require Adobe 'Windows Integration'

Prepared by:
Trident Land Transfer Company LP
431 West Lancaster Avenue
Devon, PA 19333
Phone: (610)889-7660

Return To:
ATTN: Post-Closing Department
Trident Land Transfer Company LP
Parcel No.: 65-00-10615-00-3

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
65-00-10615-00-3 WHITEMARSH TOWNSHIP
7215 SHEAFF LN
BS TRUST SJ TRUST & EB TRUST $15.00
B 049 L U 027 1101 09/06/2016 JU

File No.: 16PA05600

DEED

SJ Trust and BS Trust and EB Trust and JE Trust

to

Mark Dooley and Anne Dooley, husband and wife

PREMISES:
7215 Sheaff Lane
Township of Whitemarsh
County of Montgomery
Pennsylvania
Parcel No.: 65-00-10615-00-3

The address of the above named Grantee(s) is:
1511 Stocton Road
Jenkintown, PA 19046

Certified by: Carmelita L Dellon Agent for

DEED

THIS INDENTURE made this 1 day of September, 2016.

Between SJ TRUST AND BS TRUST AND EB TRUST AND JE TRUST, (hereinafter called the Grantors) and

MARK DOOLEY AND ANNE DOOLEY, HUSBAND AND WIFE, (hereinafter called the Grantees)

Witnesseth That the said Grantors for and in consideration of the sum of [redacted] lawful money of the United States of America, unto them well and truly paid by the said Grantees, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained and sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm unto the said Grantees, their heirs and assigns, as , as tenants by the entirety.

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

TOGETHER with all and singular the improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantors, as well at law as in equity, of, in, and to the same.

TO HAVE AND TO HOLD the said lot or piece of ground above described with the improvements, hereditaments and premises hereby granted, or mentioned, and intended so to be, with the appurtenances, unto the said Grantees, their heirs and assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns, forever.

AND the said Grantors do covenant, promise and agree, to and with the said Grantees, their heirs and assigns, by these presents, that the said Grantors has/have not done, committed or knowingly or willingly suffered to be done or committed, any act, matter or thing whatsoever whereby the premises hereby granted, or any part thereof, is, are, shall or may be impeached, charged or incumbered, in title, charge, estate, or otherwise howsoever.

EXHIBIT A

PREMISES "A"
ALL THAT CERTAIN lot or piece of ground situate in the Township of Whitemarsh, in the County of Montgomery and State of Pennsylvania, bounded and described according to a survey and plan thereof made by Franklin and Company, Civil Engineers on the 10th day of March, 1936 as follows, to wit:

BEGINNING at a spike in the center line of Sheaff Road (forty feet wide) said spike being in line of a tract of land formerly conveyed by George R. Wallace, et ux to Robert McLean et ux and situate at the distance of twelve hundred and thirteen and forty-five hundredths (1213.45') feet from the intersection of the said center line of Sheaff Road measured South thirty-eight degrees thirty-nine minutes no seconds West from its intersection with the center line of Morris Road; thence North fifty-one degrees twenty-six minutes no seconds West, along the land of Robert McLean et ux three hundred and sixty (360') feet to a point; thence North thirty-eight degrees thirty-nine minutes no seconds East, along other land of Robert McLean et ux three hundred and thirty-five (335') feet to a point, thence South fifty-one degrees twenty-six minutes no seconds East, still along the same three hundred and sixty feet (360') to a point in the center line of Sheaff Road aforesaid; and thence South thirty-eight degrees thirty-nine minutes no seconds West three hundred and thirty-five (335') feet along the center line of said Sheaff Road to the first mentioned point and place of beginning.

PREMISES "B"
ALL THAT CERTAIN lot or piece of land in the Township of Whitemarsh, County of Montgomery and State of Pennsylvania, described according to a Survey and Plan thereof made by William T. Muldrew, Registered Professional Engineer and County Surveyor of Jenkintown, Pennsylvania, on the 21st day of March, 1938, as follows to wit:

BEGINNING at a point in line of land now or late of Robert McLean, which point is at the distance of three hundred and sixty feet (360') measured North fifty-one degrees twenty-six minutes West from a spike set in the middle line of Sheaff Road, and which said spike set in the middle line of Sheaff Road is at the distance of twelve hundred and thirteen and forty-five hundredths feet (1213.45') Southwestwardly from its intersection with the middle line of Morris Road; thence extending from the said place of beginning North fifty-one degrees twenty-six minutes West two hundred and ninety-one feet (291') to a point; thence extending North thirty-eight degrees thirty-nine minutes East, three hundred and thirty-five feet (335') to a point; thence extending South fifty-one degrees twenty-six minutes East, two hundred and ninety-one feet (291') to a point a corner of land of Maurice Heckscher and Constance A. Heckscher, his wife, and thence extending along the last mentioned land, South thirty-eight degrees thirty-nine minutes West, three hundred and thirty-five feet (335') to the first mentioned point and place of beginning.

EXCEPTING THEREOUT AND THEREFROM ALL THAT CERTAIN lot or piece of ground in the Township of Whitemarsh, County of Montgomery, State of Pennsylvania, described as follows, to wit:

BEGINNING at a point in line of lands now or late of Robert McLean, which point is at the distance of six hundred fifty-one (651') feet measured North fifty-one degrees twenty-six minutes West from a spike set in the middle line of Sheaff Road and which said spike set in the middle line of Sheaff Road is at a distance of one thousand, two hundred thirteen and forty-five one-hundredths (1,213.45') feet Southwestwardly from its intersection of the middle line of Morris Road; thence extending from the said place of beginning North thirty-eight degrees thirty-nine minutes East three hundred thirty-five (335') feet to a point; thence South fifty-one degrees twenty-six minutes East one hundred (100') feet to a point; thence South thirty-eight degrees thirty-nine minutes West three hundred thirty-five (335') feet to a point; thence along other lands now or late of Robert McLean North fifty-one degrees twenty-six minutes West one hundred (100') feet to the first mentioned point and place of beginning.

PREMISES "C"
ALL THAT CERTAIN lot or piece of ground in the Township of Whitemarsh, County of Montgomery, State of Pennsylvania, described as follows to wit:

BEGINNING at a point in the center line of Sheaff Road forty (40') feet wide, eight hundred thirteen and forty-five one-hundredths (813.45') feet measured South thirty-eight degrees, thirty-nine minutes West from its intersection with the center line of Morris Road; thence from said beginning point North fifty-one degrees twenty-six minutes West five hundred fifty-one feet (551') to a point; thence South thirty-eight degrees thirty-nine minutes West sixty-five (65') feet to a point in line of other lands of Maurice Heckscher et ux; thence South fifty-one degrees

twenty-six minutes East five hundred fifty-one (551') feet to a spike in the center line of Sheaff Road; thence North thirty-eight degrees thirty-nine minutes East sixty-five (65') feet to the first mentioned point and place of beginning.

Being PARCEL NO. 65-00-10615-00-3

BEING the same premises which Calvin D. Baker and Norma H. Baker, husband and wife, by Deed dated 06/26/2000 and recorded 06/27/2000 in the Office of the Recorder of Deeds in and for the County of Montgomery in Deed Book 5321, Page 760, granted and conveyed unto BS Trust, SJ Trust, JE Trust and EB Trust.

AND WHEREAS, Adare, Inc. was duly appointed as initial Trustee of the SJ Trust and BS Trust and EB Trust and JE Trust, AND WHEREAS the said Adare, Inc. by Unanimous Consent, took action on August 17, 2013, and duly appointed Gaeltarra, Inc., a Pennsylvania non-profit corporation, as Successor Trustee of each trust aforesaid, in accordance with powers set forth in Article 7.1 of the each Trust Agreement.

Parcel No.: 65-00-10615-00-3

IN THE WITNESS WHEREOF, the said Grantors has/have caused these presents to be duly executed dated the day and year first above written.

SEALED AND DELIVERED
In the presence of us:

SJ Trust

BY: Gaeltarra, Inc., a Pennsylvania non-profit corporation, Successor Trustee of the SJ Trust under Agreement dated January 1, 1997

BY: _____ President
David Sherman
President

BS Trust

BY: Gaeltarra, Inc., a Pennsylvania non-profit corporation, Successor Trustee of the BS Trust under Agreement dated January 1, 1997

BY: _____ President
David Sherman
President

EB Trust

BY: Gaeltarra, Inc., a Pennsylvania non-profit corporation, Successor Trustee of the EB Trust under Agreement dated January 1, 1997

BY: _____ President
David Sherman
President

JE Trust

BY: Gaeltarra, Inc., a Pennsylvania non-profit corporation, Successor Trustee of the JE Trust under Agreement dated January 1, 1997

BY: _____ President
David Sherman
President

Commonwealth of Pennsylvania

County of Montgomery

On this, the 1 day of September, 2016, before me, Jessica E. McLaughlin, the undersigned officer, personally appeared David Sherman, who acknowledged himself to be the President of Gaeltarra, Inc., a Pennsylvania non-profit corporation ,and that he as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the Corporation as Successor Trustee of the SJ Trust and BS Trust and EB Trust and JE Trust under Agreement dated January 1, 1997, by himself as President.

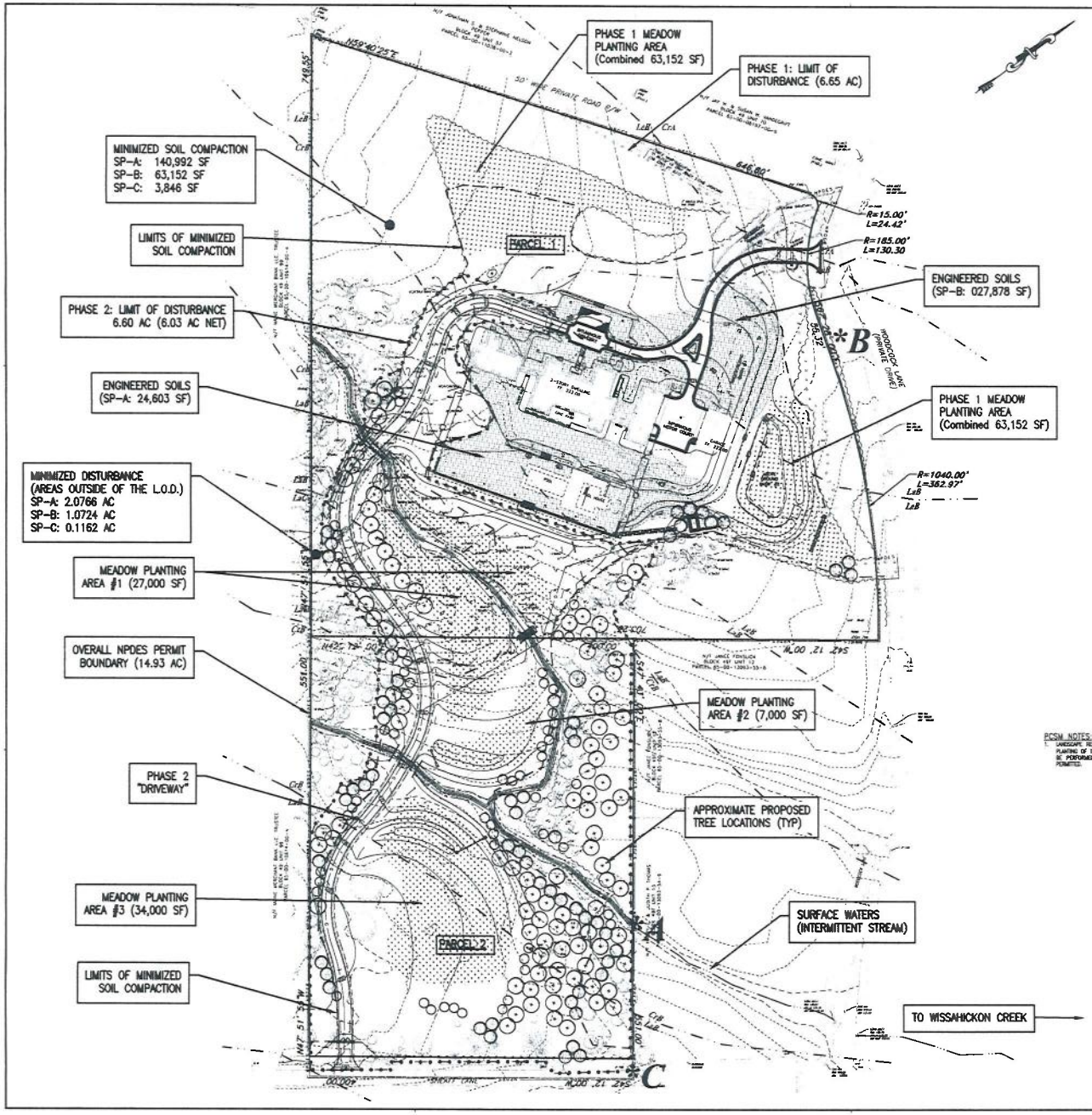
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Jessica E. McLaughlin
Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
JESSICA E. McLAUGHLIN, Notary Public
Lower Gwynedd Twp., Montgomery County
My Commission Expires November 24, 2017

My Commission Expires: _____

EXHIBIT "3"



LEGEND

- TITLE LINE
- ADJACENT PROPERTY LINE
- LEGAL R/W
- EASEMENT LINE
- EX EDGE OF ROAD
- EX FENCELINE
- EX WATER LINE
- EX SANITARY SEWER PIPE
- EX SANITARY SEWER LATERAL
- EX CONTOUR ELEVATION
- APPROX. WETLANDS
- EX. TREE LINE
- EX. TREE
- PROPOSED BUILDING
- CONCRETE PAD
- PROP. EDGE OF PAVE
- PROP. WALL
- PVL CONTOUR
- STORM PIPE
- SANITARY SEWER LATERAL
- GAS SERVICE
- WATER SERVICE
- NPDES LINE
- LIMIT OF DISTURBANCE
- AREA OF MINIMIZED DISTURBANCE/GRADING
- AREA OF MINIMAL SOIL COMPACTION
- AREA OF AMENDMENT SOILS

SITE DATA

PARCEL 1
APPLICANT/OWNER
MARK DOOLEY
1151 STOCKTON RD
JENKINTOWN, PA 19046

PARCEL
374 WOODCOCK LANE
AMBLER, PA 19002
TMP: 65-00-13063-56-7
DEED BOOK 6017, PAGE 02367

PARCEL 2
APPLICANT/OWNER
MARK & ANNE DOOLEY
1151 STOCKTON RD
JENKINTOWN, PA 19046

PARCEL
7215 SHEAFF LANE
AMBLER, PA 19002
TMP: 65-00-10615-00-3
DEED BOOK 6014, PAGE 00794

LOCATION MAP
SCALE: 1" = 800'

SEQUENCE OF CONSTRUCTION (PHASE 2)

NOTES:

1. ALL EARTH DISTURBANCE SHALL PROCEED IN ACCORDANCE WITH THE FOLLOWING SEQUENCE OF CONSTRUCTION. EACH STAGE/STEP SHALL BE COMPLETED BEFORE ANY FOLLOWING STAGE/STEP IS INITIATED. CLEARING AND GRUBBING SHALL BE LIMITED TO THOSE AREAS DESCRIBED IN EACH STAGE.
2. EROSION AND SEDIMENT CONTROLS MUST BE CONSTRUCTED, STABILIZED AND FUNCTIONAL BEFORE GENERAL SITE DISTURBANCE WITHIN THE TRIBUTARY AREA OF THESE CONTROLS. ONLY LIMITED DISTURBANCE IS PERMITTED TO PRIVATE ACCESS TO THE EROSION AND SEDIMENT CONTROL AREAS FOR GRADING AND ACQUIRING BORROW TO CONSTRUCT THESE CONTROLS. THE O/NP MUST INFORM THE MUNICIPALITY THAT THE APPLICABLE E&S CONTROLS ARE INSTALLED, STABILIZED AND FUNCTIONAL BEFORE INITIATING EARTH DISTURBANCE.
3. WORK AREAS SHALL BE DELINEATED AND SURVEY CONTROL POINTS SHALL BE PROTECTED. WETLANDS ARE TO BE FENCED OR STAKED IN THE FIELD. THERE IS TO BE NO EARTH DISTURBANCE OR VEGETATIVE CLEARING IN AREAS PROTECTED BY BARRIER FENCE OR STAKES. EARTH DISTURBANCE WITHIN THESE AREAS WITHOUT REQUIRED PERMITS WILL RESULT IN POTENTIAL VIOLATIONS OF COMMONWEALTH AND FEDERAL REGULATIONS. ALL COSTS ASSOCIATED WITH DISTURBANCE OF THESE AREAS WILL BE INCURRED SOLELY AT CONTRACTOR'S EXPENSE.
4. ALL EARTH DISTURBANCES SHALL BE WITHIN THE DELINEATED LIMITS OF DISTURBANCE. NO FILL SHALL BE TAKEN OR PLACED OUTSIDE THE DESIGNATED LIMITS OF DISTURBANCE.
5. CRITICAL STAGES IN ACCORDANCE WITH NPDES REQUIREMENTS, A PROFESSIONAL ENGINEER OR DESIGNATED REPRESENTATIVE SHALL BE ON-SITE TO OBSERVE AND CERTIFY THE INSTALLATION/CONSTRUCTION OF CRITICAL SITE FACILITIES AND/OR CONTROLS. THE ENGINEER SHALL BE NOTIFIED A MINIMUM OF 3 DAYS IN ADVANCE OF CRITICAL STAGE ACTIVITIES.
6. THE PROJECT SHALL PROCEED IN ACCORDANCE WITH THE FOLLOWING GENERALIZED SEQUENCE. THE CONTRACTOR MAY PROCEED WITH LATER STEPS PROVIDED THE AREAS ARE PROVIDED THE REQUIRED CONTROLS ARE INSTALLED WITHIN THE TRIBUTARY AREA. THE CONTRACTOR SHALL CONSULT WITH THE CONSERVATION DISTRICT PRIOR TO PROCEEDING WITH FUTURE STEPS.
7. IF PHASE 1 IS STILL IN PROGRESS AT THE START OF PHASE 2, CONTRACTOR MAY PERFORM APPROPRIATE WORK ADJACENT TO THE PHASE 1 AREA PROVIDED PROPER EROSION CONTROLS HAVE BEEN INSTALLED AND ARE FUNCTIONAL.

SEQUENCE OF CONSTRUCTION:

1. INSTALL PERIMETER CONTROLS (TREE PROTECTION, COMPOST FILTER SOCKS, (TC) AND ROCK CONSTRUCTION ENTRANCE) AS SHOWN ON PLANS.
   a. (CRITICAL STAGE) INSTALL TREE PROTECTION FENCING PROTECTING AREAS OF MINIMAL SOIL COMPACTION/MINIMAL GRADING BY FIELD MARKING THE LIMIT OF DISTURBANCE.
   b. NOTE: ONLY LIMITED DISTURBANCE IS PERMITTED FOR INSTALLATION OF CONTROLS. CLEARING AND GRUBBING CAN NOT COMMENCE UNTIL PERIMETER CONTROLS ARE INSTALLED AND FUNCTIONAL.
   c. CONTRACTOR SHOULD ADJUST PERIMETER COMPOST FILTER SOCKS AS NEEDED FOR GRADING OPERATIONS. ADJUSTMENTS MUST BE COMPLETE AT THE END OF EACH DAY.
2. DEMOLISH EXISTING STRUCTURES ON SHEAFF LANE PARCEL. STRIP TOPSOIL FROM WITHIN DISTURBANCE AREA AS NEEDED AND UTILIZE PHASE 1 STOCKPILE LOCATION.
3. CONCURRENTLY, BEGIN ROADWAY CONSTRUCTION AND INSTALL STREAM CROSSINGS AT LOCATIONS INDICATED ON PLANS.
4. BEGIN GAS LATERAL CONSTRUCTION. BEGIN ROUGH GRADE OF DRIVEWAY AND INSTALL SUBBASE.
5. CONSTRUCT ROADSIDE SWALES AS DRIVEWAY CONSTRUCTION PROGRESSES.
6. REMOVE STONE FROM CHANNEL BOTTOM AND INSTALL STREAM STABILIZATION MEASURES IN ACCORDANCE WITH LANDSCAPE ARCHITECT PLANS.
7. ROUGH GRADE AND INSTALL DRIVEWAY BASE COURSE. ROUGH GRADE ALL REMAINING AREAS.
8. (CRITICAL STAGE) CONSTRUCT RAIN GARDENS AND MEADOW GRASSES AS INDICATED ON THE PLANS AND STABILIZE REMAINING AREAS.
9. (CRITICAL STAGE) SEED AND STABILIZE. INSTALL TREES AND MEADOW PLANTINGS WITHIN MINIMIZED SOIL COMPACTION AREAS. CONTRACTOR TO USE LOW GROUND PRESSURE EQUIPMENT WITHIN THESE AREAS. SEVERE EROSION OF MINIMAL COMPACTION AREAS SHALL BE ADDRESSED IMMEDIATELY. THE CONTRACTOR SHALL IMMEDIATELY CONTACT THE CONSERVATION DISTRICT AND TOWNSHIP TO REVIEW THE DISTURBANCE AND DEVELOP A STABILIZATION/RESTORATION PROCEDURE.
10. AFTER FINAL SITE STABILIZATION HAS BEEN ACHIEVED (70% UNIFORM STABILIZATION OF DISTURBED SOIL ON SITE WILL BE COVERED WITH VEGETATION), TEMPORARY EROSION CONTROLS, INCLUDING SILT FENCE MUST BE REMOVED. SHOULD ANY AREAS BECOME DISTURBED DURING REMOVAL OF THE CONTROLS, THEY MUST BE IMMEDIATELY STABILIZED IMMEDIATELY.
11. AT THE COMPLETION OF CONSTRUCTION AND UPON FINAL SITE STABILIZATION, THE O/NP SHALL SUBMIT THE NOTICE OF TERMINATION (N.O.T.) TO THE COUNTY CONSERVATION DISTRICT.

PCSM NOTES:

1. LANDSCAPE RESTORATION WITHIN MINIMIZED DISTURBANCE AREAS SHALL BE LIMITED TO THE PLANTING OF TREES AS PART OF THE TOWNSHIP'S TREE REPLACEMENT CRITERIA. WORK SHALL BE PERFORMED WITH LOW GROUND PRESSURE EQUIPMENT ONLY. NO CLEARING SHALL BE PERMITTED.

REGISTERED PROFESSIONAL ENGINEER

ROBERT E. BLUE JR. (DATE) 6/12/2018
LICENSE NO. 26169-E

robert e. blue
consulting engineers, p.c.
1149 Skippack Pike, Blue Bell, PA 19422
tel: (610)-277-9441 fax: (610)-277-9897
www.robertblue.com email: rblue@robertblue.com

REVISIONS	
1	7/12/2018 REVISED PERMIT SUBMISSION
2	8/14/2018 REV. PER TWP. COMMENTS
3	9/10/2018 REV. PER TWP. COMMENTS
4	10/15/2018 REV. PER TWP. COMMENTS
5	12/12/2018 REVISED WINDOW LAYOUT

OVERALL PCSM PLAN

EARTH DISTURBANCE PERMIT PLAN
POST CONSTRUCTION STORMWATER MANAGEMENT PLAN

DOOLEY RESIDENCE
SHEAFF LANE ACCESS
WHITEMARSH TWP., MONTGOMERY CO. PA

PREPARED FOR
MARK & ANNE DOOLEY [redacted]

DRAWN BY	CHECKED BY	SCALE
MEET	REB	1"=40'
DATE	JOB NUMBER	SHEET NUMBER
2/6/2018	2022-1E	5 of 14

EXHIBIT "4"

BEFORE THE ZONING HEARING BOARD OF WHITEMARSH TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

IN RE: APPLICATION OF MARK AND ANNE DOOLEY NO. 2017-29

DECISION

I. BACKGROUND

The Applicants, Mark and Anne Dooley, filed an application with the Zoning Hearing Board, regarding the properties located at 274 Woodcock Lane and 7215 Sheaff Lane. Public hearings were conducted on September 6, 2017, October 11, 2017, November 8, 2017 and December 13, 2017.

The Applicants proposed to build a new house and accessory structures on 274 Woodcock Lane and construct a second driveway accessing onto Sheaff Lane over 7215 Sheaff Lane. The property is zoned AAA-Residential District and impacted by the Riparian Corridor Conservation District.

After amendments to the Application, the Applicants requested the following relief:

1. A variance from Section 116-259.B. to permit the proposed installation of one or more utility lines and/or stormwater facilities within Zone 1 of the Riparian Corridor, as shown on the plans.

2. A variance from Section 116-265.C. which requires that the proposed corridor crossings be separated by a minimum of 1,000 feet of buffer length, to permit the crossings and buffer length as shown on the plans.

3. A variance from Section 116-24.D.(1) to the extent that the Sheaff Lane driveway is deemed to be an accessory use without a corresponding principal use.

4. Variances from Sections 116-24.E.(3)(a) and 116.24.E.(3)(c) to permit a proposed barn/garage to be located within the required front yard (between the front lot line and the front principal building plane), as shown on the plans.

5. An interpretation that the existing corridor crossings are existing non-conformities such that the proposed crossings do not require zoning relief from Section 116-265.C.

6. An interpretation under Section 116-24.D.(1).

The following requests were withdrawn by the Applicants:

1. The request for a variance from Section 116-260.A. to permit the installation of a portion of a privacy wall within Zone 2 of the Riparian Corridor.

2. The request for a variance from Section 116-265.B. which requires that proposed crossings of the Riparian Corridor cross at direct right angles.

3. The request for a variance from Section 116-260.A, to permit the clearing of existing vegetation within the Riparian Corridor, not in strict compliance with the reestablishment of vegetation requirements in Section 116-264.

4. The request for a variance from Section 116-264.A. to permit the reestablishment of forest cover and woodland habitat, not in strict compliance with the requirements of the landscape regulations of the Subdivision and Land Development Ordinance.

5. The request for a variance from Section 116-264.B. which requires that the corridor crossing be mitigated by increasing the width of the corridor as replacement for the area lost due to the encroachment or disturbance, so that the total area of the corridor (Zone 1 and Zone 2) for each applicable side of the stream or watercourse is equal to that required by Sections 166-258.A. and 116-264.C., so as to permit the crossings without such mitigation.

6. The request for an interpretation that the existing corridor crossings are existing non-conformities such that the proposed crossings do not require zoning relief from Section 116-265.B.

7. The request for an interpretation that the existing corridor crossings are existing non-conformities, such that the proposed crossings do not require zoning relief under Section 116-264.B,

The Zoning Hearing Board members participating in the hearings were William E. Kramer, Robert A. Bacine, Marc Weinstein, James Behr, and Stanley A. Casacio. The Applicants were represented by Neil Stein, Esquire. The following neighboring property owners entered appearances as parties in opposition to the application:

Harry Thomas, represented by Edward Hughes, Esquire
Jay and Susan Vandergrift.

The witnesses were duly sworn or affirmed and Notes of Testimony for the hearings were transcribed and are hereby made a part of this record. After the hearings and public discussion, the Board voted on December 13, 2017 to grant the application. The Board issues Findings of Fact and Conclusions of Law in support of the Decision and Order.

II. FINDINGS OF FACT

1. The Applicants are Mark and Anne Dooley ("Applicants"), the legal owners of the properties in question located at 274 Woodcock Lane and 7215 Sheaff Lane, Whitemarsh Township, Montgomery County, Pennsylvania. (Exhibit T-3)

2. The following Exhibits were marked and duly admitted into evidence:

TOWNSHIP EXHIBITS:

T-1(a)	Proof of Publication
T-1(b)	Meeting Notification
T-1(c)	Posting of Notice
T-2	Zoning Map
T-3	Tax Map
T-4	Township Engineer Memo dated August 24, 2017
T-5	Township Engineer Report dated February 27, 2017
T-6	Fire Marshal Memorandum dated August 11, 2017
T-7	Zoning Ordinance Compliance Letter dated February 28, 2017

APPLICANTS' EXHIBITS:

A-1	Existing Features Plan
A-2	Zoning Plan
A-3	Existing Conditions Plan
A-4	Proposed Plan
A-5	Tree Replacement Plan
A-6	Phase 1 Tree Replacement Plan
A-7	Phase 2 Tree Replacement Plan
A-8	Emails
A-9	Complaint
A-10	Docket Entries
A-11	Power Point

OBJECTOR'S EXHIBITS:

Thomas Exhibit 1 – Township Engineer Letter dated April 21, 2005
Thomas Exhibit 2 – Township Engineer Letter dated April 27, 2006
Thomas Exhibit 3 – Township Resolution 2004-8
Thomas Exhibit 4 – Ordinance 58-4
Thomas Exhibit 5 – Ordinance 58-11
Thomas Exhibit 6 – Ordinance 116-164

Thomas Exhibit 7 – Ordinance 116-260
Thomas Exhibit 8 – Photos and Plans
Thomas Exhibit 9 – Resume of Julian M. Toneatto
Thomas Exhibit 10 – Aerial Photo
Thomas Exhibit 11 – Plan
Thomas Exhibit 12 – Photo
Thomas Exhibit 13 – Regulation Summary
Thomas Exhibit 14 – Hydraulic Principles
Thomas Exhibit 15 – Soils Aerial
Thomas Exhibit 16 – Soils Summary Table
Thomas Exhibit 17 – Earth Disturbance Plan
Thomas Exhibit 18 – New Residence Plan
Thomas Exhibit 19 – Pool Plan
Thomas Exhibit 20 – Limits of Study Plan
Thomas Exhibit 21 – Stormwater Report Chart
Thomas Exhibit 22 – Hydrograph Report
Thomas Exhibit 23 – Calculations

3. The Applicants propose to construct a house and accessory structures on 274 Woodcock Lane and construct a second driveway accessing onto Sheaff Lane over 7215 Sheaff Lane. (N.T. 09/06/17, pp. 6-14, Exhibit A-4)

4. The Applicants presented the testimony of a civil designer, Marc Toth ("Designer") as an expert in design of stormwater management plans, erosion and sedimentation control plans, preparation of NPDES permit and earth disturbance permit applications, site layout and grading plans. (N.T. 09/06/17, pp. 9-10)

5. The Designer prepared the plans marked as Exhibits A-1 and A-2 showing the existing features, and the earth disturbance plans in relation to the proposed driveway and Riparian Corridor crossings. (N.T. 09/06/17, pp. 11-15, Exhibits A-1 and A-2)

6. The properties are adjacent to one another, with 274 Woodcock Lane measuring approximately 9.8 acres, and 7215 Sheaff Lane measuring approximately 5 acres. (N.T. 09/06/17, pp. 11-12, Exhibits A-1 and A-2)

7. The properties are bisected by intermittent streams. (N.T. 09/06/17, pp. 12-14,

Exhibit A-1)

8. The Applicants propose to remove the houses from both lots, construct a single family home at 274 Woodcock Lane, with a detached garage, pool, and pool house. (N.T. 09/06/17, p. 15, Exhibit A-2)

9. The Applicants plan to clear a portion of the wooded area on the property, and access the property with driveways to Woodcock Lane and Sheaff Lane. (N.T. 09/06/17, p. 15, Exhibit A-2)

10. The Applicants propose to cross the Riparian Corridor on the properties with driveways and a gas utility line. (N.T. 09/06/17, pp. 15-16, Exhibit A-2)

11. The existing driveway crosses the Riparian Corridor. (N.T. 09/06/17, p. 16, Exhibits A-1 and A-2)

12. In response to an inquiry from the Applicants, the Fire Marshal required the Applicants to construct at least 20' wide driveways with an asphalt or concrete road surface capable of handling fire emergency vehicles of at least 75,000 pounds. (N.T. 09/06/17, p. 17, Exhibit T-6)

13. The Applicants will attempt to minimize the impact on the Riparian Corridor by utilizing the existing driveway location and crossings. (N.T. 09/06/17, pp. 17-18)

14. The crossings will be improved with concrete pipe under the proposed enlarged driveways. (N.T. 09/06/17, pp. 18-20)

15. It is impossible to provide for the 1,000 foot separation between crossings, as the property only measures approximately 1,000 feet in length. (N.T. 09/06/17, pp. 21-22, Exhibit A-2)

16. Commonwealth of Pennsylvania permits will be required for the crossings. (N.T. 09/06/17, pp. 22-23)

17. Consistent with the expert opinion expressed by the Designer, the Board finds that the

corridor crossings will not increase the risk of flooding. (N.T. 09/06/17, pp. 27-28)

18. The Applicants requested a variance for the proposed detached barn to be located in the front yard, which the Board determines to be a minor variance, which will not adversely impact any neighboring property. (N.T. 09/06/17, p. 31)

19. The buildings are proposed to be located in an area which will reduce the amount of earth disturbance. (N.T. 09/06/17, pp. 31-32)

20. The Applicants plan to place a gate at the Woodcock Lane access, and primarily use the Sheaff Lane driveway as the main access, with an assigned Sheaff Lane address. (N.T. 09/06/17, p. 43)

21. The Applicants presented the testimony of Charles Hess, Jr. ("Landscape Architect") as an expert in landscape architecture and design. (N.T. 09/06/17, p. 49)

22. The Landscape Architect prepared the plans marked as Exhibits A-3 through A-7. (N.T. 09/06/17, p. 51)

23. The Landscape Architect described the plan for removal of trees around the proposed home site as well as the compensatory tree replacement measures to be undertaken. (N.T. 09/06/17, pp. 52-56, Exhibits A-3, A-4, A-5, A-6 and A-7)

24. The Applicants had requested relief from the requirements of the Ordinance so as to remove trees around the home site due to the Applicants' daughter's tree pollen allergies, and the Township's Shade Tree Commission approved the Applicants' compensatory tree replacement plan. (N.T. 09/06/17, pp. 55-56)

25. One of the objectors, Harry Thomas, ("Objector Thomas") testified in opposition to the application, presenting information regarding pending litigation between Objector Thomas and the prior owner of the property in question, regarding former violations of various Township Codes

and stormwater control requirements by such prior owner as detailed by the Township Engineer's correspondence. (N.T. 09/06/17, pp. 73-80, 85-88, 113-119, 121-122, Thomas Exhibits 1 through 8)

26. The Applicants' experts testified that the proposed development will result in a net decrease in impervious coverage, but the prior alleged violations of stormwater controls were not initially addressed. (N.T. 09/06/17, pp. 82-100; N.T. 10/11/17, p. 53)

27. At the continued hearing held on October 11, 2017, the Applicants reported that since the last hearing, the parties met to discuss the issues and the Applicants provided information to Objector Thomas' engineering consultant. (N.T. 10/11/17, pp. 9-31)

28. Objector Thomas presented the expert testimony of Julian Toneatto, a professional engineer ("Objector's Engineer"). (N.T. 10/11/17, pp. 75-76, Thomas Exhibit-9)

29. The Objector's Engineer presented testimony that the Applicants' predevelopment calculations for stormwater did not initially account for the work done on the property by the previous owner. (N.T. 10/11/17, pp. 125-128, 177-178)

30. The Objector's Engineer indicated that his calculations for the water flow were similar to the Applicants' calculations. (N.T. 10/11/17, pp. 156-159, 179-180)

31. However, the Objector's Engineer disputed the net decrease in water flow as presented by the Applicants, and testified that further study of the issue was required, because of the prior violations. (N.T. 10/11/17, pp. 162-179)

32. Consistent with the expert opinion expressed by the Landscape Architect, which the Board finds credible, the Board determines that the stormwater runoff post-development would be less than what currently exists. (N.T. 10/11/17, pp. 38-39, Exhibit A-11)

33. The Objector's Engineer testified that placing riprap stone in a stream bed increases the velocity of the water flow. (N.T. 10/11/17, pp. 102-103)

34. To address the issue, the Applicants propose to remove the rock placed in the stream bed by the prior owner, and replace with vegetation to slow the flow of stormwater. (N.T. 10/11/17, pp. 39-40)

35. The Applicants' Landscape Architect presented expert testimony that the preexisting pond on the subject property, the removal of which has been an issue for Objector Thomas, was actually by-passed by the watersheds, and did not afford significant stormwater retention. (N.T. 10/11/17, pp. 32-37, 44-46, Exhibit A-11)

36. The Applicants' engineer, Robert Blue, P.E. ("Applicants' Engineer"), testified that replacing the pond removed by the prior owner will not assist with the stormwater flow. (N.T. 10/11/17, pp. 192-194)

37. Consistent with the expert opinions expressed by the Applicants' Landscape Architect and the Applicants' Engineer, which opinions were verified by the Township Engineer, the Board finds that the pond does not have to be reestablished. (N.T. 10/11/17, pp. 64-65)

38. The Objector's Engineer testified that trees provide better absorbency than grasses but, there were substantial disagreements among the experts regarding the absorbency of trees versus grasses. (N.T. 10/11/17, pp. 150-151, 201-202)

39. Regardless, the Applicants' Engineer admitted that the removal of trees by the prior owner negatively impacted Objector Thomas's property by increasing stormwater flow. (N.T. 10/11/17, pp. 184-186)

40. Eight feet (8') of the 20' wide driveways will be pavers which absorb water into the ground, which will assist with the stormwater issue. (N.T. 10/11/17, pp. 199-200)

41. Amended soils will be placed on site to help water absorption. (N.T. 10/11/17, pp. 203-204)

42. The Board heard oral argument on November 8, 2017 and the parties requested a continuance to discuss resolution of their respective issues. (N.T. 11/08/17)

43. The parties reported back to the Board on December 13, 2017 that they had resolved their issues. (N.T. 12/13/17)

44. The parties made a joint request for conditions to be imposed upon the granting of approvals, which conditions require the removal of rock in the stream bed, the planting of additional trees and vegetation, the installation of drainage improvements and rain gardens, as well as other conditions which addressed most of the issues raised by Objector Thomas regarding the prior violations and stormwater concerns. (N.T. 12/13/17)

45. The Board finds that, as a result of the agreed-upon conditions, most of the issues regarding the prior violations have been addressed, and that the stormwater measures to be undertaken by the Applicants will adequately address any concern related to crossing the Riparian Corridor with the driveway and utility lines.

46. With reference to the variances requested, upon consideration of Section 910.2 of the Pennsylvania Municipalities Planning Code, the Board determines the following:

A. There are unique physical characteristics or conditions peculiar to this property, creating an unnecessary hardship which justifies the granting of the variances.

B. The Applicants presented credible evidence for the Board to conclude that the variances are required for the reasonable development of the property.

C. The hardship has not been created by the Applicants.

D. The granting of the variances will not frustrate the intent of the Zoning Ordinance, or adversely impact the development of adjoining properties or alter the essential character of the neighborhood.

E. The variances requested are the minimum variances to afford relief.

47. Under Section 116-217 of the Zoning Ordinance, the Board determines the following:

A. The use will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and the use of property adjacent to the area of the proposed use would be adequately safeguarded.

B. The proposed use will not have a harmful effect on local vehicular and pedestrian traffic.

C. The proposed use is consistent with the legislative intent of the AAA-Residential District and the Riparian Corridor Conservation District.

D. The surrounding neighborhood will not be subjected to objectionable noise, lighting, glare, heat, ventilation, smoke, fumes, vapors, dust, dirt, gases or radioactive or electrical disturbances from the proposed use.

E. The proposed use will not unduly burden sanitary, school, police, fire, park or other public facilities.

48. The provisions of the Zoning Ordinance, strictly applied, impose an unnecessary hardship on the land and the Applicants and, therefore, the requested variances and should be granted.

III. CONCLUSIONS OF LAW

1. The Zoning Hearing Board has jurisdiction over the subject matter of the application.

2. The Applicants are the legal owners of the properties in question.

3. The Applicants and the subject matter are properly before the Board. The Applicants have standing to submit the application. The Objectors have standing to oppose the application.

4. Hearing notices were duly published and posted in accordance with law, by advertisement in the newspaper and posting on the property.

5. With reference to the variances requested, upon consideration of Section 910.2 of the Pennsylvania Municipalities Planning Code, the Board determines the following as a matter of law:

A. There are unique physical characteristics or conditions peculiar to this property, creating an unnecessary hardship which justifies the granting of the variances.

B. The Applicants presented credible evidence for the Board to conclude that the variances are required for the reasonable development of the property.

C. The hardship has not been created by the Applicants.

D. The granting of the variances will not frustrate the intent of the Zoning Ordinance, or adversely impact the development of adjoining properties or alter the essential character of the neighborhood.

E. The variances requested are the minimum variances to afford relief.

6. Under Section 116-217 of the Zoning Ordinance, the Board determines the following, as a matter of law:

A. The use will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and the use of property adjacent to the area of the proposed use would be adequately safeguarded.

B. The proposed use will not have a harmful effect on local vehicular and pedestrian traffic.

C. The proposed use is consistent with the legislative intent of the AAA-Residential District and the Riparian Corridor Conservation District.

D. The surrounding neighborhood will not be subjected to objectionable noise, lighting, glare, heat, ventilation, smoke, fumes, vapors, dust, dirt, gases or radioactive or electrical disturbances from the proposed use.

E. The proposed use will not unduly burden sanitary, school, police, fire, park or other public facilities.

7. The provisions of the Zoning Ordinance, strictly applied, impose an unnecessary hardship on the land and the Applicants and, therefore, the following variances should be granted:

1. A variance from Section 116-259.B. to permit the proposed installation of one or more utility lines and/or stormwater facilities within Zone 1 of the Riparian Corridor, as shown on the plans.

2. A variance from Section 116-265.C. which requires that the proposed corridor crossings be separated by a minimum of 1,000 feet of buffer length, to permit the crossings and buffer length as shown on the plans.

3. A variance from Section 116-24.D.(1) to permit the driveway to be located on the 7215 Sheaff Lane parcel without a corresponding principal use on the same parcel, and to be accessory to

the house located on the 274 Woodcock Lane parcel.

4. Variances from Sections 116-24.E.(3)(a) and 116.24.E.(3)(c) to permit a proposed barn/garage to be located within the required front yard (between the front lot line and the front principal building plane), as shown on the plans.

IV. OPINION

Upon consideration of the Findings of Fact and Conclusions of Law, the Board hereby determines that the application should be granted as set forth hereinafter in the Decision and Order.

WHITEMARSH TOWNSHIP ZONING HEARING BOARD

DECISION AND ORDER

APPLICATION NO.:	2017-29	FIRST HEARING DATE:	09/06/17
APPLICANT:	Mark and Anne Dooley	CONTINUED HEARING DATES:	10/11/17,
	Block 049, Units 011 and 027	11/08/17,	12/13/17
	274 Woodcock Lane	VOTE:	12/13/17
	Ambler, PA 19002	WRITTEN DECISION:	01/12/18
	7215 Sheaff Lane	COPY MAILED:	01/12/18
	Fort Washington, PA 19034		
	AAA – Residential District		
	RCCD – Riparian Corridor Conservation District		

After completion of a public hearing on the above-referenced Application, pursuant to public notice as required by law, the Zoning Hearing Board of Whitemarsh Township decided and orders as follows:

1. A variance from Section 116-259.B. to permit the proposed installation of one or more utility lines and/or stormwater facilities within Zone 1 of the Riparian Corridor, as shown on the plans, is **GRANTED**.

2. A variance from Section 116-265.C. which requires that the proposed corridor crossings be separated by a minimum of 1,000 feet of buffer length, to permit the crossings and buffer length as shown on the plans, is **GRANTED**.

3. A variance from Section 116-24.D.(1) to permit the driveway to be located on the 7215 Sheaff Lane parcel without a corresponding principal use on the same parcel, and to be accessory to the house located on the 274 Woodcock Lane parcel, is **GRANTED**.

4. Variances from Sections 116-24.E.(3)(a) and 116.24.E.(3)(c) to permit a proposed barn/garage to be located within the required front yard (between the front lot line and the front principal building plane), as shown on the plans, is **GRANTED**.

5. An interpretation that the existing corridor crossings are existing non-conformities such that the proposed crossings do not require zoning relief from Section 116-265.C, is **DENIED**.

6. An interpretation under Section 116-24.D.(1), is **DENIED**.

7. The balance of the relief requested was withdrawn.

THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. All use and development permitted by this Decision shall conform to the exhibits and testimony presented by the Applicants, unless inconsistent with any specific conditions imposed by this Board, in which case these specific conditions shall take precedence.

2. The Applicants shall apply for and obtain all permits required by the Township Codes in a timely manner.

3. The Applicants shall comply with all requirements of the Township Engineer with respect to an application for an Earth Disturbance Permit, and comply with all requirements set forth in the Township Engineer's Memorandum dated August 24, 2017 and the Township Engineer's Report dated February 27, 2017.

4. The Applicants shall comply with all requirements set forth in the Township Fire Marshal's Memorandum dated August 11, 2017.

5. Other than as set forth herein with respect to the relief granted, the Applicants shall comply with all requirements as set forth in the Township Zoning Officer's Zoning Ordinance Compliance Letter dated February 28. 2017.

6. The Applicants shall return to the Shade Tree Commission for consideration of the vegetation requirements set forth in the agreed-upon conditions.

7. The following conditions, agreed upon by the parties, are hereby incorporated and made a part of this Order:

(A) No work shall be performed in Phase II of the Project without receipt of an Earth Disturbance Permit from Whitemarsh Township and an NPDES Permit from the Montgomery County Conservation District and the Pennsylvania Department of Environmental Protection;

(B) Subject to receipt of all applicable governmental permits and approvals, including but not limited to the approval of the Township Engineer, the Applicants shall perform the following work at their sole cost and expense:

(i) Add fifty percent (50%) more meadow areas and will consult with Objector. Harry Thomas concerning the placement of the additional meadow areas;

(ii) Install drainage along the new Sheaff Lane driveway to capture additional runoff;

(iii) Construct rain gardens to absorb water runoff from the driveways;

(iv) Relocate certain of the new trees being planted, from the north end of the property to the south end, which is closer to the Thomas property. The final number of trees will be based upon the final landscape design plans;

(v) Remove the rocks from the dry creek beds/watercourses to reduce the velocity of the stormwater that flows towards the Thomas property;

(vi) Replant the sides of the dry creek beds/watercourses (the watercourses currently lined with stone) with plantings to further reduce the velocity of water moving towards the Thomas property; and

(vii) Demolish the Hansen dwelling on Phase II and remove all existing impervious cover on that lot.

(C) The Applicants shall use their best efforts to obtain all governmental permits and approvals required for the foregoing work. HarryThomas shall cooperate with the Applicants and to the extent required by any agency or authority.

(D) The proposed use and improvement of the property shall be in conformance with Applicants' plans and exhibits.

This Decision and Order of the Board is final and any appeal of it must be filed with the Court of Common Pleas of Montgomery County within thirty (30) days following the copy mailing date set out above.

Section 116-223 of the Zoning Ordinance provides as follows:

Expiration of granted appeals. Unless otherwise specified by the Board, all approvals granted by the Zoning Hearing Board shall automatically expire 365 days after the date of the decision unless: (1) the applicant has acted upon the approval by obtaining the required permit(s) and paying the prescribed fees for same, or (2) the Zoning Hearing Board decision is on appeal to the courts, at which point, the approval, if upheld on appeal, shall expire 365 days after final determination on appeal.

The Zoning Hearing Board may extend the expiration date of approvals for a 180 day period upon request by the applicant, provided that the applicant is, in the opinion of the Zoning Hearing Board, diligently pursuing governmental and/or regulatory approvals as required. Requests for extensions shall be in writing and submitted to the Zoning Hearing Board at least 30 days before any applicable expiration date. Only one (1) extension may be provided for any application.

WHITEMARSH TOWNSHIP ZONING HEARING BOARD:

Absent for vote
William E. Kramer, Chair

Marc Weinstein, Vice Chair

Robert A. Bacine

Stanley A. Casacio

Alternate

James Behr

Randi Rubin

EXHIBIT "5"

To: Leon McGuire [redacted]
Cc: Rachel Hendricks [redacted]
Subject: RE: 2036-1E Dooley Amber PA - Existing channel

Dear Mr. McGuire:

Thank you for your email.

I have reviewed the photographs and the approved PCSM plan that was forwarded along to me by Rachel Hendricks of our office. In my objective opinion, after reviewing the various photographs presented on pages 1-4 ,6, 7 (left two photos) and 8-12, I do not see any indicators of channel straightening, channel steepening or channelization. I also do not see any signs of accelerated streambank erosion or channel degradation. As the channels appearing within those specific photos appear to have gently-sloping stream banks and access to a well vegetated floodplain in which velocity and energy can be dissipated. The river stone "check" seen in the upper left photograph on page 4 appears to be functioning as a velocity and energy dissipator. While the river stone that is currently lining the channel bottom is providing "roughness" and additional velocity and energy reduction.

Based upon the above observations, it does not appear as though the existing stream channel conditions themselves would be causing accelerated streambank erosion downstream. With that being the case, I would recommend that the river stone check and channel lining not be removed and be allowed to remain in place and as is. As it is likely that such removal would create an unnecessary disturbance to existing channel morphology, vegetation and soils, and could lead to soil compaction, reduced infiltration and increased runoff.

I also observed that as the steam flows through the adjacent property that is located immediately downstream (the photos seen on right side of Page 7), the stream banks have been mowed and appear to be devoid of deep rooted vegetation (that would otherwise help reduce or prevent stream bank erosion within that localized area and further downstream). In my opinion, it is likely that such management practices (mowing of streambanks/removal of deep rooted vegetation) may be contributing to accelerated stream bank erosion along that particular reach of the stream.

We would encourage the downstream property owner(s) to explore the possibility of establishing and allowing for the existence of native riparian vegetation along their stream banks in an effort to reduce future stream bank erosion. In the event that this would be something that would be of interest to them, the attached resources may be helpful.

Thank you for contacting the Montgomery County Conservation District. Should you would have any additional questions or require a site visit to further discuss, please do not hesitate to contact us.

Brian J. Vadino
Watershed Specialist / Envirothon Coordinator
Montgomery County Conservation District
[redacted]

From: Rachel Hendricks [redacted]
Sent: Thursday, September 19, 2019 2:48 PM
To: Brian Vadino [redacted]
Subject: FW: 2036-1E Dooley Amber PA - Existing channel

From: Leon McGuire [redacted]
Sent: Wednesday, September 18, 2019 6:14 PM
To: Jeffrey McKenna [redacted]
Cc: Gary Kulp [redacted]; Robert Blue [redacted]
Subject: 2036-1E Dooley Amber PA - Existing channel

Hi Jeff,

The site contractor, Pine Mar, for the above referenced project, is currently trying to wrap up the work on this job and apparently there was an earlier legal agreement made with the downstream landowner via the terms of a Zoning Board decision when the project received some earlier Zoning relief, which required them to remove the river stone bottom from an existing channel bed bisecting the property and replace with stabilized plantings. The motivation for this channel work was to retard the flow velocity. There is a minor reference to the required work on the approved PCSM plans (Sheet 9 of 14 in construction sequence line number 6) prepared by our office stating "REMOVE STONE FROM CHANNEL BOTTOM AND INSTALL STREAM STABILIZATION MEASURES IN ACCORDANCE WITH LANDSCAPE ARCHITECTS PLANS" but there were no details provided and the Landscape Architect has denied ever preparing a channel improvement design for the project.

The reason I am contacting you today is because I visited the site this afternoon, walked the entire channel with the contractor, and saw no obvious signs of erosion or sedimentation occurring what so ever, it appears to be stable and the river stone even has a geo-textile liner beneath it from closer inspection. I question if it really makes any sense at this point to modify the channel and if doing so would just create a problem instead of actually fixing one. I think the downstream neighbor is under the false impression that the river stone is accelerating the flow in the channel and I would like your objective opinion on the matter as to whether or not that perception is true or not, and if anything further should be done there at this point at all. I'm also not sure if work there would be covered by the NPDES permit already in force as it was vaguely mention on the approved plan (attached) but may involve wetlands. Apparently the understanding in the Zoning decision required our client to pursue the matter and acquire necessary permits to do the work if permissible but would not be required to do so otherwise.

I have included a pdf with my photographs taken today along with the approved PCSM plan for your review. Please review and let me know what your thoughts are about channel modifications, mainly if you feel they are even necessary? I would be happy to meet with you out at the site to walk the channel and discuss further too. Please advise at your earliest convenience. Thank you.

-Leon

Leon D. McGuire Jr., P.E.
Civil Project Manager
Robert E. Blue, Consulting Engineers, P.C.
[redacted]

The Benefits of a Native Landscape

Native plants and animals sustain the environment on which we ourselves depend. By planting native species in your streamside buffer, you are providing an excellent opportunity for our native birds, insects and other wildlife to thrive in the habitat they need. Seeds from your native species can travel throughout the watershed, promoting a healthier community environment.

Furthermore, native plants are much better adapted to our specific environment — the climate and conditions of this area. Natives are therefore easier to grow and require far less maintenance than their non-native counterparts.

Native plants can provide year-round color and texture in your streamside area or garden. Vibrant flowers in the spring, colorful berries in the summer, deep colors in the fall, and contrasting bark and branch patterns in the winter are just some of the diverse characteristics of the many native plants available.

Use the chart of plants inside as a guide to select ferns, flowers, grasses, shrubs and trees native to Pennsylvania. They are beautiful, easy to maintain, and they attract wildlife. Important local resources for native plants are listed on the back of this brochure.

For more information contact:

pennsylvania environmental council
www.pecpa.org

WATERSHED COALITION OF THE LEHIGH VALLEY

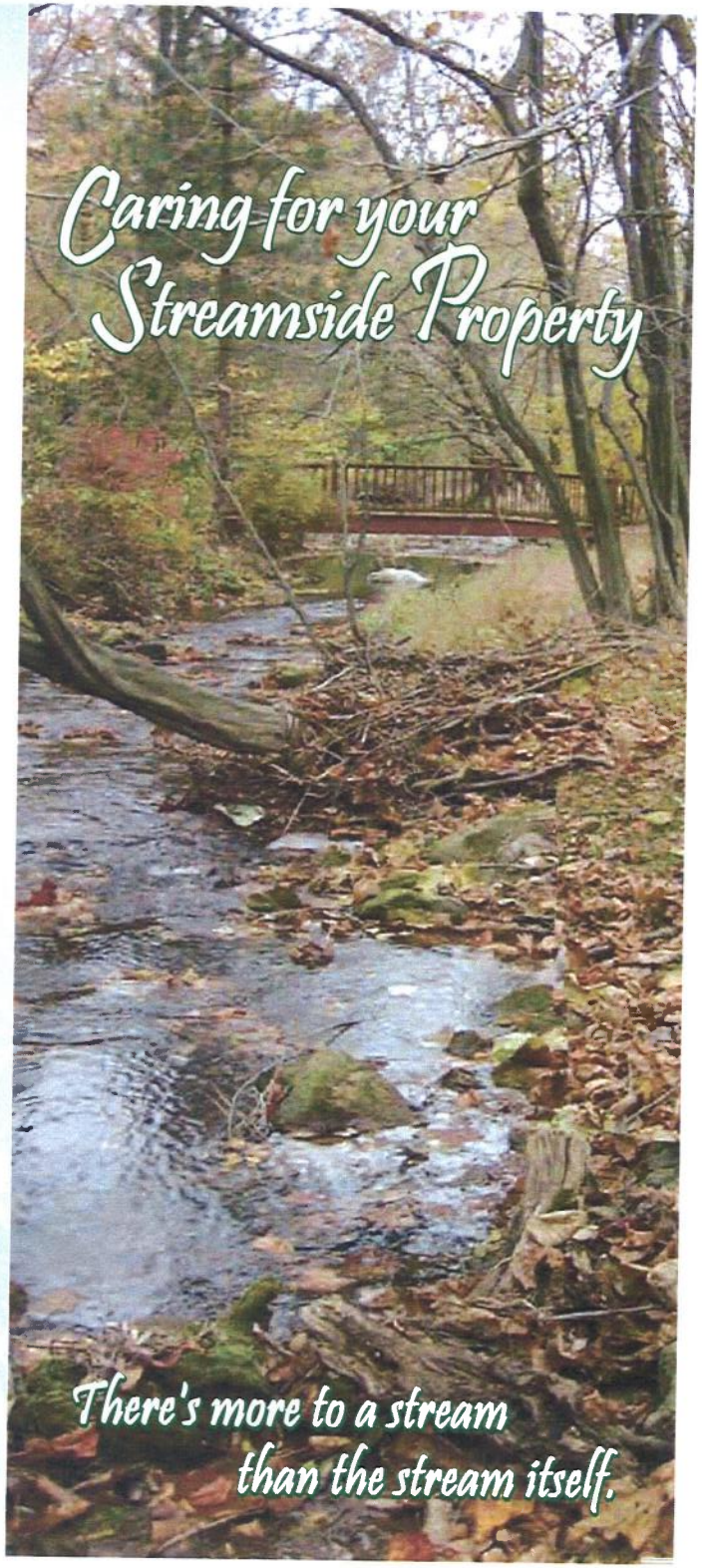
Watershed Coalition of the Lehigh Valley
P.O. Box 3407, Wescosville, PA 18106
www.watershedcoalitionlv.org

To find your county conservation district:
http://pacd.org/your-district/find-your-district/

Brochure originally produced by Lehigh County Conservation District.

Financial and other support for this project is provided by the Pennsylvania Association of Conservation Districts, Inc. through a grant from the Pennsylvania Department of Environmental Protection under Section 319 of the Clean Water Act, administered by the U.S. Environmental Protection Agency.

MAXFIELD DESIGN



Streamside Buffers

Taking good care of a stream involves taking care of the land around it. A streamside buffer (or riparian buffer) is a planted area along the edge of the stream.

A well-planted streamside buffer:

- **absorbs nutrients and pollutants**
- **stablizes the bank and prevent erosion**
- **reduces floodwater damage**
- **filters out sediment**
- **helps control the temperature of the stream**

Creating a Streamside Buffer

Begin with a "no mow" or "no graze zone" along your stream banks. A buffer of any width is more beneficial than grass. Make yours as wide as possible.

Plant trees and shrubs in your buffer area. They provide many long-lasting benefits and can be quite inexpensive to establish and maintain.

Using shrubs will give your buffer a quick start; many reach full size in just a few years.

Where you do have lawn, set your mower blades at least three inches high. Taller grass slows runoff, resists drought and needs less fertilizer.

Stabilizing Your Streambank

It is best to work with professionals when looking for the causes of and solutions to erosion problems. Where buffers alone aren't enough, there are many new and innovative techniques to help solve the problem. Contact your regional office of the Pennsylvania Department of Environmental Protection (DEP) before making plans to alter a streambank. Permits are likely to be required.

Top Reasons Not to Mow

Promotes bank stability —
Deep rooted native plants hold soil in place and keep banks stable. Turf grass has roots only an inch or two deep - not very effective at preventing erosion!

Flood flow reduction —
Fully grown vegetation slows the velocity of over and flows by providing enough resistance to allow some of the water to infiltrate the soil. This helps to recharge groundwater and reduces flood damage downstream.

Water quality —
Natural vegetation removes pollutants and fine sediment from the waterway, leaving water cleaner and clearer.

Reduction of mosquito habitat —
Turf grass does not absorb water as well as full-height vegetation; consequently, ponding occurs which makes ideal habitat for mosquito breeding. Higher vegetation may absorb more water and decrease the opportunity for mosquitos to breed.

Wildlife habitat —
Stream banks in a natural state provide habitat for a diversity of reptiles, amphibians, birds, and small mammals. Fish and aquatic insects are a so protected by the purifying function of a buffer.

Reduce Pollution

Most stream pollution comes from manure, fertilizers, road salts, oil and other chemicals. Called *non-point source pollution*, these come from the entire watershed rather than from any one point. Together, these pollutants add up in the streams and become a big problem. Other accumulated pollution includes trash and yard debris that washes into the streams.

To protect a stream from pollution:

- don't overuse fertilizers - more is not better - and don't use fertilizer near streams.
- limit your overall use of pesticides and herbicides, and use extreme caution when using them near streams.
- compost, don't bag, yard waste. Leave lawn trimmings in place for effective recycling of nutrients.
- don't burn refuse near streambanks.
- don't store or dump manure, garden waste, or grass clippings near streams.
- store firewood, trash, or other materials away from streams.
- never dump trash or chemicals into streams, storm drains or sewers.
- keep farm animals out of and away from the stream. Contact the county conservation office to find out about farm fencing programs.

Prevent Excess Sediment

Every stream carries with it, fine particles of soil. But too much soil can clog the streambed, covering rocks and gravel where fish lay their eggs. Excess sediment can choke out the life of a stream. A major source of silt and sediment is construction or any project that disturbs the soil. Farming activities can also cause soil runoff.

To protect the stream from silt:

- use hay bales or a special silt fence to prevent soil from washing off a work site.
- never store loose piles of soil near a stream
- cover piles of soil with tarps to protect them from rain
- use good farm practices like no-till cropping and planting winter cover crops to conserve soil.
- contact your local county conservation office if you see soil run-off from a construction site.

Ticks are an unpleasant and potentially dangerous reality in this area of Pennsylvania. Deer ticks can carry Lyme disease and are often found in areas of high grass and shrubs. Fear of ticks, however, should not be a reason to mow your streambank to the edge. Some basic precautions will minimize this danger:

- consider mowing a path through the buffer to access the stream without having to walk through high grass.
- learn to recognize deer ticks and check yourself and your pet thoroughly if you have been walking through the woods or fields.

Caring for Streamside Buffers — What to Plant?

Often, when left to grow up on its own, a streamside buffer will contain mostly weeds and other undesireable plants. One way to make sure this doesn't happen is to plant native plants. The plants below represent just a limited selection of Pennsylvania's native species appropriate for planting throughout the state along streams and in adjacent floodplains and wetlands. Choose plants adapted for your soil conditions, and your garden will thrive with less watering and without the need for chemical fertilizers or pesticides. There are many resources to help homeowners with native plantings. For some help, contact one of the organizations on the back of this brochure, or visit one of the following websites: PA Department of Conservation and Natural Resources - www.dcnr.state.pa.us or PA Native Plant Society - www.pawildflower.org

Illustrations by Erin Frederick, Lehigh County Conservation District

Ferns

Cinnamon Fern
Osumnda cinnamomea
Full sun to shade
Wet to moist soils
Cinnamon-colored fertile fronds; moist acidic soils
Photo: Robert Mohlenbrock, USDA

Royal Fern
Osmunda regalis
Part shade
Consistently wet or saturated soils
Unique form and texture
Photo: Robert Mohlenbrock, USDA

Sensitive Fern
Onoclea sensibilis
Full sun to shade
Wet to moist soils
Sunny or shaded swamps, marshes, moist meadows
Forms colonizing masses

Flowering Perennials

Wild Bergamot
Monarda fistulosa
Blooms May to September
Full sun to light shade
Moist to dry soils
Dry open woods, wet meadows, ditches, edge of woods and marshes

Black-eyed Susan
Rudbeckia hirta
Blooms May to June
Moist to dry soils
Full sun to light shade
Attracts birds and butterflies

Blue Lobelia
Lobelia siphilitica
Blooms from July to October
Light shade
Wet to moist soils
Attracts hummingbirds

Blue Vervain
Verbena hastata
Blooms June to September
Full sun to light shade
Dry soils
Bright flowers; herbal uses; streambanks and moist meadows

Boneset
Eupatorium perfoliatum
Blooms July to August
Light shade to full shade
Wet to moist soils
Wet meadow species

Plains Coreopsis
Coreopsis tinctoria
Blooms April to June
Full sun to light shade
Moist to dry soils

Purple Coneflower
Echinacea purpurea
Blooms April to September
Full sun to light shade
Moist soils
Herbal uses

Ironweed
Vernonia noveboracensis
Blooms August to September
Full sun
Wet to moist soils
Tall plant with brilliant late summer flowers

Joe-Pye Weed
Eupatorium fistulosum
Blooms August to September
Light shade
Wet to moist soils
Attracts beneficial insects; herbal uses

Blue Mist Flower
Conoclinium coelestinum
Blooms July to November
Full sun to light shade
Moist soils
Good border plant or colonizing ground cover; attracts butterflies

New England Aster
Aster novae-angliae
Blooms August to October
Full sun to light shade
Wet to moist soils
Showy and frequently cultivated; dry to moist meadows

Common Sneezeweed
Helenium autumnale
Blooms July to September
Full sun Consistently wet to moist soils
Moist open areas along streams & ponds; wet meadows

Grasses

Sedge
Carex vulpinoidea
Blooms Summer
Full sun
Consistently wet or saturated soils
Swampy areas

Switch Grass
Panicum virgatum
Blooms August to September
Moist soils
Clump grass; can help to control erosion
Sandy and river soils
Photo: Bonnie Harper, Lady Bird Johnson Wildflower Center

Virginia Wild Rye
Elymus virginicus
Blooms June to September
Full sun to light shade
Wet to moist soils
Moist woods, meadows, stream banks
Photo: EPA

Shrubs

Arrowwood
Viburnum dentatum
Blooms May
Full sun to full shade Moist soils
Dark blue fruits in fall; high wildlife value; streambanks, pastures
Photo: Campbell and Lynn Loughmiller, Lady Bird Johnson Wildflower Center

Buttonbush
Cephalanthus occidentalis
Blooms June to September
Full sun Consistently wet or saturated soils
Multi-stemmed; tolerates inundation
Photo: Norman Flaigg, Lady Bird Johnson Wildflower Center

Highbush Blueberry
Vaccinium corymbosum
Blooms May to June
Light shade
Wet to moist soils
Multi-stemmed; edible berries; fall color; very high wildlife value

Nine Bark
Physocarpus opulifolius
Blooms May to July
Full sun to part shade
Wet to moist soils
Wet woods, sandy or rocky stream banks
Photo: Stefan Bloodworth, Lady Bird Johnson Wildflower Center

Red Chokeberry
Aronia arbutifolia
Blooms May
Part shade
Wet to moist soils
Red berries; high value for wildlife
Photo: Robert Mohlenbrock, USDA

Serviceberry
Amelanchier arborea
Blooms March to April
Part shade Moist soil
Small tree with early spring flowers; delicious edible berries in summer
Photo: Stefan Bloodworth, Lady Bird Johnson Wildflower Center

Silky Dogwood
Cornus amomum
Blooms May to July
Full sun Wet to moist soils
Flowers in summer; blue berries; multi-stemmed; very high wildlife value
Photo: Sally & Andy Wasowski, Lady Bird Johnson Wildflower Center

Spice Bush
Lindera benzoin
Blooms March to May
Light shade to shade
Wet to moist soils
Bright red berries in fall; herbal uses; wildlife value

Winterberry Holly
Ilex verticillata
Blooms May to June
Part shade Wet to moist soils
Showy berries in winter; high wildlife value; good colonizing shrubs for stream banks
Photo: George Bruso, Lady Bird Johnson Wildflower Center

Trees

American Beech
Fagus grandifolia
Blooms April to May
Full sun to full shade
Moist, but well-drained soils
Large tree with handsome gray bark; high wildlife value
Foliage photo: Bill Cook, Michigan State University

American Sycamore
Platanus occidentalis
Blooms April
Full sun
Wet to moist soils
Large tree with showy mottled bark; riverbanks, floodplains and alluvial soils

Black Gum
Nyssa sylvatica
Blooms April to May
Full sun to part shade
Moist soils
Tall tree with outstanding fall color; high wildlife value
Photo: Keith Kanoti, Maine Forest Service

Green Ash
Fraxinus pennsylvanica
Blooms April to May
Part shade
Wet to moist soils
Fast growth; good fall color.
Photo: Robert Mohlenbrock, USDA

Pagoda Dogwood
Cornus alternifolia
Blooms May to June
Part shade
Moist soils
Small tree for moist woods and shaded ravines; dark blue fruit

Red Maple
Acer rubrum
Blooms March to April
Full sun to full shade
Moist soils
Adapts to a range of moisture conditions; good fall color
Photo: Bill Cook, Michigan State University

River Birch
Betula Nigra
Blooms May
Full sun to part shade
Wet to moist soils
Notable for its peeling bark; floodplains, streambanks, wet woods, swamps
Photo: Steven Katovich, USDA Forest Svc

Shagbark Hickory
Carya ovata
Blooms in May
Full sun to part shade
Moist soils
Shaggy gray exfoliating bark; very high wildlife value
Photo: Keith Kanoti, Maine Forest Service

Swamp White Oak
Querus bicolor
Blooms in May
Part shade
Wet to moist soils
Large tree with very high wildlife value; good wetland oak
Photo: Mark Brand, Univ. of CT

So what exactly is a Native Plant?

A **native plant** is one which occurred within the state before settlement by Europeans. Native plants include ferns and clubmosses; grasses, sedges, rushes, and their kin; flowering perennials; annuals which only live one year; biennials, which have a two year life cycle; and, of course, the woody trees, shrubs, and vines which covered "Penn's Woods" when the first settlers arrived. There are over 2,100 native plant species known in Pennsylvania.

An **introduced** or **non-native plant** is one that has been brought into the state and become established. At the turn of the 21st century, about 1,300 species of non-native plants existed in Pennsylvania. That is 37 percent of Pennsylvania's total plant flora (which is about 3,400 species), and more introduced plants are identified every year.

An **invasive plant** is a species that has become a weed pest. One that grows aggressively, spreads, and displaces other plants. Although some native plants are aggressive on disturbed areas, most invasive plants are introduced from other continents, leaving behind pests, diseases, predators, and other natural controls.

While new plants are coming into Pennsylvania, native plants are being lost to habitat destruction, invasive plants, and introduced pests and diseases. By 2000, 5 percent of Pennsylvania native plant species had been eliminated and another 25 percent were in danger of becoming so. The good news is that action can be taken to protect and enhance the remaining diversity of beautiful and often useful plant species which grace our Commonwealth:

- **Protect native plant communities and minimize habitat destruction**
- **Landscape with native plants**
- **Learn more about native plants**
- **Buy nursery-propagated native plants**
- **Do not remove native plants from the wild**
- **Practice responsible landscaping techniques**

Go Native with these 6 basics:

1. Protect native plant communities and minimize habitat destruction

The most important guideline is to conserve already existing areas of native vegetation as a whole, functioning unit. The easiest, least expensive, and best way to conserve Pennsylvania's plant heritage is to protect existing native plant communities from further disturbance. If disturbance is necessary, strive for minimum habitat destruction. In some cases ecological restoration may be necessary, which can include planting native species, removing invasive introduced species, controlling erosion, and loosening soil compaction.

2. Landscape with native plants

Native plant communities have been destroyed in many areas and therefore landscaping is required; parks, yards, streets, and campuses, for example. Well-chosen native plants perform well in these landscapes. The Department of Conservation and Natural Resources (DCNR)-Bureau of Forestry (BOF) recommends avoiding rare, endangered, and threatened plants and instead choosing native plant species which grow commonly throughout the state. These hardy and adaptable plants do well in a wide variety of conditions and have a much better chance of success in gardens. For a list of recommended native plants easily purchased, see the inside of this brochure. If you do not want all natives, plant adapted introduced plants suited for the site, colorful annuals, or flowering plants that will not escape and become environmental weeds.

3. Learn more about native plants

Learn what plants are native in your area. This brochure lists just a few of the resources for this region, but there are many more. Many field guides can get you started.

4. Buy nursery-propagated native plants

Most retail nurseries and mail-order catalogs now offer native plants. The more consumers request native plants, the more this supply will grow. If you want guaranteed ornamental characteristics, cultivars (named varieties) are available in some cases; for instance, New England Aster has a cultivar named 'Purple Dome',which was selected for shorter height and showier flowers. Cultivars should be predictable in attributes like height, color, blooming period, or absence of seed pods/thorns—qualities many gardeners want. If your goal is genetic diversity, however, ask for straight species, not cultivars, grown from local seed sources. Plants grown from seed have much more variety than cloned cultivars.

5. Do not remove native plants from the wild

Taking native plants from the wild depletes native populations. Also, many wild-collected plants do not survive transplanting. Prevent wild-collecting of plants by making sure that plants you buy are propagated at a nursery, or by starting plants yourself from a local seed supply (Collect seed only with the property owner's permission). Ask the DCNR-BOF for a list of native plant and seed sources in Pennsylvania.

6. Practice responsible landscaping techniques

The first rule of responsible landscaping is to **plant the right plants in the right environment:** never introduce invasive plants into your landscape that will aggressively spread off your property and invade native plant communities. They can drastically alter ecosystems and give you and your neighbors maintenance headaches for years to come. Ask the DCNR-BOF for the brochure "Invasive Plants in Pennsylvania."

When landscaping with native plants, it is important to **choose plants that will grow well at the site:** wet or dry, shade or sun, acid or neutral soil. A good trick is to notice which native plants are thriving nearby, and to use those clues to guide plant selection. This brochure lists some information, but more is available from plant nurseries, catalogs, books, or the Internet.

For soil fertility, compost and mulch of leaves or grass clippings provide slow release nutrients. Chemical fertilizers often provide too many nutrients too quickly for native plants, and this flush of nutrients gives weeds a competitive edge. Proper site preparation begins with a soil test before applying fertilizer.

Try **organic pest control.** Keep the soil covered to prevent weeds. Remove invasive plants nearby. Take out severely diseased plants, or ones with insect infestations. Many native plants attract beneficial insects which help *control* pests, so try creating habitat for "good bugs."

In Summary

Native plants help create beautiful landscapes that provide wildlife habitat and reduce maintenance costs. Their greatest benefit, though, may be the increased awareness about which plants are native and which are not, and the protection of remaining native plant communities. Children and adults can have a high-quality educational experience right in their own backyard, park, school, or workplace. Loss of native plant communities is not just in the tropical rainforest!

Revised from original text by:
Cyane Gresham

For more information

Places and organizations in Pennsylvania

Audubon Society of Western Pennsylvania, 614 Dorseyville Road, Pittsburgh, PA 15238-1618, Tel (412) 963-6100, Fax (412) 963-6761, www.aswpwebsite.org/orgs/aswp

Bowman's Hill Wildflower Preserve, Washington Crossing Historic Park, PO Box 685, New Hope, PA 18938-0685, Tel (215) 862-2924, Fax (215) 862-1846, Native plant preserve, plant sales, native seed educational programs, www.bhwp.org

Brandywine Conservancy, Brandywine River Museum, PO Box 141, Chadds Ford, PA 19317, Tel (610) 388-2700, Fax (610) 388-3814, Native seeds, plants, garden, and bookstore; Environmental Management Center offers planning and conservation services, www.brandywinemuseum.org

Department of Conservation and Natural Resources, Bureau of Forestry, PO Box 8552, Harrisburg, PA 17105-8552, Tel (717) 787-3444, Fax (717) 783-5109, Invasive plant brochure; list of native plant & seed suppliers in PA; list of rare, endangered, threatened species, www.dcnr.state.pa.us/forestry

Morris Arboretum of the University of Pennsylvania, 9414 Meadowbrook Avenue, Philadelphia, PA 19118, Tel (215) 247-5777, www.upenn.edu/morris, *PA Flora Project Website*: Arboretum and gardens (some natives), educational programs, PA Flora Project, www.upenn.edu/paflora

"Native Plants in the Landscape" Conference (each June at Millersville, Lancaster County, PA); Millersville University Dept. of Continuing Education, Tel (717) 872-3030, Fax (717) 871-2022

Pennsylvania Landscape & Nursery Association, 1707 S. Cameron Street, Harrisburg, PA, 17104, Tel (717) 238-1673, Fax (717) 238-1675, www.pln.com

Pennsylvania Native Plants Society, 1001 East College Avenue, State College, PA 16801

Penn State Cooperative Extension, Department of Horticulture, 102 Tyson Building, University Park, PA, 16802, Tel (814) 865-2571, Fax (814) 863-6139 For local information, contact the extension office in your county listed in the blue section of your phone book or by locating their office on the Web at www.extension.psu.edu

Pittsburgh Garden Center Place; 1059 Shady Ave., Pittsburgh, PA 15232, Tel (412) 441-4442, Fax (412) 665-2368, Green Line (412) 665-2364, Education programs, trn.cfgph.org/garden

Rodale Institute, 611 Siegfriedale Road, Kutztown, PA 19530, Tel (610) 683-1400, Fax (610) 683-8548, Gardens, landscaping brochures, organic gardening and farming events and products, www.rodaleinstitute.org

Western Pennsylvania Conservancy, 209 Fourth Avenue, Pittsburgh, PA 15222, Tel (412) 288-2777, Fax (412) 281-1792, www.paconserve.org

Other Internet Sites

Look for many other listings under "native plants" on the internet.

Plant Conservation Alliance, www.nps/plantsalien

Lady Bird Johnson Wildflower Center, www.wildflower.org

Center for Plant Conservation, Missouri Botanical Garden, www.mobot.org/cpc

The Nature Conservancy, www.tnc.org

The New England Wildflower Society, www.newfs.org/index.html

U.S. Environmental Protection Agency, Green Landscaping with Native Plants, www.epa.gov/greenacres/

Books

Bir, Richard. *Growing and Propagating Showy Native Woody Plants*. University of North Carolina Press. ISBN# 0-8078-4366-0

Dirr, M.A. 1990. *Manual of Woody Landscape Plants*, 4 ed. Sipes Publishing Co; 10-12 Chester St; Champaign, IL 61820. ISBN# 0-87563-347-1

Ferrenela, Vik. 1993. *Wildflowers in Your Garden*. New York: Regina Ryan, Random House. ISBN# 0-679-41453-3

Highlstine, C.L. 1988. *Native Trees, Shrubs, and Vines for Urban and Rural America*. New York: Van Nostrand Reinhold. ISBN # 0-442-23274-8

Mickel, John. 1994. *Ferns for American Gardens*. New York: Macmillan. ISBN # 0-02-584491-1

Newcomb, Lawrence. 1977. *Newcomb's Wildflower Guide*. Boston: Little, Brown, & Co. ISBN# 0-316-60441-0

Olesen, Carole. 1995. *The Native Plant Primer*. New York: Harmony Books. ISBN# 0-517-59215-0

Pettifer, S.A. 1972. *A Field Guide to Trees and Shrubs*. Boston: Houghton Mifflin. Peterson Field Guide Series. ISBN# 0-395-17579-8

Phillips, H.R. 1985. *Growing and Propagating Wild Flowers*. Chapel Hill: University of North Carolina Press. ISBN# 0-8078-4131-5

Rhoads, A.F. and Klein, W.M. 1993. *The Vascular Flora of Pennsylvania, Annotated Checklist and Atlas*. American Philosophical Soc.; 104 S. Fifth St.; Philadelphia, PA 19106. ISBN#0-87169-207-4

Rhoads, A.F. and Block, T.A. 2000. *The Plants of Pennsylvania, An Illustrated Manual*. Philadelphia: University of Pennsylvania. ISBN # 0-8122-3535-5

Roberts, E.A. and Rehmann, Elsa. 1996. *American Plants for American Gardens*. Athens: University of Georgia Press. ISBN # 0-8203-1851-5

Stein, Sara. 1993. *Noah's Garden, Restoring the Ecology of Our Own Back Yards*. Houghton Mifflin. ISBN# 0-395-65373-8

Strasbaugh, P.D. and Core, E.L. *Flora of West Virginia*. Grantsville, WV: Seneca Books, INC. ISBN# 0-89092-010-9

Recommended Native Plants for Landscaping in Pennsylvania

The species on this list are native plants suggested for landscaping in Pennsylvania. They have been selected because they tend to grow widely throughout the state; they are common and will likely do well if matched to their preferred growing conditions. By definition, none of these plants are rare, endangered, threatened, or extinct in the state. These plants are also commonly cultivated and used in horticulture; they should be available for purchase and should perform well in garden conditions;

Common Name: since there often are many common names for the same plant, these species are arranged alphabetically by scientific name.

Scientific Name: Scientific name from Rhoads and Klein, 1993, *The Vascular Flora of Pennsylvania* (see resource list).

Zone Preference: Pennsylvania is generally divided into two horticultural zones: **USDA zone 5** in the northern half of the state and higher elevations where the average minimum temperature may reach –10 to –20F. **USDA Zone 6** is in the southern half of the state and lower elevations where the average coldest temperature is 0 to –10F. An X in the zone 6 column means that a plant grows fairly widely through that zone where minimums are 0 to –10F; if there is an X in both Zone columns, it means that the plant grows throughout the whole state in both temperature zones. If there is a dash (-), the plant grows partially in that zone, but not throughout the area.

Caution: Edible and herbal uses should be carefully researched as these notes are not an endorsement or recommendation.

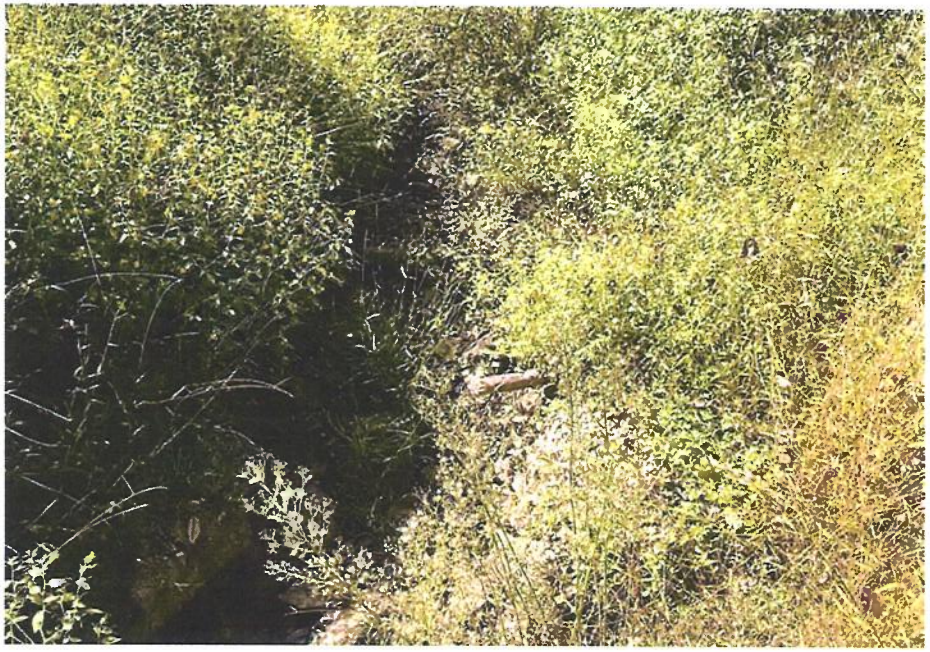
Herbaceous Perennials

	Common Name	Scientific Name	Zone Preference 5	Zone Preference 6	Bloom Period	Bloom Color	Light Preference Sun	Light Preference Med	Light Preference Shade	Moisture Preference Wet	Moisture Preference Moist	Moisture Preference Dry	Height in Feet	Notes
Showy Flowers	Doll's eyes	*Actaea pachypoda*	X	--	Apr-Jun	white			●		●		1 - 3	Interesting berries
	Wild columbine	*Aquilegia canadensis*	X	X	Apr-Jun	red and yellow		●	●		●		1 - 3	Commonly cultivated; spreads by seed; hummingbirds
	Jack-in-the-pulpit	*Arisaema triphyllum*	X	X	Apr-Jun	green-purple		●	●	●	●		1 - 3	Unusual flower; bright red berries
	Wild ginger	*Asarum canadense*	X	X	Apr-May	maroon			●		●		< 1	Edible and herbal uses
	Swamp milkweed	*Asclepias incarnata*	--	X	Jul-Aug	rose	●	●		●	●		2 - 4	Butterfly plant; needs wet-moist soil
	Common milkweed	*Asclepias syriaca*	X	X	Jun-Aug	pink	●	●			●		2 - 6	Butterfly plant; interesting seed pods
	Butterfly-weed	*Asclepias tuberosa*		X	May-Sep	orange	●	●	●		●		1 - 3	Butterfly plant; tolerates dry conditions; taproot
	New England aster	*Aster novae-angliae*	--	X	Aug-Oct	purple	●	●			●		2 - 6	Showy and frequently cultivated
	Turtlehead	*Chelone glabra*	X	X	Jul-Sep	whitish	●	●	●	●	●		1 - 3	Tolerates wet; strong grower; herbal uses; hummingbirds
	Joe-Pye weed	*Eupatorium fistulosum*	--	X	Aug-Sep	purple	●	●		●	●		3 - 6	Good for insects in the garden; herbal uses
	White snakeroot	*Eupatorium rugosum*	--	X	Jul-Oct	white	●	●	●		●		2 - 3	Tough plant; can grow in dry shade; cultivars available
	Gaura	*Gaura biennis*		X	Jul-Sep	white	●	●			●		1 - 6	Attractive flowers
	Wood geranium	*Geranium maculatum*	X	X	Apr-Jul	rose	●	●	●		●		1 - 2	Adaptable plant; long bloom time; spreader; herbal uses
	Common sneezeweed	*Helenium autumnale*	--	X	Aug-Oct	yellow	●	●	●	●	●		2 - 6	Tolerates wet areas; showy flowers; herbal uses
	Sunflowers	*Helianthus sp.*	--	X	Jul-Sep	yellow	●	●	●	●	●		4 - 6	Perennials; often aggressive; showy flowers; good for birds
	Oxeye sunflower	*Heliopsis helianthoides*	--	X	Jul-Sep	yellow	●	●	●		●		1 - 5	Long bloom time; butterfly plant
	Alum-root	*Heuchera americana*		X	May-Aug	greenish	●	●	●		●		1 - 2	Long bloom time; many cultivars and hybrids
	Cardinal flower	*Lobelia cardinalis*	--	X	Jul-Sep	scarlet	●	●	●	●	●		2 - 5	Long bloom time; butterfly and hummingbird plant
	Great blue lobelia	*Lobelia siphilitica*	--	X	Jul-Oct	blue	●	●	●	●	●		1 - 3	Long bloom time; white cultivars; hummingbirds
	Monkey-flower	*Mimulus ringens*	X	X	Jul-Sep	violet	●	●		●	●		2 - 3	Grows in moist places; interesting flowers
	Partridge-berry	*Mitchella repens*	X	X	Jun-Jul	white		●	●		●		< 1	Evergreen; ground cover; berry edible and showy
	Bee-balm	*Monarda didyma*	X	--	Jul-Aug	red	●	●	●		●		2 - 5	Showy flowers; aromatic; butterfly plant; herbal uses
	Bee-balm	*Monarda fistulosa*	--	--	Jul-Aug	violet	●	●			●		2 - 5	Aromatic; tolerates dry soils; herbal uses
	Sundrops	*Oenothera fruticosa*	--	X	Jun-Sep	yellow	●	●			●		1 - 3	Bright flowers; long bloom time
	Sundrops	*Oenothera perennis*	X	X	Jun-Aug	yellow	●				●		1 - 2	Bright flowers; long bloom time
	Beard-tongue	*Penstemon digitalis*	--	X	May-Jul	white	●				●		2 - 5	Colored cultivars; hummingbirds
	Phlox	*Phlox divaricata*	--	--	May-Jun	lilac	●	●	●	●	●		1 - 2	Aromatic; butterflies
	Phlox	*Phlox maculata*	--	X	Jun-Sep	purple	●	●	●	●	●		1 - 3	Aromatic; showy flowers; butterflies
	Phlox	*Phlox paniculata*	--	X	Jul-Oct	pink	●	●	●	●	●		2 - 5	Aromatic; showy flowers; butterflies
	May-apple	*Podophyllum peltatum*	--	X	May	white		●	●		●		1 - 2	Ground cover; edible fruit; mottled foliage
	Spreading Jacob's ladder	*Polemonium reptans*	--	--	Apr-Jun	blue	●	●	●		●		1 - 2	Attractive flowers; slow spreader; herbal uses
	Solomon's seal	*Polygonatum pubescens*	--	X	Apr-Jun	yellow	●	●	●		●		1 - 3	Not fussy; blue berries; herbal and edible uses
	Black-eyed Susan	*Rudbeckia hirta*	X	X	May-Sep	orange	●	●	●		●		2 - 3	Bright daisy-like flowers; long bloom time; many cultivars
	Cutleaf coneflower	*Rudbeckia laciania*	X	X	Jul-Sep	yellow	●	●		●	●		2 - 6	Tall daisy; tolerates wet soil; herbal
	Bloodroot	*Sanguinaria canadensis*	--	X	Mar-May	white		●	●		●		< 1	Red juice; herbal uses
	Golden ragwort	*Senecio aureus*	--	X	May-Jul	yellow	●	●	●	●	●		1 - 2	Wetland plant; long bloom time; early daisy-like flowers
	False Solomon's seal	*Smilacina racemosa*	X	X	May-Jul	white		●	●		●		1 - 2	Plume like flower; red berries; herbal uses
	Wrinkle-leaf goldenrod	*Solidago rugosa*	X	X	Jul-Nov	yellow	●	●	●		●		2 - 6	Aggressive; tough plant; butterflies
	Nodding ladies-tresses	*Spiranthes cernua*	--	--	Aug-Oct	white	●	●		●	●		1 - 2	Likes moist, acid soil; orchid flowers; herbal uses
	Tall meadow-rue	*Thalictrum pubescens*	X	X	May-Jun	white	●	●	●	●	●		2 -8	Wet to moist soil; tall plant; delicate flowers
	Foamflower	*Tiarella cordifolia*	X	--	Apr-Jul	white		●	●		●		< 1	Attractive, long-blooming flower; many cultivars
	Trillium	*Trillium grandiflorum*	--	--	Apr-Jun	white			●		●		1 - 2	Showy flowers; common in western PA
	Blue vervain	*Verbena hastata*	X	X	Jun-Sep	blue	●	●		●	●		2 - 5	Wet-moist soils; bright flowers; herbal uses
	New York ironweed	*Vernonia noveboracensis*	--	X	Jul-Sep	purple	●	●		●	●		3 - 6	Tall plant of wet-moist soils; brilliant flowers
	American dog violet	*Viola conspersa*	--	X	Apr-May	violet	●	●	●	●	●		< 1	Delicate plant and flower; edible
	Common blue violet	*Viola sororia*	--	X	Apr-May	violet	●	●	●		●		< 1	Delicate plant and flower; edible
	Golden-Alexanders	*Zizia aurea*	--	--	Apr-Jun	gold	●	●	●		●		1 - 2	Not fussy; attracts good insects
Grasses	Big bluestem	*Andropogon gerardii*	--	--	Jun-Sep		●	●			●		3 - 5	Clump forming; attractive, with winter interest
	Lurid sedge	*Carex lurida*	X	X	Jun-Oct		●	●	●	●			1 - 2	Wetland plant; interesting seeds
	Bottlebrush grass	*Elymus hystrix*	--	X	Jun-Aug			●	●		●		2 - 4	Grass which grows in shade
	Riverbank wild-rye	*Elymus riparius*	X	X	Jul-Sep		●	●		●	●		3 - 5	Good for streambank conditions
	Virginia wild-rye	*Elymus virginicus*	X	X	Jul-Sep		●	●	●	●	●		2 - 4	Grass which tolerates a wide range of conditions
	Switch grass	*Panicum virgatum*	--	--	Aug-Sep		●				●		3 - 6	Clump grass; can help control erosion
	Little bluestem	*Schizachyrium scoparium*	--	X	Jul-Sep		●						2 - 4	Clump grass; tolerates poor soil; winter interest
	Indian grass	*Sorghastrum nutans*	--	--	Aug-Sep		●				●		3 - 6	Clump grass; tall with beautiful flowers
Ferns	Maidenhair fern	*Adiantum pedatum*	X	X					●		●		1 - 2	Grows in clumps; delicate texture; herbal uses
	Evergreen shield fern	*Dryopteris marginalis*	X	X				●	●		●		1 - 3	Evergreen; clump-former; attractive
	Interrupted fern	*Osmunda claytoniana*	X	X				●	●		●		2 - 4	Grows in clumps; distinctive fronds
	Christmas fern	*Polystichum achrostichoides*	X	X				●	●		●		1 - 2	Evergreen; grows in clumps

Woody Plants

	Common Name	Scientific Name	Zone Preference 5	Zone Preference 6	Bloom Period	Wildlife Value	Light Preference Sun	Light Preference Med	Light Preference Shade	Moisture Preference Wet	Moisture Preference Moist	Moisture Preference Dry	Height in Feet	Notes
Medium to Large Trees	Red maple	*Acer rubrum*	X	X	Mar-Apr	very high	●	●	●	●	●		40 - 60	Red flowers; adaptable; fall color
	Sugar maple	*Acer saccharum*	X	X	Apr-May	very high		●	●		●		60 - 75	Yellow flowers in spring; fall color; maple syrup
	Yellow birch	*Betula alleghaniensis*	X		Apr-May	very high		●	●		●		60 - 80	Catkins in winter
	Black birch	*Betula lenta*	--	--	Apr-May	very high		●	●		●		45 - 55	Catkins in winter
	River birch	*Betula nigra*	--	--	Apr-May	very high	●	●	●	●	●		60 - 80	Catkins; striking bark; grows in eastern & central PA
	American beech	*Fagus grandifolia*	X	X	Apr-May	high	●	●	●		●		50 - 70	Beautiful tree; edible nuts; attractive bark
	White ash	*Fraxinus americana*	--	X	Apr-May	intermediate	●	●	●		●		50 - 80	Fast growth; fall color
	Green ash	*Fraxinus pennsylvanica*	--	--	Apr-May	intermediate	●	●	●	●	●		30 - 50	Fast growth; fall color
	Tulip poplar	*Liriodendron tulipfera*	--	X	May-Jun	intermediate	●	●	●		●		75 - 100	Green flowers in early summer; fast growth
	Black-gum	*Nyssa sylvatica*	--	X	Apr-May	high	●	●	●	●	●		30 - 60	Outstanding fall color
	Eastern white pine	*Pinus strobus*	X	X		very high	●	●	●		●		50 - 80	Evergreen conifer
	Sycamore	*Platanus occidentalis*	--	--	Apr-May	low	●	●	●		●		75 - 100	Showy bark; drops fruits
	White oak	*Quercus alba*	--	X	Mar-May	very high	●	●	●		●		50 - 100	Edible nuts; majestic
	Chestnut Oak	*Quercus montana*	--	X	May-Jun	very high		●	●				40 - 75	Fall color; nuts attractive to wildlife
	Pin Oak	*Quercus palustris*		X	Apr-May	very high	●	●		●	●		60 - 70	Common ornamental street trees; fall color
	Red Oak	*Quercus rubra*	X	X	Apr-May	very high	●	●			●		60 - 80	Hardy and long-lived tree; fall color
	Sassafras	*Sassafras albidum*	--	X	April	high	●	●	●		●		30 - 50	Edible and medicinal uses; fall color
	Basswood	*Tilia americana*	X	X	May-Jun	very low	●	●					60 - 80	Flowers aromatic, with herbal uses; multiple trunks
	Canada hemlock	*Tsuga canadensis*	X	X		high		●	●		●		40 - 70	Evergreen conifer; PA state tree
Small Trees and Shrubs	Smooth alder	*Alnus serrulata*	--	X	Mar-Apr	high	●	●	●	●			6 - 10	Yellow catkins; multi-stemmed; needs wet soil
	Serviceberry	*Amelanchier arborea*	--	X	Mar-May	high	●	●	●		●		15 - 25	White flowers in spring; edible berries; fall color
	Black chokeberry	*Aronia melanocarpa*	--	--	Mar-Jul	intermediate	●	●	●	●	●		3 - 6	White flowers; multi-stemmed; berries; fall color
	New Jersey tea	*Ceanothus americanus*	--	X	May-Sep	intermediate	●	●	●		●		< 3	White flowers; multi-stemmed; tough; fixes nitrogen
	Buttonbush	*Cephalanthus occidentalis*	--	X	Jun-Sep	intermediate	●	●	●	●	●		6 - 15	White flowers; multi-stemmed; interesting fruit
	Redbud	*Cercis canadensis*		--	April	very low		●	●		●		20 - 35	Purple flowers in spring; fixes nitrogen
	Alternate-leaved dogwood	*Cornus alternifolia*	X	X	May-Jun	very high		●	●		●		15 - 25	White flowers in early summer; blue berries
	Silky dogwood	*Cornus amomum*	--	X	May-Jul	very high	●	●		●	●		6 - 12	White flowers in summer; blue berries; multi-stemmed
	Flowering dogwood	*Cornus florida*	--	X	Apr-Jun	very high		●	●		●		10 - 30	White bracts in spring; red berries; diseases
	Witch-hazel	*Hamamelis virginiana*	X	X	Sep-Nov	low		●	●		●		20 - 30	Yellow flowers; multi-stemmed; fragrant; medicinal
	Wild hydrangea	*Hydrangea arborescens*	--	X	Jun-Jul	low		●	●		●		3 - 5	White blooms in mid-summer; multi-stemmed
	Winterberry	*Ilex verticillata*	--	X	May-Jun	high	●	●	●	●	●		6 - 10	Showy berries in winter; multi-stemmed
	Mountain laurel	*Kalmia latifolia*	--	X	May-Jul	very low	●	●	●	●	●		7 - 15	White fl.; evergreen; multi-stemmed; Pa state flower
	Spicebush	*Lindera benzoin*	--	X	Mar-May	high		●	●	●	●		6 - 12	Berries and foliage in fall; multi-stemmed; herbal uses
	Ninebark	*Physocarpus opulifolius*	--	X	May-Jul	intermediate	●	●	●	●	●		5 - 10	Pink flowers; papery bark; multi-stemmed
	Wild plum	*Prunus americana*	--	X	Apr-May	high	●	●	●		●		15 - 25	White flowers; edible fruit; multi-stemmed
	Rosebay	*Rhododendron maximum*	--	--	Jun-Jul	very low			●	●	●		10 - 30	Rose flowers; evergreen; multi-stemmed
	Pinxter-flower	*Rhododendron periclymenoides*	--	X	May-Jun	low	●	●	●		●		4 - 8	White-pink flowers; multi-stemmed
	Black willow	*Salix nigra*	--	X	Apr-May	intermediate	●	●	●	●	●		30 - 50	Catkins in spring; needs wet to moist soil
	Silky willow	*Salix sericea*	X	X	May	intermediate	●	●	●	●			< 12	Catkins; needs wet conditions; multi-stemmed
	Elderberry	*Sambucus canadensis*	X	X	Jun-Jul	very high	●	●	●	●	●		5 - 15	White fl.; multi-stemmed; edible berries & flowers
	Lowbush blueberry	*Vaccinium angustifolium*	--	--	May-Jun	very high	●	●			●		1 - 2	White flowers; multi-stemmed; edible berries
	Highbush blueberry	*Vaccinium corymbosum*	--	--	May-Jun	very high	●	●	●	●	●		6 - 12	White fl.; multi-stemmed; edible berries; fall color
	Maple-leaved viburnum	*Viburnum acerifolium*	X	X	May-Jun	intermediate		●	●	●	●		4 - 6	White fl.; multi-stemmed; edible berries; fall color
	Arrow-wood	*Virburnum recognitum*	--	--	May-Jun	very high	●	●	●	●	●		3 - 15	White flowers in late spring; multi-stemmed
	Virginia creeper	*Parthenocissus quinquefolia*	--	--	July	high	●	●	●	●	●		10 - 40	Fall color; berries important for wildlife; considered a vine

EXHIBIT "6"



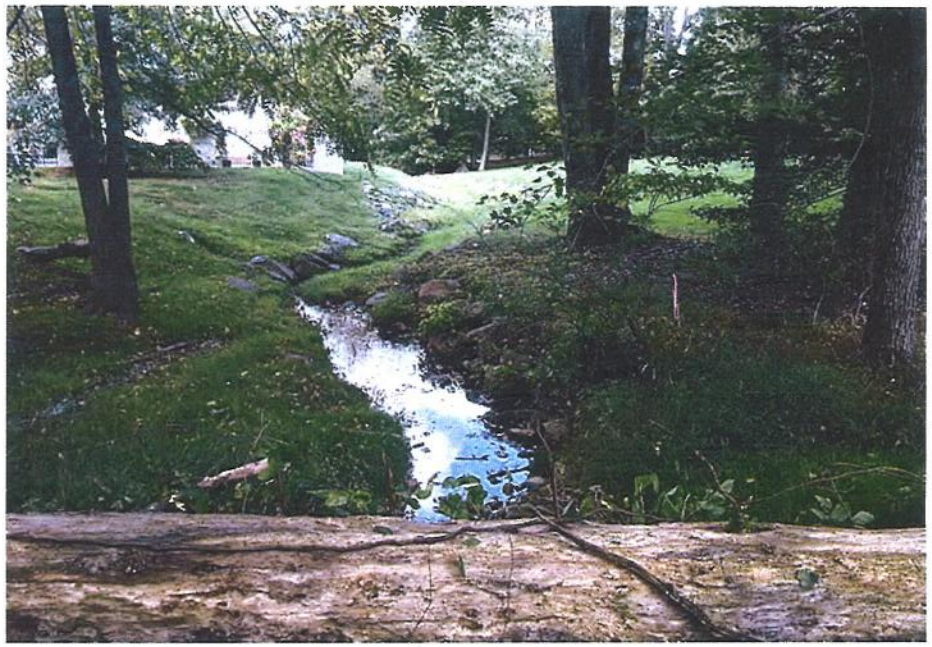
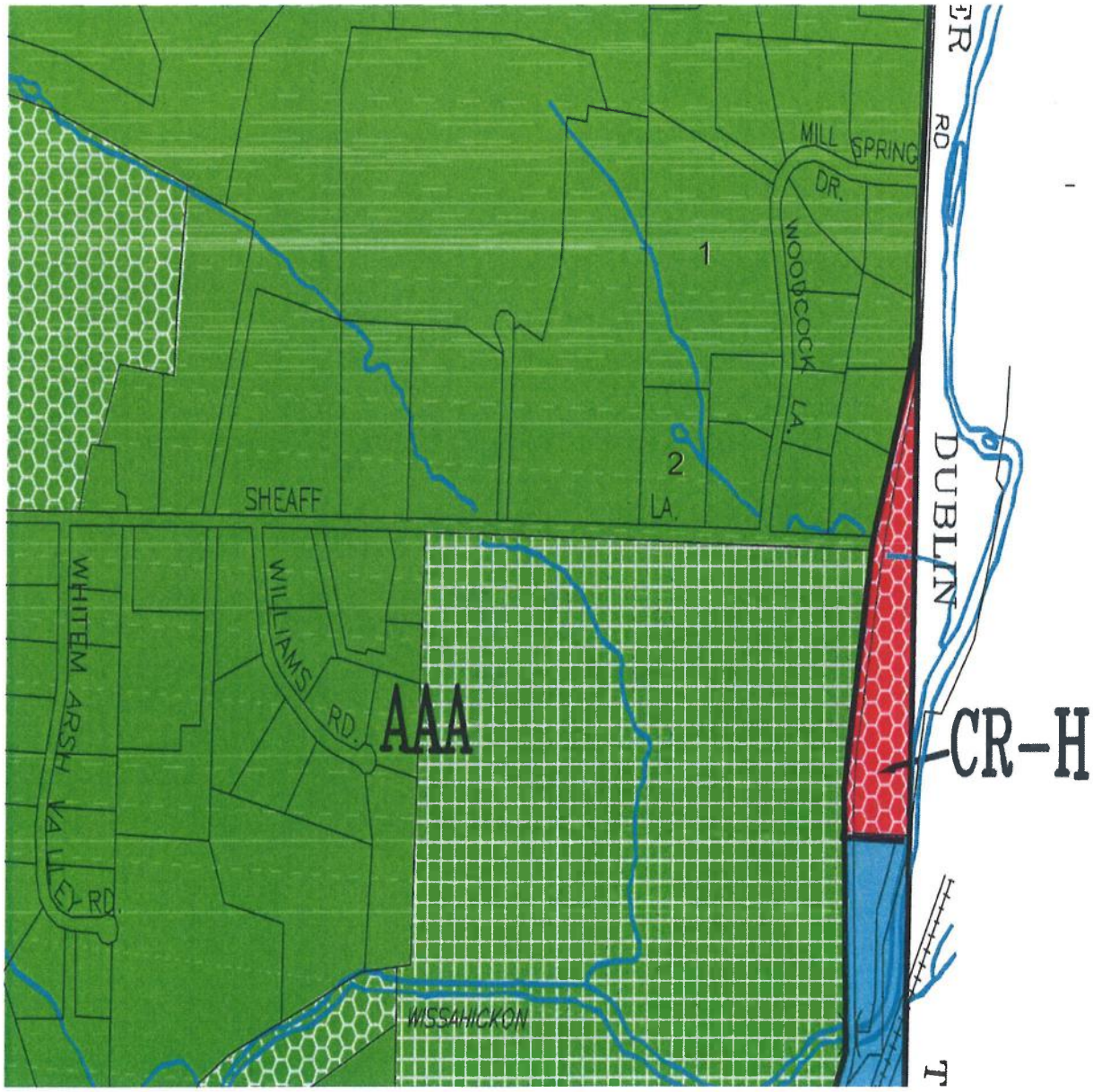


EXHIBIT "7"

APPLICATION OF MARK AND ANNE DOOLEY
WHITEMARSH TOWNSHIP ZONING MAP

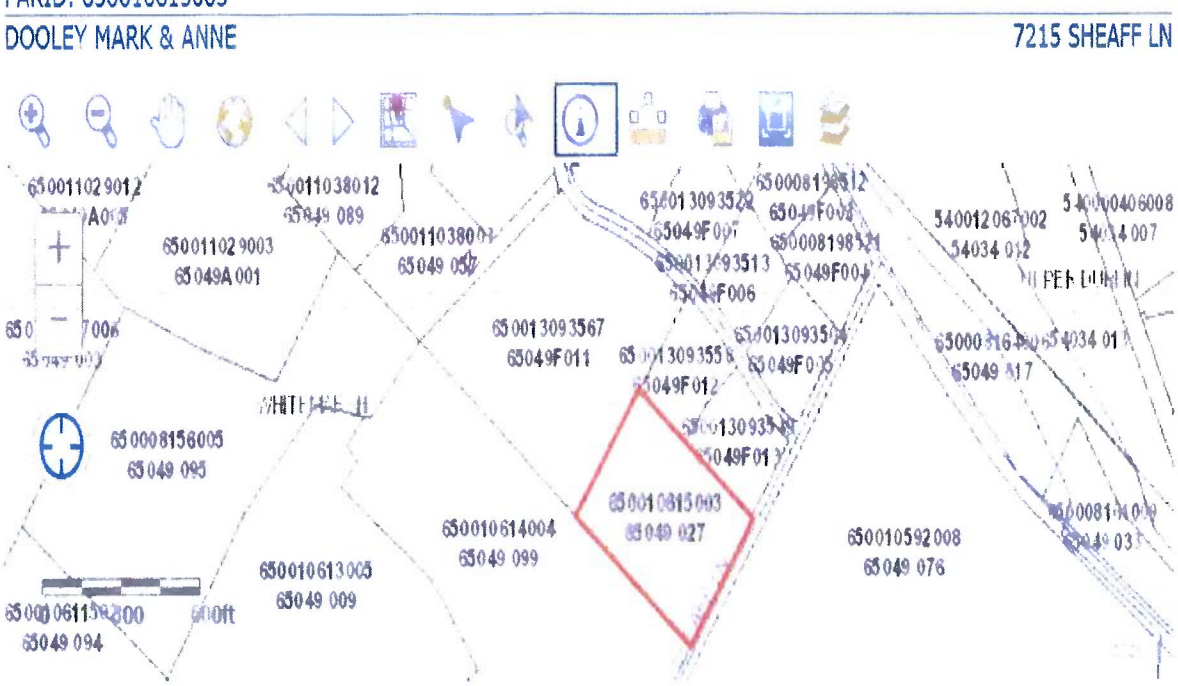


1 = 274 Woodcock Lane

2 = 7215 Sheaff Lane

EXHIBIT "8"

Tax Map – 7215 Sheaff Lane



Tax Map – 274 Woodcock Lane

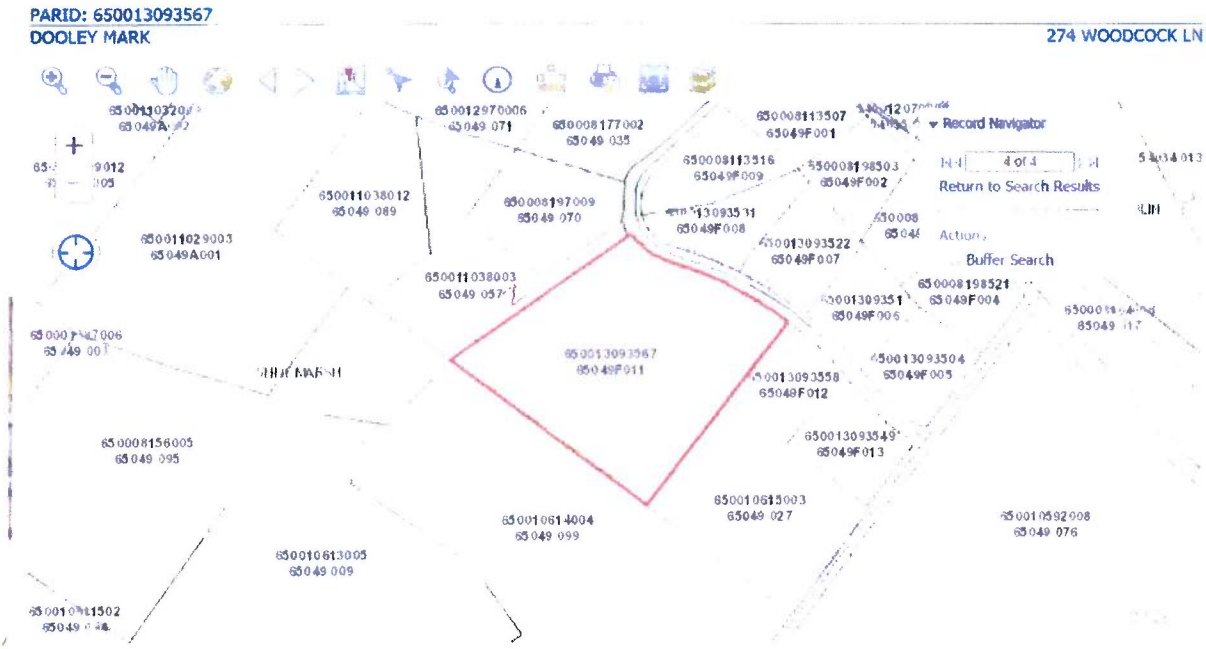


EXHIBIT "9"

Whitemarsh Township Zoning Hearing Board
Dooley Residence