

BOROUGH OF CONSHOHOCKEN

Zoning Administration

MAYOR

Yaniv Aronson

BOROUGH COUNCIL

Colleen Leonard, President Tina Sokolowski, Vice-President Anita Barton, Member Stacy Ellam, Member Kathleen Kingsley, Member Adrian Serna, Member Karen Tutino, Member

Stephanie Cecco Borough Manager

MAY 15, 2023, ZONING HEARING BOARD MEETING PACKET

20 Ash Street – 225 Washington Street 543 Colwell Lane

Page 2 Page 32



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

Zoning Administration

BOROUGH COUNCIL

Colleen Leonard, President
Tina Sokolowski, Vice-President
Robert Stokley, Member
Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Yaniv Aronson, Mayor

Stephanie Cecco, Borough Manager

ZONING NOTICE MAY 16th, 2022, ZONING HEARING BOARD MEETING

ZONING HEARING Z-2022-09

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on May 16th, 2022, at 7:00 p.m. prevailing time. The meeting will be held at Borough Hall, located at 400 Fayette Street, Conshohocken, PA 19428.

At this time, the Conshohocken Zoning Hearing Board will hear testimony and accept evidence on the following petition:

PETITIONER: Millennium Waterfront Associates II, LP

PREMISES INVOLVED: Parcel 05-00-11856-13-6

(Between 20 Ash St. and 225 Washington St.)

Conshohocken, PA 19428 Specially Planned District 2

OWNER OF RECORD: Millennium Waterfront Associates II, LP

201 King of Prussia Rd. - Suite 501

Radnor, PA 19087

The petitioner is seeking variances from and/or an appeal of a zoning decision from Section 27-1502 and Section 27-1511 of the Conshohocken Zoning Ordinance related to the proposal to development the subject property with a residential use.

Interested parties are invited to participate in the hearing. Anyone requiring special accommodations to attend should contact the Conshohocken Borough Administration Office at 610-828-1092 or zoning@conshohockenpa.gov as soon as possible for arrangements.

If you have questions regarding the above prior to the meeting, please contact the Borough at zoning@conshohockenpa.gov.

Thank you, Zoning Hearing Board



Edmund J. Campbell, Jr. Direct Dial: (610) 992-5885 ecampbell@campbellroccolaw.com

April 7, 2022

∂∞ **√**5

Ms. Brittany Rogers
Executive Assistance to the Borough Manager
Conshohocken Borough
400 Fayette Street, Suite 200
Conshohocken, PA 19428

RE: Millennium Unit I – Apartments

Zoning Appeal and Variance Application

Borough of Conshohocken, Montgomery County

Dear Ms. Rogers,

On behalf of the property owner, Millennium Waterfront Associates II LP, please accept the enclosed application and supporting documentation for the proposed land development appeal and variance of the property located at tax parcel 05-00-11856-13-6. The documents included in this submission are as follows:

- 1. Three (3) copies and one (1) digital copy of the Zoning Application Form.
- 2. Three (3) copies and one (1) digital copy of the original Application.
- 3. Three (3) copies and one (1) digital copy of the Denial Letter.
- 4. Three (3) copies and one (1) digital copy of the Montgomery County Property Records.
- 5. Three (3) copies and one (1) digital copy of the Deed from the record owner.
- 6. A check in the amount of \$500.00 payable to the Borough of Conshohocken to cover the application fee.
- 7. A check in the amount of \$1,500.00 payable to the Borough of Conshohocken to cover the escrow deposit.

Thank you in advance for your time and consideration of this request.

Very truly yours

Edmund J. Campbell Jr. Esquire

/EJC

Enclosures

{00410545;1}



BOROUGH OF CONSHOHOCKEN

400 Fayette Street, Suite 200, Conshohocken, PA 19428 Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

| | | Application: | | | |
|---|----------|-----------------|--|--|--|
| A mulication is haraby, made for: | | Date Submitted: | | | |
| Application is hereby made for: | | Date Received: | | | |
| Special Exception Variance | 1 | | | | |
| Appeal of the decision of the zoning officer | | | | | |
| Conditional Use approval Interpretation of the | e Zoni | ng Ordinance | | | |
| Other | | | | | |
| Section of the Zoning Ordinance from which relief is rec Section 27-1502 and Section 27-1511 | queste | ed: | | | |
| | | | | | |
| Address of the property, which is the subject of the app | olicatio | on: | | | |
| | | | | | |
| Property located between 20 Ash St. & 225 Washington St. (Washington St. Condo I (parcel #: 05-00-11856-13-6) | | | | | |
| Applicant's Name: Millennium Waterfront Associates II LP | | | | | |
| Address: 201 King of Prussia Road, Suite 501, Radnor, PA 19087 | | | | | |
| Phone Number (daytime): (610) 293-6111 | | | | | |
| E-mail Address: c/o ecampbell@campbellroccolaw.com | | | | | |
| Applicant is (check one): Legal Owner Equitable O | wner | ; Tenant | | | |
| | _ | | | | |
| Property Owner: Millennium Waterfront Associates II LP | | | | | |
| Address: 201 King of Prussia Road, Suite 501, Radnor, PA 19087 | | | | | |
| Phone Number: (610) 293-6111 | | | | | |
| E-mail Address: c/o ecampbell@campbellroccolaw.com | | | | | |
| Lot Dimensions: see attached county records & Zoning Distriction | ct: SP | -2 | | | |
| Attached application | | | | | |

| 8. | Has there been previous zoning relief requested in connection with this Property? |
|-----|--|
| | Yes No V If yes, please describe. |
| | n/a |
| | |
| | |
| 9. | Please describe the present use of the property including any existing improvements |
| | and the dimensions of any structures on the property. |
| | The property is currently an undeveloped parking lot. |
| | |
| | |
| | |
| | |
| | |
| | |
| 10. | Please describe the proposed use of the property. |
| | The applicant is proposing to construct a 79-unit residenital building on the property located between 20 Ash Street |
| | and 225 Washington Street. |
| | |
| | |
| 11 | Please describe proposal and improvements to the property in detail. |
| 11. | to proceed a 04 742 S.E. gross floor building consisting of four (4) stories of residential units above |
| | one level of surface parking. The enclosed Preliminary Land Development Plans depict the constitution of a normalist family building and associates improvements. Water and sewer service to the properties are proposed to be |
| | public. Existing access onto the subject property will be provided from an entrance off Washington Street. |
| | |
| | |

| 12. | Please describe the reasons the Applicant believes that the requested relief should be granted. |
|-----|---|
| | We believe that the application previously submitted was incorrectly denied. In the alternative, we request a variance to permit the residential use. |
| | |
| | |
| | |
| 13. | If a <u>Variance</u> is being requested, please describe the following: |
| 15. | a. The unique characteristics of the property: The property has a unique shape and is located |
| | in the flood plan. |
| | b. How the Zoning Ordinance unreasonably restricts development of the property: Without relief the property cannot be developed. |
| | |
| | c. How the proposal is consistent with the character of the surrounding |
| | neighborhood |
| | The proposal is consistent with the development of other properties, including similar uses. |
| | d. Why the requested relief is the minimum required to reasonably use the |
| | property; and why the proposal could not be less than what is proposed. The request for relief is the minimum required to develop the property. |

- 14. The following section should be completed if the applicant is contesting the determination of the zoning officer.
 - a. Please indicate the section of the zoning ordinance that is the subject of the zoning officer's decision (attach any written correspondence relating to the determination).

Section 27-1502 and Section 27-1511

| | b. Please explain in detail the reasons why you disagree with the zoning officer's determination. |
|-----|---|
| | We believe that residential use is permitted in the SP-2 district. |
| 15. | If the Applicant is requesting any other type of relief, please complete the following section. |
| | a. Type of relief that is being requested by the applicant. Not Applicable. |
| | b. Please indicate the section of the Zoning Ordinance related to the relief being requested. |
| | c. Please describe in detail the reasons why the requested relief should be granted |
| 16. | If the applicant is being represented by an attorney, please provide the following information. |
| | a. Attorney's Name: Edmund J. Campbell, Jr. |
| | b. Address: 2701 Renaissance Boulevard, 4th Floor, King of Prussia, PA 19406 |
| | c. Phone Number: (610) 992-5885 |
| | d. E-mail Address: ecampbell@campbellroccolaw.com |
| | |

| I/we hereby certify that to the best of my knowledge this Zoning Application and any papers or plans su Borough of Conshobacken are true and correct. Applicant Legal Owner | e, all of the above statements contained in bmitted with this application to the |
|---|--|
| 4/6/2022 | |
| Date | |
| | |
| COMMONWEALTH OF PENNSYLVANIA | |
| COUNTY OF MONTGOMERY | |
| As subscribed and sworn to before me this | day of |
| April 20 22. | |
| | |
| | |
| <u>AnaMarie B Antunes</u> Notary Public | |
| (Seal) Commonwealth of Pennsylvania - Notary Seal Ana Marie B. Antunes, Notary Public Montgomery County My commission expires December 2, 2025 Commission number 1409426 Member, Pennsylvania Association of Notaries | |



BOROUGH OF CONSHOHOCKEN 400 Fayette Street, Suite 200, Conshohocken, PA 19428

Phone (610) 828-1092 Fax (610) 828-0920

Decision

| | (For Borough Use Only) | |
|----------------------------|------------------------|----|
| Application Granted \Box | Application Denied | |
| MOTION: | | |
| | | |
| CONDITIONS: | | |
| | | |
| | | |
| BY ORDER OF THE ZON | ING HEARING BOARD | |
| | Yes | No |
| | | |
| - | | |
| | | |
| - | | |
| <u></u> | | |
| | | |
| DATE OF ORDER: | | |



March 8, 2022

Ms. Brittany Rogers
Executive Assistant to the Borough Manager
Conshohocken Borough
400 Fayette Street
Conshohocken, PA 19428

RE: Millennium Unit I - Apartments
Preliminary Land Development Plans
Borough of Conshohocken, Montgomery County

Apex Job No. 21-036

Dear Ms. Rogers:

On behalf of the property owner, Millennium Waterfront Association LP, please accept the enclosed application and supporting documentation for the proposed land development of the property located at tax parcel No. 05-00-11856-13-6. The documents included in this submission are as follows:

- 1. Seven (7) copies and one (1) digital copy of the Preliminary Land Development Application Form.
- 2. Seven (7) copies and one (1) digital copy of the Act 247 Montgomery County Referral Form
- 3. Seven (7) copies and one (1) digital copy of sewage facilities planning module form and Act 537 Sewage Facilities Planning Module.
- 4. Seven (7) paper and one (1) digital copy of the Preliminary Land Development Plans.
- 5. Seven (7) paper and one (1) digital copy of the Post Construction Stormwater Management Report.
- 6. Seven (7) paper copies and (1) digital copy of Deed or Certificate from record owner.
- 7. Seven (7) paper and one (1) digital copy of Existing Conditions Photograph Log.
- 8. Land Development Application Fee in the amount of \$1,000.00 (79 Units) payable to the Borough of Conshohocken.
- 9. Initial escrow deposit in the amount of \$5,000 payable to the Borough of Conshohocken.
- 10. Montgomery County review fee in the amount of \$2,109.00 (79 lots) payable to Montgomery County Treasurer.
- 11. One electronic copy of the submission materials

It is proposed to construct a 94,712 S.F. gross floor building consisting of four (4) stories of residential units above one level of surface parking. The enclosed Preliminary Land Development Plans depict the construction of a new multi-family building and associated improvements. Water and sewer service to the properties are proposed to be public. Existing access onto the subject property will be provided from an entrance off Washington Street.

Should you have any questions or require any additional information, please let me know. Please contact our office at 610-234-2406, or email at mbowker@apexdeg.com if there is anything else that I could do to help expedite the review process or application approval.

Sincerely,

Apex Design & Engineering Group

Mideal & Brehre

Michael J. Bowker, P.E.

Principal Engineer

MJB

21036L01.docx.doc

BOROUGH OF CONSHOHOCKEN MONTGOMERY COUNTY, PENNSYLVANIA

ESCROW AGREEMENT FOR PROFESSIONAL REVIEW FEES

PRE-SUBMISSION MEETING

The undersigned hereby agrees to post an escrow to cover the costs of the review of subdivision and land development applications by the Borough Planner, Engineer, and Solicitor. The amount of said escrow shall be according to the attached "Schedule of Fees" and shall be posted at the time of initial submission of an application to the Borough. Said fees shall be placed in an escrow account and any balance remaining shall be returned to the applicant subsequent to the receipt of final approval.

The applicant is advised that the "Schedule of Fees" represents only an estimate of the costs associated with plan review. The completeness and quality of the submission, the complexity of the project, the number of revisions and other factors may cause costs to exceed the established escrow amounts. If during the course of a subdivision/land development review an escrow amount falls to 10% of the original escrow amount or \$250, whichever is greater, the Borough may require the posting of additional escrow.

NOTE: NO FINAL APPROVALS, CONSTRUCTION, BUILDING OR OCCUPANCY PERMITS SHALL BE ISSUED UNTIL ALL OUTSTANDING PROFESSIONAL REVIEW FEES HAVE BEEN SATISFIED.

Signed Mercel O'Com Date: 3/7/22

BOROUGH OF CONSHOHOCKEN MONTGOMERY COUNTY, PENNSYLVANIA

APPLICATION FOR SUBDIVISION/ LAND DEVELOPMENT

| be completed by the Borough: Submission Information: | | | |
|---|--|--|--|
| File Number: | File Date: | | |
| | Date Complete: | | |
| Project Title: | 90 Day Date: | | |
| Received By: | 70 Duy Daie: | | |
| required materials for all land develo | DPMENT/SUBDIVISION APPLICATIONS | | |
| 1. This form MUST be completed and submitted with the | Borough's Land Development/Subdivision application. | | |
| A Land Development/Subdivision Application MUST to be considered complete. | include all of the items listed in the application checklist | | |
| be returned to the applicant. | nning Commission agenda. Incomplete applications will | | |
| 3. Complete applications must be received at least 38 I meeting at which it will be heard. | DAYS (see schedule) prior to the Planning Commission | | |
| It is highly encouraged to submit applications in a 4. One (1) digital copy plus seven (7) paper copies of t digitally, or fifteen (15) paper copies of the complet | he complete application are required if submitting | | |
| 2 1 6 | Property Owner Information (if different): | | |
| pplicant Information: lame: Millennium Waterfront Association, LP | Name: | | |
| ddress: 201 King of Prussia Road, Suite 501 | Address: | | |
| Radnor, PA 19087 | Addiess | | |
| hone: 610-389-2696 | Phone: | | |
| | Fax: | | |
| ax: | E-Mail*: | | |
| * | | | |
| rchitect/Planner: TBD | | | |
| ddress: | Phone/Fax: | | |
| ingineer/Surveyor: Apex Design + Engineering Gro Address:1000 Conshohocken Road, Suite 202, -mail*:_mbowker@apexdeg.com | Conshohocken, PA 19428 | | |
| andscape Architect: TBD | | | |
| ddress: | | | |
| -mail*: | DI /F | | |
| Attorney; | | | |
| ddress: | | | |
| -mail*: | Phone/Fax: | | |

*All correspondence regarding this application from the Planning Commission and staff will be made via e-mail. All persons involved with this application should provide their e-mail addresses so that information including, but not limited to, meeting dates and plan reviews replaces revisions here, is distributed appropriately.

| Application For: (See Section 22-305, A or the bottom of page 10 o | if the application packet |
|---|--|
| for clarification) | Minor Subdivision |
| Minor Land Development X Preliminary Major Land Development | Preliminary Major Subdivision |
| | Final Major Subdivision |
| Final Major Land Development | |
| Project Information: Current parking lot situate | ed between 20 Ash Street & 225 Washington Street |
| in the Borough of Consho | |
| Location (Street Address): | |
| Tax Assessment Parcel No. <u>05-00-11856</u> -13-6 County [| |
| Description of Proposed Work: Land development pro | oject of 1.15 +/- acres out of 16.8 +/- acre condominium |
| site. Improvements consist of a 94,712 +/- S.F. g | gloss floor area building consisting of a stories |
| 79 residential units above one level of surface pa | arking with associated site and utility improvements. |
| Total Tract Acreage: 1.15 Project Acreage | e0.23 |
| Zoning District SP-2 Existing Number of Lots | s: 1 Proposed Number of Lots: 1 |
| Proposed Land Use: Single-Family Detached Single-Family Attached | Single-Family Semi-Detached X Multi-Family Commercial Office Industrial |
| Other (Describe): | |
| Existing Sewer Flows: 0 Gal./day | Proposed Sewer Flows: 20,738 Gal./day |
| the SALDO outlines plan submission requirements and the crit deemed complete. These requirements are listed on informatic package. If the required plans listed below do not have sufficiently may be considered incomplete and returned, requesting additional experiences. X. Record Plan X. Existing Features Site Plan X. Grading Plan X. Erosion and Sediment Control Plan X. Lighting Plan_Major X. Circulation Plan_Major X. Stormwater Calculations Check List - Proof of ownership and zoning relief: X. Proof of equitable ownership or interest in the Copy of adjudication of Zoning Hearing Board Check List - Color Photographs of Site and Existing Conceptions | ent information to allow for staff reviews, the application itional information. |
| X Streetscape in all directions, showing subject p | |
| X Façade and secondary elevations of existing b | |
| X Sidewalk and curb conditions | 1 |
| X Street trees | 1 |
| N/A_Alley conditions, if present | 1 |
| Check List - Building Elevations: | 1 |
| N/A Architectural drawings and renderings of prop | posed bullding(s) |
| Check List - Setback of Proposed Building(s): | |
| X Established building line for the black on which | the property is located (eg: scale off an aerial) |
| (In plan, show setbacks of all existing building | s on same side of the street as project for entire block.) |

| List of Requested Waivers: | |
|---|---|
| Section/Requirement: 1 § 22-421.1 | Relief Requested: REQUEST RELIEF FROM A LANDSCAPE PLAN TO BE PREPARED BY A REGISTERED LANDSCAPE ARCHITECT AND ALLOW A PROFESSIONAL ENGINEER SIGNATURE AND SEAL FOR LANDSCAPE AND LIGHTING PLANS. |
| Have you met with the Zoning Officer regarding this plan Are there known variances/any zoning relief necessary fo | or this project?* Yes _X_No |
| If YES, have you submitted an application for the Zoning H Has this plan been reviewed by the Zoning Hearing Boar | rd?Yes <u>X_</u> No |
| *Please be advised that If any variances are found to be necessary during the Hearing Board prior to proceeding to the Planning Commission. In addition, yo period or an immediate denial of this application will be made, and you will be | ou will be requested to grant the borough a waiter to the 70-day details. |
| The undersigned represents that to the best of his/her known correct and complete. | |
| Signature of Applicant | Signature of Property Owner (If not the same as applicant) |
| Date | Date |
| ALL MAJOR subdivision/land use applications require a papplication submittal. MINOR subdivision/land use applications may request a page 1. | |
| Meetings are held the second and fourth Tuesday of each the Borough Administrative Offices. | Name of the state |
| Applicants assume responsibility of any fees associated v | vith this meeting. |
| Applicant signature date | |
| To schedule a pre-submission meeting, please contact the ph: 610.828.1092 e: landuse@conshohockenpa.gov | office of the Borough Manager |
| Borough Use Only: | |
| Filing Fee Amount \$ Pre-Construction Professional Services Escrow Amount \$ | Check No. |
| Decision information: | |
| Approval Denial | Decision Date: |
| , | |
| | |

BOROUGH OF CONSHOHOCKEN MONTGOMERY COUNTY, PENNSYLVANIA

Planning Process Extension Agreement

The Pennsylvania Municipality Planning Code (MPC) and the Conshohocken Borough Subdivision and Land Development Ordinance state that action must be taken by the Borough within ninety (90) days after a complete application is filed with the Borough. In the Borough, larger and complicated projects have historically required additional time in order to complete a thorough review before being considered for approval. As such, an applicant may voluntarily waive the timing requirement at any time, but is encouraged to submit this waiver with the completed application.

I, the applicant, hereby voluntarily waive the timing requirement as set forth in the MPC (Section 509) and the Conshohocken Borough Subdivision and Land Development Ordinance (Section 22-308).

Received by (Borough) Date

BOROUGH OF CONSHOHOCKEN MONTGOMERY COUNTY, PENNSYLVANIA

ESCROW AGREEMENT FOR PROFESSIONAL REVIEW FEES

SUBDIVISION/LAND DEVELOPMENT APPLICATIONS

The undersigned hereby agrees to post an escrow to cover the costs of the review of subdivision and land development applications by the Borough Planner, Engineer, and Solicitor. The amount of said escrow shall be according to the attached "Schedule of Fees" and shall be posted at the time of initial submission of an application to the Borough. Said fees shall be placed in an escrow account and any balance remaining shall be returned to the applicant subsequent to the receipt of final approval.

The applicant is advised that the "Schedule of Fees" represents only an estimate of the costs associated with plan review. The completeness and quality of the submission, the complexity of the project, the number of revisions and other factors may cause costs to exceed the established escrow amounts. If during the course of a subdivision/land development review an escrow amount falls to 10% of the original escrow amount or \$250, whichever is greater, the Borough may require the posting of additional escrow.

NOTE: NO FINAL APPROVALS, CONSTRUCTION, BUILDING OR OCCUPANCY PERMITS SHALL BE ISSUED UNTIL ALL OUTSTANDING PROFESSIONAL REVIEW FEES HAVE BEEN SATISFIED.

Signed Arabic Com Date: 3/7/2)

Applicant Request for County Review

This request should be filled out by the applicant and submitted to the municipality where the application is being filed along with digital copies of all plan sets/information. Municipal staff will electronically file the application with the county, and a notice for the prompt payment of any fees will be emailed to the Applicant's Representative.



3/7/2022

Municipality:

Borough of Conshohocken

Proposal Name:

Millennium Unit I - Apartments

Applicant Name: Millennium Waterfront Association, LP

Address:

201 King of Prussia Road, Suite 501

City/State/Zip: Radnor, PA 19087

Phone:

610-389-2696

Email:

Applicant's

Representative: Apex Engineering + Design Group

1000 Conshohocken Road, Suite 202 Address:

City/State/Zip: Conshohocken, PA 19428

Business Phone (required): 610-234-2406

Business Email (required): mbowker@apexdeg.com

Type of Review Requested:

| (Ch | ck All Appropriate Boxes) |
|-----|--|
| X | Land Development Plan |
| | Subdivision Plan |
| | Residential Lot Line Change |
| | Nonresidential Lot Line Change |
| | Zoning Ordinance Amendment |
| | Zoning Map Amendment |
| | Subdivision Ordinance Amendment |
| | Curative Amendment |
| | Comprehensive / Other Plan |
| | Conditional Use |
| *(N | Special Review* Sot included in any other category - includes parking lot or structures that are not seciated with new building square footage) |

Type of Plan: Tentative (Sketch) Type of Submission:

New Proposal

X Preliminary / Final

☐ Resubmission*

Zoning:

Existing District: SP-2

Special Exception Granted Yes No No For Variance Granted

Plan Information:

Tax Parcel Number(s) 05-00-11856-13-6

Current parking lot situated between 20 Ash Street & 225 Washington Street

Location in the Borough of Conshohocken

Nearest Cross Street Ash Street

Total Tract Area 1.15 +/- Acres

Total Tract Area Impacted By Development 1.15 +/- Acres

(If the development is a building expansion, or additional building on existing development, or only impacts a portion of the tract, please provide a rough estimate of the land impacted, including associated yards, drives, and facilities.)

| | Number of New | | Senior Housing | | Open Space Acres* | Nonresidential New Square Feet |
|------------------|------------------|-------|-------------------|----|-------------------------|--------------------------------------|
| Land Use(s) | Lats | Units | Yes | No | Aeres. | Gquare x cor |
| Single-Family | | | | | | |
| Townhouses/Twins | | | | | | |
| Apartments | | 79 | | N | | |
| Commercial | | | | | | |
| Industrial | | | | | | |
| Office | | | | | | |
| Institutional | | | | | | |
| Other | | | | | | |

^{*}Only indicate Open Space if it will be on a separate lot or deed restricted with an easement shown on the plan.

Additional Information:

A proposal is NOT a resubmission if A) The proposed land use changes, or B) The amount of residential units or square footage proposed changes more than 40%, or C) The previous submission was over 5 years ago.

BOROUGH OF CONSHOHOCKEN MONTGOMERY COUNTY, PENNSYLVANIA

ALL PLANS SHOULD CONFORM TO THE FOLLOWING:

[Section 22-304.A]

- 1. Plan is clearly and legibly drawn.
- Plan scale does not exceed one (1) inch equals fifty (50) feet (sites >5 Acres may be drawn 1:100).
- 3. Dimensions are in feet and decimals and bearings in degrees, minutes and seconds.
- 4. Sheet size shall be 15" x 18", 18" x 30", 24" X 36" or 30"x42".
- 5. A key map has been provided when there are two or more sheets.

[Section 22-304.B]

- Name and address of the subdivider or developer and the registered engineer or surveyor.
- Subdivision/development name, location in terms of significant bounding roads, and name of municipality.
- 8. The date of preparation (or revision) of the plan, scale and north point.
- 9. Entire tract boundary with bearings and distances and a statement of the tract size.
- 10. Layout and dimensions of all lots and the net lot area of each parcel.
- 11. Floor Area and/or gross leasable area of each existing/proposed building, as applicable.
- 12. A key map relating the subdivision to at least three (3) intersecting streets.
- 13. A legend sufficient to indicate clearly between existing and proposed conditions.
- 14. A schedule of all zoning requirements and classifications.
- 15. A list of all requested/obtained variances, waivers or special exceptions.

[Section 22-410.5]

- 16. Narrative/description of the project
- 17. All bodies of water
- 18. All physical features
- 19. All underground utilities
- 20. Proposed change to land surface and vegetative cover
- 21. Areas to be cut and filled
- 22. Stormwater management controls and maintenance program during construction
- 23. Stormwater management controls and maintenance program after construction
- 24. Easements
- 25. Expected project schedule

| Address the following to determine which application to submit: | | |
|--|----------------|------------|
| [Section 22-305,A] | Yes | No |
| 1. There are less than three (3) lots. | <u>X</u> _ | _ |
| 2. There is only one residential building with less than five (5) dwelling units. | | <u>X</u> _ |
| 3. The property has not been part of a subdivision or land development submitted within the past three (3) years. | Х | _ |
| 4. The property fronts on a physically improved street that is legally open to the pu | blic. <u>X</u> | _ |
| 5. The project will not involve the construction of any new street or road, the extension of municipal facilities or the creation of any other public improvements. | <u>X</u> _ | |
| 6. The project will not require a variance(s) from the Borough Zoning Ordinance for no more than one of the proposed lots on which new construction will occur or may occur in the future. | Х | - |
| 7 The project is in general conformance with the Borough Master Plan and other plan | ans. X | |

If ALL responses were YES, please file a MINOR subdivision and/or land development application. If ANY response was NO, please file a MAJOR subdivision and/or land development application.



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR Yaniy Aronson

BOROUGH COUNCIL

Colleen Leonard, President
Tina Sokolowski, Vice-President
Anita Barton, Member
Stacy Ellam, Member
Kathleen Kingsley, Member
Adrian Serna, Member
Karen Tutino, Member

Stephanie Cecco Borough Manager

March 21, 2022

VIA CERTIFIED AND REGULAR MAIL

Apex Design & Engineering Group Michael Bowker, P.E. 1000 Conshohocken Road, Suite 202 Conshohocken, PA 19428 Millennium Waterfront Association, LP 201 King of Prussia Road, Suite 501 Radnor, PA 19087

RE:

Millennium Unit 1 - Apartments Preliminary Land Development Plans

Dear Mr. Bowker and Applicant,

Millennium Waterfront Association, LP submitted a land development application to the Borough of Conshohocken on March 8, 2022. The applicant is proposing to construct a 79-unit residential building on the property located between 20 Ash Street and 225 Washington Street.

Upon receipt, the application was reviewed administratively for accuracy and completeness. The application has been rejected on the basis that residential uses are not a permitted use in the SP-2 district in which this property is located. The section of the application relating to zoning was completed incorrectly. Because the application was administratively rejected for this threshold issue, the Borough reserves the right to identify additional deficiencies in the application materials, should the threshold issue be addressed through requisite zoning relief.

The Borough's plan processing requirements at Part 3 of the Borough's Subdivision and Land Development Ordinance require that zoning issues related to a proposed project must be addressed prior to submission of an application for subdivision/land development. This includes, specifically, the requirement that the applicant submit evidence that all zoning variances required have been granted (SALDO §22-308.H) and further specifically requires that all applications must comply with the zoning ordinance's use provisions "prior to submission for consideration" (SALDO §22-308.I).

Under the SALDO, including the above requirements, this use issue must be addressed before the application may be accepted. Please note that the Borough Solicitor contacted applicant's engineer with the above-issue via e-mail on March 16, 2022, and received no response.

Sincerely,

Brittany Rogers

Executive Assistant to the Borough Manager

Parcel

 TaxMapID
 05018 031

 Parid
 05-00-11856-13-6

Land Use Code 4345

Land Use Description C - COMMERCIAL CONDO

Property Location WASHINGTON ST CONDO I

Lot #

Lot Size 50185 SF

Front Feet

Municipality CONSHOHOCKEN
School District COLONIAL
Utilities ALL PUBLIC//

Owner

Name(s) MILLENNIUM WATERFRONT ASSOCIATES II LP

I

Name(s)

Mailing Address 201 KING OF PRUSSIA RD STE 501

Care Of

Mailing Address

Mailing Address RADNOR PA 19087

Current Assessment

Appraised Value Assessed Value Restrict Code

61,230 61,230

Estimated Taxes

County 240
Montco Community College 24
Municipality 276
School District 1,469
Total 240

Tax Lien Tax Claim Bureau Parcel Search

Last Sale

 Sale Date
 30-JUN-15

 Sale Price
 \$1

 Tax Stamps
 1089

 Deed Book and Page
 5962-01783

Granter WASHINGTON STREET ASSOCIATES VI LP

Grantee MILLENNIUM WATERFRONT ASSOCIATES II LP

Date Recorded 21-JUL-15

Sales History

Date Recorded Grantee Grantor Sale Price Tax Stamps Deed Book and Page Sale Date MILLENNIUM WATERFRONT ASSOCIATES II LP 07-21-2015 WASHINGTON STREET ASSOCIATES VI LP 1089 5962-01783 06-30-2015 \$1 10-12-2007 WASHINGTON STREET ASSOCIATES VI LP WASHINGTON STREET ASSOCIATES IV LP 5668-01146 1206 09-28-2007 \$1

Lot Information

Lot Size

Lot #

Remarks

Remarks

Remarks

50185 SF

Ι

Commercial Parcel Summary

No. of Cards

1

Land Use Code

4345

Gross Building Area (Total of all Cards)

Total Living Units

Assessment History

Appraised Value

Assessed Value

Restrict Code

Effective Date

Reason

Notice Date

05-OCT-07

61,230

61,230

01-MAY-07

SUBDIVISION

.5 00. 0.





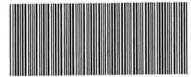
RECORDER OF DEEDS MONTGOMERY COUNTY Nancy J. Becker

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 01783 to 01790.1

INSTRUMENT #: 2015053693

RECORDED DATE: 07/21/2015 10:22:35 AM



3223325-0007K

MONTGOMERY COUNTY ROD

| | MOMIGORICKI | COUNTY KOD |
|---------------------------|-------------------------|--------------------|
| OFFICI | AL RECORDING COVER PAGE | Page 1 of 9 |
| Document Type: Deed | Transaction #: | 3232522 - 2 Doc(s) |
| Document Date: 06/30/2015 | Document Page Count: | 7 |
| Reference Info: | Operator Id: | dawhitner |
| RETURN TO: (Mail) | PAID BY: | |
| LAND SERVICES USA, INC | LAND SERVICES USA INC | |

* PROPERTY DATA:

1835 MARKET ST SUITE 420 PHILADELPHIA, PA 19103

| Parcel ID #: | 05-00-11856-0 |
|--------------|---------------|
| Address: | WASHINGTON |

PA

Conshohocken Borough

Conshohocken Borough

(0%)

School District:

Municipality:

(100%) Colonial (0%) Colonial

* ASSOCIATED DOCUMENT(S):

| CONSIDERATION/SECURED AMT: | \$1.00 | DEED BK 5962 PG 01783 to 01790.1 | |
|---|--|--|--|
| TAXABLE AMOUNT: | \$108,989.40 | Recorded Date: 07/21/2015 10:22:35 AM | |
| FEES / TAXES: Recording Fee:Deed Affidavit Fee Additional Pages Fee Additional Parcels Fee Affordable Housing Pages Affordable Housing Parcels State RTT Conshohocken Borough RTT Colonial School District RTT Rejected Document Fee Total: | \$95.00 \$1.50 \$6.00 \$15.00 \$12.00 \$1.00 \$1,089.89 \$544.94 \$544.95 \$10.00 \$2,320.28 | I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania. 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.

Prepared By:

RECORDED OF DEEDS MONTGOMERY COUNTY

2015 JUL -8 A 9:56

Campbell Rocco Law, LLC 2701 Renaissance Boulevard Fourth Floor King of Prussia, PA 19406 Attn: Joseph D. Rocco (610) 205-1594

Return to: Land Services USA, Inc. 1 South Church Street, Suite 300 West Chester, PA 19382

MONTGOMERY COUNTY COMMISSIONERS REGISTRY 05-00-11856-00-1 CONSHOHOCKEN **WASHINGTON ST** \$15.00 WASHINGTON STREET ASSOCIATES II LP IU B 018 U 011 L 4346 DATE: 07/21/2015

MONTGOMERY COUNTY COMMISSIONERS REGISTRY 05-00-11856-13-6 CONSHOHOCKEN **WASHINGTON ST I** WASHINGTON STREET ASSOCIATES VI LP

\$15.00 B 018 U 031 LI 4345 DATE: 07/21/2015 JU

Millennium, a Condominium, Borough of Conshohocken, Pennsylvania Montgomery County Tax Parcel Numbers:

Tax ID / Parcel No. 05-00-11856-13-6 (UNIT I) Tax ID / Parcel No. 05-00-11856-00-1 (COMMON ELEMENTS)

SPECIAL WARRANTY DEED

THIS INDENTURE is made this 30th day of June 2015, with an effective date of July 2, 2015, by and between WASHINGTON STREET ASSOCIATES VI ASSOCIATES, L.P., a Pennsylvania limited partnership (hereinaster called the "Grantor"), of the one part, and MILLENNIUM WATERFRONT ASSOCIATES, II L.P., a Pennsylvania limited partnership (hereinafter called the "Grantee"), of the other part,

WITNESSETH, that the said Grantor for and in consideration of the sum of ONE DOLLAR (\$1.00) lawful money of the United States of America, unto it well and truly paid by the said Grantee at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, released and confirmed and by these presents does grant, bargain and sell, release and confirm unto the said Grantee and its successors and assigns:

THAT CERTAIN UNIT, being Unit I (Parcel No. 05-00-11856-13-6) together with such Unit's proportionate undivided interest in the Common Elements (as defined in the Declaration) in the property known, named and identified as Millennium, a Condominium (the "Condominium"), located in the Borough of Conshohocken, County of Montgomery, Commonwealth of Pennsylvania, which has heretofore been submitted to the provisions of the Uniform Condominium Act (68 PA C.S 3101 et seq.) by the recording in the Montgomery County Recorder of Deeds (the "Recording Office") of an Amended and Restated Declaration of Condominium of Millennium, a Condominium (the "Amended Declaration") dated April 2, 2007 and recorded April 11, 2007 in Deed Book 5642, page 1661, et seq., as amended by that certain First Amendment to Amended and Restated Declaration of Condominium of Millennium, a Condominium (the "First Amendment") dated September 28, 2007 and recorded October 9, 2007 in the Recording Office in Deed Book 5667, page 2249, et seq., that certain Second Amendment to Amended and Restated Declaration of Condominium of Millennium, a Condominium (the "Second Amendment") dated February 25, 2008 and recorded in the Recording Office in Deed Book 5691, page 2492, et seq. and that certain Third Amendment to Amended and Restated Declaration of Condominium of Millennium, a Condominium (the "Third Amendment") dated June 23, 2011 and recorded in the Recording Office in Deed Book 5805, Page 1514, et seq. (collectively, the "Declaration"), all as more particularly described as set forth on Exhibit A hereof:

BEING the same premises which Washington Street Associates IV, L.P., a Pennsylvania limited partnership conveyed unto Washington Street Associates VI, L.P., a Pennsylvania limited partnership, by Special Warranty Deed dated 9/28/2007 and recorded 10/12/2007 with the Recorder of Deeds, Montgomery County in Deed Book 5668 Page 01146 et seq.

PURSUANT to Section 304(m) of the Pennsylvania Land Recycling and Environmental Remediation Standards Act ("Act 2"), 35 P.S. § 6026.304(m), and to the extent applicable, Section 405 of the Pennsylvania Hazardous Sites Cleanup Act, 35 P.S. §§ 6018.405, notice is hereby provided that concentrations of lead, several individual polycyclic aromatic hydrocarbons ("PAHs") and volatile organic compounds ("VOCs") were detected in certain soil samples collected from the Site in concentrations above the Act 2 residential Statewide Health Standards ("SHSs"). One groundwater sample from an upgradient groundwater monitoring well detected concentrations of benzene and napthalene above the residential SHSs for used aquifers, although exceedances for these constituents were not identified in downgradient wells at the Site. Notwithstanding the above-described constituents, the Site was determined to meet the Act 2 Special Industrial Area ("SIA") standard by the Pennsylvania Department of Environmental Protection ("DEP"). Additional information regarding the environmental conditions of the Site may be found in the following reports, which are on file with and may be viewed at DEP Southeast Regional Office, 2 East Main Street, Norristown, PA 19401, telephone number (484) 250-5900: September 2000 Baseline Environmental Report prepared by Oxford Engineers & Consultants, Inc. ("Oxford"); March 2001 First Supplement to Baseline Environmental Report prepared by Oxford, and the SIA Consent Order & Agreement dated January 11, 2002 executed between Washington Street Associates II, L.P., and DEP. In addition, a Second Supplement to Baseline Environmental Report was prepared by Roux Associated dated January 21, 2005 and was submitted to DEP, intending to demonstrate that the Site has also demonstrated attainment with a residential Act 2 remediation standard. DEP approved this Second Supplement by letter dated March 28, 2005, concluding that the Site meets a residential Act 2 Site Specific Remediation Standard.

In connection with the Act 2 approval, the following use restrictions shall apply to the Site:

Until such time as a party demonstrates attainment with an unrestricted use remediation standard for the above-described contaminants at the Site in accordance with the requirements of Act 2, as evidenced by DEP's approval of a Final Report demonstrating attainment with such unrestricted use standards, no person shall be permitted to excavate or otherwise disturb building foundations, pavement, or topsoil in landscaped areas, which comprise a cap to prevent Site residents from having direct contact with underlying impacted soils. This prohibition shall not apply to the following: (1) routine installation of landscaping; (2) utility installation or repair work; or (3) similar disturbances of landscaped areas provided that the capping material in these areas is replaced immediately upon the completion of the activity. This prohibition also shall not apply to non-routine construction, maintenance, or repair activities that disturb the Site cap provided that (1) at all times access to the disturbed area is limited to non-residential personnel involved in such construction, maintenance or repair activities, and (2) the capping material in the disturbed areas is replaced immediately upon completion of the construction, maintenance, or repair activities. Furthermore, groundwater use at the Site shall be restricted, and prior to being utilized in the future, will be evaluated in accordance with the requirements of Act 2 to confirm that it does not pose an unacceptable risk to human health.

The current Grantee of the Site shall periodically inspect and maintain the cap to ensure that underlying soils at the Site are not exposed to residential Site occupants.

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 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 him, the said Grantor, 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 messuage or tenement thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, to and for the only proper use and behoof of the said Grantee, its successors and assigns forever.

AND the said Grantor, for itself, and its successors and assigns does covenant, promise, grant and agree, to and with the said Grantee, its successors and assigns, by these presents, that it, the said Grantor and its successors and assigns, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, against it, the said

Grantor and its successors and assigns, and against all and every person or persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it, him, her, them or any of them, shall and will, subject to the notice set forth in the following paragraph, WARRANT and forever DEFEND.

[Signatures appear on the following page.]

IN WITNESS WHEREOF, the Grantor has caused this Indenture to be duly executed on the day and year first above written.

WASHINGTON STREET ASSOCIATES VI, LP, a Pennsylvania limited partnership

By: WASHINGTON STREET ASSOCIATES VI ACQUISITION CORPORATION, a Pennsylvania corporation, its general partner

By:

Name: J. Brian O'Neill Title: Vice President

Grantee Address:

Millennium Waterfront Associates, II L.P. 2701 Renaissance Boulevard, 4th Floor King of Prussia, PA 19406

On behalf of Grantee

STATE OF PENNSYLVANIA :ss. **COUNTY OF MONTGOMERY** On this, the 3th day of 1hm

me, a Notary Public in and for the Commonwealth of Pennsylvania, personally appeared J. Brian O'Neill, known to me (or satisfactorily proven) to be the Vice President of WASHINGTON STREET ASSOCIATES VI ACQUISITION CORPORATION, a Pennsylvania corporation, the general partner of WASHINGTON STREET ASSOCIATES VI, LP, a Pennsylvania limited partnership, and as such Vice President, he acknowledged that he executed the foregoing instrument for the Grantor as Vice President.

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

My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA Notarial Seal

Annmarie Weisenberger, Notary Public Swarthmore Boro, Delaware County My Commission Expires Sept. 4, 2017

MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

EXHIBIT A LEGAL DESCRIPTION

Unit I

ALL THAT CERTAIN UNIT in the property known, named and identified as Millennium, a Condominium, located in Borough of Conshohocken, County of Montgomery, Commonwealth of Pennsylvania, which has heretofore been submitted to the provisions of the Uniform Condominium Act 68 PA C.S. 3101 et seq by the recording in the Montgomery County Recorder of Deeds of an Amended and Restated Declaration of Condominium thereto recorded in Deed Book 5642 page 1661 and the First Amendment to Amended and Restated Declaration of Condominium as in Deed Book 5667 Page 2249 and the Second Amendment to Amended and Restated Declaration of Condominium as in Deed Book 5691 Page 2492 and the Third Amendment to Amended and Restated Declaration of Condominium as in Deed Book 5805 Page 1514, being and designated as Unit I together with a proportionate undivided interest in the Common Elements (as defined in such Amended and Restated Declaration as 13.5%).

BEING Parcel Number: 05-00-11856-13-6

BEING the same premises which Washington Street Associates IV, L.P., a Pennsylvania limited partnership by Deed dated 09/28/2007 and recorded 10/12/2007 in Montgomery County in Deed Book 5668 Page 1146 conveyed unto Washington Street Associates VI, L.P., a Pennsylvania limited partnership, in fee.



Bureau of Individual Taxes PO BOX 280603 Harrisburg, PA 17128-0603

REALTY TRANSFER TAX STATEMENT OF VALUE

See reverse for instructions.

| RECO | RDER'S USE ONLY |
|----------------|-----------------|
| State Tax Paid | 1089.89 |
| Book Number | 5962 |
| Page Number | 1783 |
| Date Recorded | 3 71-15 |

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) the deed is without consideration or by gift, or (3) a tax exemption is claimed. If more space is needed, please attach additional sheets. A Statement of Value (SOV) is not required if the transfer is wholly exempt from tax based on family relationship or public utility easement. However, it is recommended that a SOV accompany all documents filed for recording.

| A. CORRESPONDENT - All | inquiries ma | ay be direct | ed to the following p | erson: | T= | 717011 | |
|---|-----------------|---|--|------------------------|---------------------|----------------|--|
| Name Campbell Rocco Law, LLC | | | Telephone Number: (610) 205-1594 | | | | |
| Mailing Address | | | City | | State | ZIP Code | |
| 2701 Renaissance Boulevard, 4th | Floor | | King of Prussia | | PA | 19406 | |
| B. TRANSFER DATA | | | | | | | |
| Date of Acceptance of Document 07 | /01/2015 | | | | | | |
| Grantor(s)/Lessor(s) | | one Number: | : Grantee(s)/Lessee(s) Telephone Numi | | ne Number: | | |
| Washington Street Associates IV, | L.P. | | Millennium Waterfro | ont Associates, L.P. | | | |
| Mailing Address | | | Mailing Address | | | | |
| 2701 Renaissance Boulevard, 4th | Floor | | 2701 Renaissance | Boulevard, 4th Floo | | //ACTION 25 | |
| City | State | ZIP Code | City | | State | ZIP Code | |
| King of Prussia | PA | 19406 | King of Prussia | | PA | 19406 | |
| C. REAL ESTATE LOCATIO | N | | | | | | |
| Street Address | | | City, Township, Borough | | | | |
| Millennium Condominium, Unit I | I Cabarat | District | Borough of Consho | Tax Parcel Number | | | |
| County | Color | District | | | 6 EAN 05-00-11856-C | | |
| Montgomery | 7 00101 | IIai | | 00 00 11000 15 | - · · · · · | 3 W 11034 C | |
| D. VALUATION DATA | | | | | | | |
| Was transaction part of an assignment | | r Consideration | | 3. Total Consideration | | | |
| 1. Actual Cash Consideration | +0.0 | | 1 | = 1.00 | • | | |
| 1.00 4. County Assessed Value | | mon Level Rati | io Factor | 6. Computed Value | | | |
| 61,230.00 | x 1.7 | | o rustor | = 108,989.40 | | | |
| E. EXEMPTION DATA - Ref | | | remntion status | <u> </u> | | | |
| 1a. Amount of Exemption Claimed | | | | 1c. Percentage of Gra | ntor's Int | erest Conveyed | |
| \$ 0.00 | | 1b. Percentage of Grantor's Interest in Real Estate 1c. Percent 100.00 % 100.00 | | | % | | |
| 2. Check Appropriate Box Be | low for Exe | mption Cla | imed. | · | | | |
| ☐ Will or intestate succession. | | | | | | | |
| | | | (Name of Decedent) | | Estate File | Number) | |
| ☐ Transfer to a trust. (Attach co | | | ment identifying all bene | ficiaries.) | | | |
| ☐ Transfer from a trust. Date of | | | | | | | |
| If trust was amended attach | | | | | | | |
| Transfer between principal ar | nd agent/straw | party. (Attac | h complete copy of agen | cy/straw party agree | ement.) | | |
| Transfers to the commonwea tion. (If condemnation or in I | ieu of condem | nation, attach | copy of resolution.) | | | | |
| ☐ Transfer from mortgagor to a | holder of a m | ortgage in de | fault. (Attach copy of mo | ortgage and note/ass | signment | .) | |
| ☐ Corrective or confirmatory de | ed. (Attach co | mplete copy | of the deed to be correct | ed or confirmed.) | | | |
| ☐ Statutory corporate consolida | ition, merger o | or division. (A | ttach copy of articles.) | | | | |
| Other (Please explain exempt | tion claimed.) | | | | | | |
| | | | | | | | |
| Under penalties of law, I declare to the best of my knowledge an | e that I have | examined true, corre | this statement, includ | ing accompanying | inform | ation, and | |
| | a belief it is | , | The state of the s | | | | |
| Signature of Correspondent or Responsib | | 11.00,0011.0 | | | Date | | |

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH REQUESTED DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.



BOROUGH OF CONSHOHOCKEN

Zoning Administration

MAYOR

Yaniv Aronson

BOROUGH COUNCIL

Colleen Leonard, President Tina Sokolowski, Vice-President Anita Barton, Member Stacy Ellam, Member Kathleen Kingsley, Member Adrian Serna, Member Karen Tutino, Member

> Stephanie Cecco Borough Manager

ZONING NOTICE MAY 15, 2023, ZONING HEARING BOARD MEETING

ZONING HEARING Z-2023-06

NOTICE IS HEREBY GIVEN that the Conshohocken Zoning Hearing Board will conduct a public hearing on May 15, 2023, at 7:00 p.m. prevailing time. The meeting will be held at Borough Hall, located at 400 Fayette Street, Conshohocken, PA 19428.

At this time, the Conshohocken Zoning Hearing Board will hear testimony and accept evidence on the following petition:

PETITIONER: Anthony Hutnyk

543 Colwell Lane, Conshohocken, PA 19428

PREMISES INVOLVED: 543 Colwell Lane

Conshohocken, PA 19428

BR-1 - Borough Residential District 1

OWNER OF RECORD: Anthony Hutnyk

543 Colwell Lane, Conshohocken, PA 19428

The petitioner is seeking a variance from Section 27-1007.1 of the Conshohocken Zoning Ordinance to allow for a 432 SF off-street parking area to be located in the front yard of the property where off-street parking spaces located between the front wall of the principal structure and the curb of the street toward which that wall is oriented in the BR-1 District is not permitted.

Interested parties are invited to participate in the hearing. Anyone requiring special accommodations to attend should contact the Conshohocken Borough Administration Office at 610-828-1092 or zoning@conshohockenpa.gov as soon as possible for arrangements.

If you have questions regarding the above prior to the meeting, please contact the Borough at zoning@conshohockenpa.gov.

Thank you, Zoning Hearing Board



BOROUGH OF CONSHOHOCKEN 400 Fayette Street, Suite 200, Conshohocken, PA 19428 Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

| | | Application: Z-2023-0 |
|----|--|------------------------------------|
| 1. | Application is hereby made for: | Date Submitted: $\frac{4/13/23}{}$ |
| | Special Exception Variance | Date Received: 4/14/23 |
| | Appeal of the decision of the zoning officer | |
| | | |
| | Conditional Use approval Interpretation of the Zon | ing Ordinance |
| | Other | |
| 2. | Section of the Zoning Ordinance from which relief is request Zoning Code Section 27-1007.1 | red: |
| 3. | Address of the property, which is the subject of the applicati | on: |
| | 543 Colwell Lane | |
| 4. | Applicant's Name: Anthony Hutnyk | |
| | Address: 543 Colwell Lane | |
| | Phone Number (daytime): 215 630 5784 | |
| | E-mail Address: anthony.hutnyk@gmail.com | |
| 5. | Applicant is (check one): Legal Owner Equitable Owner | ; Tenant |
| 6. | Property Owner: Anthony Hutnyk | |
| | Address: 543 Colwell Lane | |
| | Phone Number: 215 630 5784 | |
| | E-mail Address: anthony.hutnyk@gmail.com | |
| 7. | Lot Dimensions: 91' L x 25' W Zoning District: BF | R-1 zoning district |

| 8. | Has there been previous zoning relief requested in connection with this Property? |
|-----|---|
| | Yes No ✓ If yes, please describe. |
| | N/A |
| | |
| | |
| 9. | Please describe the present use of the property including any existing improvements and the dimensions of any structures on the property. |
| | This is a single family twin located at 543 Colwell Lane. The request is to implement a variance that will allow a driveway to be installed at the front of the house and my portion of the current shared driveway to have the blacktop removed and grass installed. |
| | The overall size of my lot is approximately 91 feet long by 25 feet wide. The only structure (home) is 36 feet by 18 feet. No additional structures are being proposed. |
| | |
| | |
| | |
| | |
| 10. | Please describe the proposed use of the property. |
| | Single family twin with a driveway that is NOT shared. The proposal requests an exclusive driveway located at the front of the home for residents and guests of 543 Colwell Lane. |
| | |
| | |
| | |
| 11. | Please describe proposal and improvements to the property in detail. |
| | Single family twin with a shared driveway. I am proposing the following: |
| | Remove blacktop from rear of property (21 feet by 12 feet) and replace with grass Install a front driveway (27 feet by 16 feet) and apron a the front of property (facing Colwell) Move the solar light approximately 10 feet toward sixth avenue |
| | |

12. Please describe the reasons the Applicant believes that the requested relief should be granted.

There have been documented incidents where vehicles have been parked in a manner that prohibited me leaving the property. Vehicles have blocked the egress, with no way of knowing where the owner of said vehicle was located. This issue is with both commercial (UPS, appliance deliveries, movers, construction, etc) and private vehicles. Pictures of vehicles blocking the driveway are attached to this submission.

Furthermore, the borough has made exceptions for a driveway in the front of the home recently. Homes with the following addresses have had driveways installed within the last 4 years: 444 West 6th Avenue 445 West 6th Avenue

This will not impact street parking as street parking is prohibited on this portion of Colwell Lane.

- 13. If a <u>Variance</u> is being requested, please describe the following:
 - a. The unique characteristics of the property: Currently the property has a shared driveway and the proposal is to allow a driveway at the front of 543 Colwell Lane.
 - b. How the Zoning Ordinance unreasonably restricts development of the property: There is a restriction (Zoning Code Section 27-1007.1 in zoning district BR-1) that does not allow a driveway to be added to the front of the home. I am proposing this variance to allow a driveway since there are homes in the borough that have had driveways installed in the front of the home within the last fours and withing several hundred feet within my home.
 - c. How the proposal is consistent with the character of the surrounding neighborhood.

 My neighbors at 541 Colwell Lane have a driveway that allows egress to Colwell Lane. The following new homes have also received an exception: 444 West 6th Avenue and 445 West 6th Avenue.
 - d. Why the requested relief is the minimum required to reasonably use the property; and why the proposal could not be less than what is proposed.

 This variance will relive other vehicles from blocking residents and guests at 543 Colwell Lane from leaving entering the property. This will also allow a seamless egress experience in an emergency.
- 14. The following section should be completed if the applicant is contesting the determination of the zoning officer.
 - a. Please indicate the section of the zoning ordinance that is the subject of the zoning officer's decision (attach any written correspondence relating to the determination).

Zoning Code Section 27-1007.1 (BR-1 zoning district)

| b. Please explain in detail the reasons why you disagree with the zoning officer's determination. |
|---|
| My neighbors at 541 Colwell Lane have a driveway that allows egress to Colwell Lane. The following new homes have also received an exception: 444 West 6th Avenue and 445 West 6th Avenue. |
| There is no impact to street/public parking as there is no street/public parking on this portion of Colwell Lane. |
| Vehicles have blocked the egress, with no way of knowing where the owner of said vehicle was located. This issue is with both commercial (UPS, appliance deliveries, movers, construction, etc) and private vehicles. |
| If the Applicant is requesting any other type of relief, please complete the following section. |
| a. Type of relief that is being requested by the applicant. N/A |
| |
| |
| b. Please indicate the section of the Zoning Ordinance related to the relief being requested. |
| N/A |
| c. Please describe in detail the reasons why the requested relief should be granted. |
| N/A |
| |
| |
| |
| |
| |
| If the applicant is being represented by an attorney, please provide the following information. |
| a. Attorney's Name: Name: Name: |
| b. Address: N/A |
| c. Phone Number: N/A |

15.

16.

d. E-mail Address: N/A

this Zoning Application and any papers or plans submitted with this application to the Borough of Conshohocken are true and correct. COMMONWEALTH OF PENNSYLVANIA COUNTY OF MONTGOMERY As subscribed and sworn to before me this _ day of (Seal) Commonwealth of Pennsylvania - Notary Seal Robin D. Adler, Notary Public Montgomery County

My commission expires July 23, 2025 Commission number 1064476 Member, Pennsylvania Association of Notaries

I/we hereby certify that to the best of my knowledge, all of the above statements contained in

Months of the bury sent to bury



BOROUGH OF CONSHOHOCKEN 400 Fayette Street, Suite 200, Conshohocken, PA 19428 Phone (610) 828-1092 Fax (610) 828-0920

Decision

| | (For E | Borough Use Only) | | |
|--|---------------|--------------------|----|--|
| Application Granted | | Application Denied | | |
| MOTION: | | | | |
| | | | | |
| | | | | |
| CONDITIONS: | | | | |
| | | | | |
| | | | | |
| BY ORDER OF THE Z | ONING HEARING | G BOARD | | |
| | | Yes | No | |
| | | | | |
| | | | | |
| | | | | |
| Sec. 1938 (1938) 231 - 111 - 111 - 119 - 119 - 119 - 119 - 119 - 119 - 119 - 119 - 119 - 119 - 119 - 119 - 119 | | | | |
| | | | | |
| D. (TE OF C | | | | |
| DATE OF ORDER: | | | | |

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 5714 PG 00952 to 00956

INSTRUMENT #: 2008111202

RECORDED DATE: 11/17/2008 03:37:19 PM



0400288-0015L

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE Transaction #:

Long And Foster Settlement Services

Document Page Count:

92 Lancaster Ave Suite 250

Operator Id:

SUBMITTED BY:

Devon, PA 19333

(610) 225-6050

Document Type: Deed **Document Date:** 10/31/2008

Reference Info:

RETURN TO: (Simplifile)

Long And Foster Settlement Services

92 Lancaster Ave Suite 250

Devon, PA 19333 (610) 225-6050

* PROPERTY DATA:

Parcel ID #: 05-00-00118-10-2 Address: 543 COLWELL LN

> PA 19428

Conshohocken Borough Municipality:

School District: Colonial

* ASSOCIATED DOCUMENT(S):

CONSIDERATION/SECURED ANT: \$284,000.00 **TAXABLE AMOUNT:** \$284,000.00

FEES / TAXES:

Recording Fee:Deed \$46.50 State RTT \$2,840.00 Conshohocken Borough RTT \$1,420.00 Colonial School District RTT \$1,420.00 Total: \$5,726.50 DEED BK 5714 PG 00952 to 00956

Recorded Date: 11/17/2008 03:37:19 PM

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



Page 1 of 5

309498 - 2 Doc(s)

tbutler

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. Fee Simple Deed

Prepared By:

Long and Foster Settlement Services, LLC

92 Lancaster Avenue, Suite 250

Devon, PA 19333

(215)489-9400

LFS08-8109PA (| 2

Return To:

Long and Foster Settlement Services, LLC

92 Lancaster Avenue, Suite 250 Devon, PA 19333

(215)489-9400

TAX ID: 05-00-00118-10-2

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
05-00-00118-10-2 CONSHOHOCKEN BOROUGH
543 COLWELL LN
GOEWEY WILLIAM E \$5.00
B 028 L 8 U 020 1101 DATE: 11/17/2008 JG

This Indenture made the 31st day of October, 2008

Between

WILLIAM E. GOEWEY

(hereinafter called the Grantor(s), of the one part, and

ANTHONY J. HUTNYK

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

Witnesseth That the said Grantor for and in consideration of the sum of TWO HUNDRED EIGHTY FOUR THOUSAND AND 00/100(\$284,000.00) lawful money of the United States of America, unto them well and truly paid by the said Grantee(s), granted, bargained and sold, released and confirmed, and by these presents do(es) grant, bargain and sell, release and confirm unto the said Grantee(s) their heirs and assigns,

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected SITUATE in the Borough of Conshohocken, County of Montgomery, and Commonwealth of Pennsylvania, bounded and described according to a Plan of the Property of Ralph Philomeno made by Donald H. Schurr, Civil Engineer, Plymouth Meeting, Pennsylvania, 12 December 1990 and recorded 2 May 191, as follows, to wit:

BEGINNING at a point of intersection of the center line of Sixty Avenue (80 feet wide) and the Southeasterly side of Colwell Lane (60 feet wide), thence along said Southeasterly side of Colwell Lane a distance of one hundred and six and seven tenths feet to a point and place of beginning, thence South forty three degrees twenty six minutes East, through the centerline of a party wall between Lot No. 7 and Lot No. 8, a distance of eighty four and twenty six hundred feet to a point, a corner, thence South forty six degrees thirty four minutes West, along an easement for parking access, a distance of twenty three feet to a point, a corner; thence North forty three degrees twenty six minutes West a distance of eighty four and fifty two hundredths feet to a point, a corner; thence North forty seven

degrees and fifteen minutes East, along the Southeasterly side of Colwell Lane, a distance of twenty three feet to a point and place of beginning.

BEING Lot No. 8.

BEING known as 543 Colwell Lane.

BEING Parcel Number 05-00-00118-10-2

BEING the same premises which Keith P. Major and Martha R. Major, Husband and Wife, by Deed dated 11/07/2003 and recorded 11/18/2003 at Norristown in the Office for the Recorder of Deeds in and for the County of Montgomery in Deed Book 5482 page 114 granted and conveyed unto William E. Goewey, his heirs and assigns, in fee.

Together with all and singular the buildings, 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 grantor(s), 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 together 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(s), their heirs and assigns, to and for the only proper use and behoof of the said Grantee(s), their heirs and assigns forever, as first above written.

And the said Grantor(s), their heirs and assigns, executors and administrators do covenant, promise and agree, to and with the said Grantee(s), their heirs and assigns, by these presents, that the said Grantor(s) and their heirs, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee(s) their heirs and assigns, against the said Grantor(s) and their heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him, her, them, or any of them, shall and will

WARRANT and forever DEFEND.

In Witness Whereof, the party/parties of the first part have hereunto set their hand and seal. Dated the day and year first above written.

Sealed and Delivered In the presence of us.

(Seal)

(Seal)

Commonwealth of Pennsylvania

County of Montgomery

On this, the 31st day of October, 2008, before me, a Notary Public for the Commonwealth of Pennsylvania, the undersigned Officer, personally appeared WILLIAM E. GOEWEY

Known to me or satisfactorily proven to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged that he/she/they executed the same for the purposes therein contained.

I hereunto set my hand and official seal.

COMMONWEALTH OF PENNSYLVANIA

KRISTEN E. BRODY, Notary Public Tredyffrin Twp., Chester County My Commission Expires March 27, 2011

RECORDED

Borough of Com
11/5/08(cm)

After Recording Return to: Long and Foster Settlement Services, LLC 92 Lancaster Ave., Ste 250 Devon, PA 19333 LFS08-8109PA

GRANTOR(S):

William E. Goewey

GRANTEE(S):

Anthony J. Hutnyk

FOLIO/PARCE

05-00-00118-10-2

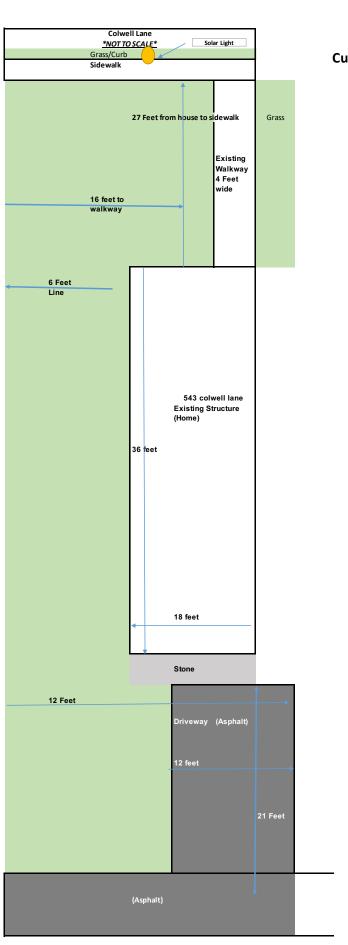
PREMISES: 543 Colwell Lane Conshohocken, PA 19428

MAIL TAX BILLS TO:

I HEREBY CERTIFY THE ADDRESS OF THE GRANTEE is as follows:

543 Colwell Lane Conshohocken, PA 19428

Title:

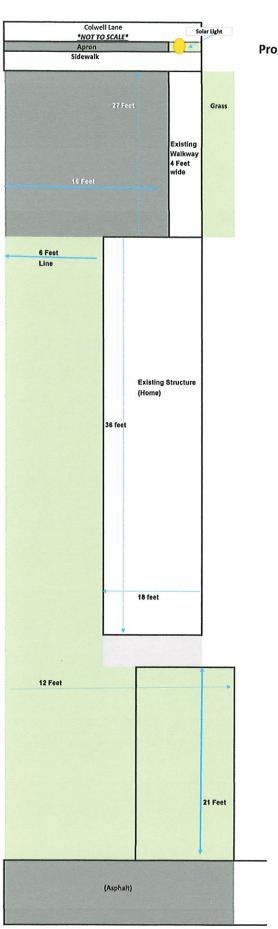


543 Colwell Lane Current Property Outline









543 Colwell Lane Proposed Property Outline

Signature of Owner

Revised 10/2022

| ZONING PERMIT APPLICATION | Permit# 23-0025 | | | | |
|--|---|--|--|--|--|
| For Zoning Use Only Present Zoning District: BR-1 Lot Size: 1,932SF Proposed Zoning Use: Lot Size: Approved or Disapproved Conditions: | | | | | |
| Date proposed work was reviewed by zoning: 04 106 123 Has the Zoning Board of Conshohocken issued a special exception, variance, or other ruling concerning this proposed work or zoning classification? | Receipt # | | | | |
| work or zoning classification? Let 27-1007-1, a parking area located in the front yard of the property is not permitted. | Date Permit Issued: Issued By | | | | |
| TYPE OF ZONING PERMIT | | | | | |
| ** ALL CHANGES TO IMPERVIOUS COVERAGE REQUIR Accessory Structure (must be less than 200 square feet) Driveway / off -street parking Size 16 x 27 | Shed Greenhouse Other Size New Driveway | | | | |
| Location of Property 543 Colwell Lane Conshohocken, PA 19428 Please provide a plot plan of your property (2 copies) Is there a written contract between the owner and the contractor? Yes Copy Must Be Attached or No | | | | | |
| Contractor's Business Name: Pudlo Paving and Concrete Inc | Property owner acting as a contractor ☐ Yes or ☐ No | | | | |
| License # or applying today - □ (please check) | Property Owner's Name: | | | | |
| Contact Person's Name: George Pudlo | Anthony Hutnyk | | | | |
| Street Address 19 Pearl Drive | Street Address 543 Colwell Lane | | | | |
| City, State & Zip Doylestown, PA 18901 | City, State & Zip Conshohocken, PA 19428 | | | | |
| E-Mail pudlopaving@gmail.com | E-Mail anthony.hutnyk@gmail.com | | | | |
| Cell Phone 267 278 2319 | Cell Phone 215 630 5784 | | | | |
| Is any Building work being undertaken? Yes OR No Contractor Is any Electrical work being undertaken? Yes OR No Contractor Is any Plumbing work being undertaken? Yes OR No Contractor Is any Mechanical work being undertaken? | r's Name N/A r's Name N/A tor's Name N/A test of my knowledge, information and belief and that these today relating to unsworn falsification to authorities. The undersigned act as agent in procuring the building permit herein requested. The | | | | |
| APPLICATION MUST BE APPROVED, PERMIT ISSUED AND I | POSTED ON JOB SITE PRIOR TO BEGINNING WORK! | | | | |
| Anthony J Hutnyk Date: 2023.03.19 (601-16-0-000) | 3/26/2023 | | | | |

Date

EXBting

Colwell Lane *NOT TO SCALE* Solar Light Grass/Curb Sidewalk 27 Feet from house to sidewalk Grass Existing Walkway 4 Feet wide 16 6 Feet Line 543 colwell lane Existing Structure (Home) 36 feet 18 feet Stone 12 Feet



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

Zoning Administration

MAYOR

Yaniv Aronson

BOROUGH COUNCIL

Colleen Leonard, President Tina Sokolowski, Vice-President Anita Barton, Member Stacy Ellam, Member Kathleen Kingsley, Member Adrian Serna, Member Karen Tutino, Member

> Stephanie Cecco Borough Manager

Date: May 2, 2023

To: Stephanie Cecco, Brittany Rogers

From: Allison A. Lee, PE

Re: 543 Colwell Lane - Zoning Determination

History of the Site:

543 Colwell Lane is an existing single-family semi-detached (twin) dwelling located within the BR-1 – Borough Residential District 1 zoning district. The 1,932 SF property was part of a subdivision and land development application in 1992 with the existing dwelling constructed in 1993. The site is fronted by Colwell Lane to the west; a shared private access drive off of West 6th Avenue and two (2) off-street parking spaces located to the rear of the property to the east; and residential properties also located within the BR-1 zoning district in all other directions.

Current Request:

Pursuant to a building permit application submission and in accordance with the zoning application, the Applicant, Anthony J. Hutnyk, is proposing to construct a new driveway apron off of Colwell Lane, and a 16 ft wide x 27 ft long (432 SF) off-street parking area located in the front lawn area adjacent the existing walkway leading to the existing dwelling. The Applicant is also proposing to remove a 12 ft wide x 21 ft long (252 SF) portion of existing asphalt pavement located to the rear of the dwelling which currently serves as an existing off-street parking space for the property and convert this portion of the site to grass lawn area. The Applicant is seeking a variance from the Conshohocken Borough Zoning Code Section §27-1007.1 to allow for an off-street parking area to be located between the front wall of the existing dwelling and the curb off of Colwell Lane.

Zoning Determination:

Per the zoning Application, the Applicant is proposing a 432 SF off-street parking area located between the front of the existing dwelling and the street and removal of 252 SF of existing off-street parking area located to the rear of the property. There will be a net increase in the impervious coverage on the site from approximately 44% to 49%, not including the off-street impervious area that is permitted to be excluded from the total impervious coverage for the site in accordance with the Conshohocken Borough's Zoning Code section §27-1005.G. The resulting impervious coverage at approximately 49% for the site will be in compliance with the maximum permitted impervious coverage of 60% within the BR-1 zoning district.

In accordance with the Conshohocken Borough Zoning Code Section §27-2002, two (2) off-street parking spaces is required for the single-family semi-detached dwelling. However, in accordance with the Conshohocken Borough Zoning Code Section §27-1007.1, there shall be no parking lots or required off-street parking spaces permitted between the front wall of a principal structure and the curb of the street toward which that wall is oriented in the BR-1 zoning district. Since the Applicant is proposing to construct a new off-street parking area located between the front wall of the existing principal dwelling and the curb of Colwell Lane, the Applicant would be required to obtain a variance from Conshohocken Borough Zoning Code Section §27-1007.1 to permit a 432 SF off-street parking area located in the front yard of the property, whereas the parking area is prohibited by the zoning code in the BR-1 zoning district.