

# **HATFIELD BOROUGH PLANNING COMMISSION**

**June 14, 2021**



**KENNETH V. FARRALL, CHAIR  
LARRY BURNS, VICE CHAIR  
JOHN KROESSER, MEMBER  
MICHELLE KROESSER, MEMBER  
LAWRENCE G. STEVENS, MEMBER**

**MICHAEL J. DEFINIS, BOROUGH MANAGER**



2. Motion to Approve the May 3, 2021  
Meeting Minutes

## PLANNING COMMISSION

May 3, 2021 7:00PM

Held via ZOOM / In-person - Registration Required

Meeting Minutes

This Meeting was Recorded

### ROLL CALL

- (X) Kenneth V. Farrall, Chair
- (X) Larry Burns, Vice Chair
- ( ) John Kroesser - arrived at 7:03PM
- (X) Michelle Kroesser
- (X) Lawrence G. Stevens

The record shows that four members of the Planning Commission were present along with Borough Manager Michael J. DeFinis, Borough Public Information Coordinator, Lindsay Hellmann, and Borough Engineer Chad Camburn from Bursich. Member John Kroesser arrived at 7:03PM.

### 1. APPROVAL OF THE AGENDA:

Motion to Approve the May 3, 2021 Planning Commission Meeting Agenda

Motion: A motion was made by Larry Burns to Approve the Agenda of May 3, 2021 Planning Commission Meeting Agenda. The motion was seconded by Larry Stevens and unanimously approved with a vote of 4-0.

### 2. APPROVAL OF THE MINUTES:

Motion to Approve the Minutes of the February 1, 2021 Planning Commission Meeting.

Motion: A motion was made by Larry Stevens to Approve the February 1, 2020 Meeting Minutes. The motion was seconded by Larry Burns. The Motion was unanimously approved with a vote of 5-0.

### 3. Bennett's Court Preliminary Land Development Presentation:

Manager DeFinis stated that the packets contain the most up-to-date set of plans (mailed), review letters, and correspondence.

Chairman Farrall stated that at your places this evening is a rendering of what the proposed townhomes will look like.

Jim D'Angelo, Bennett's Court Developer and Kris Reiss the Engineer for the Developer, presented to the Planning Commission the proposed plans for Bennett's Court.

Mr. Reiss went over the plans for the proposed development and highlighted the aerial view of the plans to show where the development would come in off of Maple Avenue. Mr. Reiss stated that it is currently four parcels, roughly 2.7 acres not counting the Paper Street, that will be combined into one lot, then subdivided into 18 townhome lots. Mr. Reiss showed the Planning Commission the improved development plans highlighting the turn-around, the 18 townhome locations, over flow parking locations, rain garden for stormwater management, and utility locations. Mr. Reiss added that this will be an HOA Community with sidewalk accessibility.

Mr. Reiss, stated that this was a brief summary of the project and opened it up to any questions.

Chairman Farrall asked about the HOA and road maintenance and it was stated that the HOA will maintain the road as it will not be dedicated to the Borough.

Chairman Farrall stated that he thought through this process it was discussed to have an emergency, or second access from the property. Where are we on that discussion? Mr. Reiss stated that that is something they are still trying to work out and provided an exhibit to discuss. A discussion ensued about the proposal.

Chairman Farrall stated that a review of all the letters isn't necessary, just focus on comments that seem to be causing issues and creating multiple comments and those related to any waiver requests. Manager DeFinis added that the Zoning Hearing Board did grant some variances already which are noted in the Engineer review letter.

Mr. Reiss discussed the quitclaim process with the Planning Commission and how the developer is pursuing the quitclaim to get access to the Paper Street which is the entrance off of Maple Avenue to the proposed development. A discussion ensued amongst the Planning Commission and Chad Camburn, the Borough Engineer, about this process.

Mr. Reiss highlighted the comments from the Borough Engineer's letter regarding the sidewalks, the mid-block cross, handicapped ramps on Maple Avenue, and a proposed three-way stop at the intersection of the development with a cross walk. Mr. Camburn added that this request for the three-way stop and cross walk should be submitted to the Borough Traffic Engineer for review as sight-lines could be an issue. Mr. Camburn then spoke in detail about the mid-block cross block due to the parking at the Lersch property. Mr. Camburn added that he and the traffic Engineer asked for an alternative proposal to avoid a mid-block crossing but doesn't have a preference on which should be used as they just wanted to see a proposal if one would make more sense than the other. Mr. Reiss added that he still believes that a mid-block cross would still have to be incorporated due to the alley, if the sidewalk was shifted to all one side, in the alternate proposal. A discussion ensued amongst the Planning Commission regarding the sidewalk proposals and the mid-block crossing and it was decided that the first proposal submitted with the plans is acceptable unless otherwise stated by the Borough Engineer or Traffic Engineer.

Mr. Reiss stated that the Borough would like a street light at the intersection of the development, do you agree? Yes. Manager DeFinis added the idea of the Solar Street Light Program for this location.

Waiver Subdivision request, for the Paper Street, E. Broad Street, Bennett's Court so the County can provide a parcel number. Chad Camburn the Borough Engineer reviewed the quitclaim process and referenced the parcel number needed by the County.

Waiver Subdivision request, to keep the existing ROW 33-foot wide not 40 feet as required in the Ordinance. Chad Camburn, Borough Engineer explained why this area, the proposed entrance to the development could only be 33 feet wide, with a 20-foot travel lane. A discussion ensued amongst the Planning Commission regarding the size of the proposed paved area and sidewalk access for the development.

Mr. Reiss discussed the requested waivers with the Planning Commission. The waivers were as follows from the March 31, 2021 letter submitted by Mr. Reiss from Boucher and James Engineering:

1. Waiver from providing a Right-of-way of 60 feet for a cul-de-sac (SALDO SECTION 408.3.B)

We are requesting a waiver from providing a 60-foot ROW. A 48-foot paved radius turnaround is provided within the easement to provide adequate room for emergency vehicles. The cul-de-sac is a private street, and the remainder of the cul-de-sac area is within the HOA open space.

2. Waiver from providing a maximum 500-foot-long cul-de-sac (SALDO SECTION 408.3.C)

We are requesting a waiver from the length requirement to exceed the 500-foot-long cul-de-sac limit with a 665-foot-long cul-de-sac. This waiver is requested due to the configuration of the existing property and the length of the cul-de-sac from the alley to the end is less than 500 feet long.

3. Waiver from providing an emergency access when required by Council (SALDO 408.3.D)

We are requesting a waiver from this requirement in the event approvals are required from the neighboring landowners.

4. Waiver to allow perpendicular parking on streets (SALDO SECTION 414.A(2))

We are requesting this waiver to allow perpendicular parking on the streets as the streets will be very limited use and traffic, as the roadway serves the townhome community only and the roadway will be similar to a parking lot aisle.

5. Waiver to provide parking within 20 feet of the property line (SALDO SECTION 414.B(2))

We are requesting this waiver to maximize the number of additional parking spaces provided for this community, as requested by the Township.

6. Waiver to not provide curb in the alley (SALDO SECTION 409.D)

A waiver is requested from the requirement to provide curb in the alley, as the alley is existing and does not contain curb. Providing curb would prohibit drainage and alter existing drainage patterns.

7. Waiver to have less than 6 inches between the back of the sidewalk and the Right-of-Way and to not provide a grass strip between the curb and sidewalk (SALDO SECTION 413.F)

A waiver is requested from the 6-inch requirement in the area with an existing right-of-way of 33 feet between properties not owned by the applicant. The right-of-way does not exist to provide this 6-inch space and still provide 4 feet of walking space. The applicant is pursuing easements to allow for the construction and continued maintenance of the sidewalk.

A waiver is requested from providing a grass strip between the curb and sidewalk due to the site constraints and type of development. The location of the driveways next to each other would be better served by a continuous concrete apron/sidewalk immediately behind the curb.

8. Waiver to provide access to a Private Street (SALDO SECTION 418.5)

In conversations with the Borough, the Borough does not wish to take ownership of the street. Therefore, this street will remain private and is the only access to the property; therefore, a waiver is requested.

9. Waiver to provide street trees more than the required minimum of 5 feet from the sidewalks (SALDO SECTION 420.1.B(2))

A waiver is requested as the required street trees are located along the proposed street as much as possible, with the remaining street trees located throughout the site.

10. Waiver from the requirement to provide street trees at specific spacing (SALDO SECTION 420.1.B(3))

This section requires street tree spacing to not be less than the minimums listed in the Ordinance, nor more than twice the minimum or 50 feet, whichever is lower. We request the waiver to permit variable tree spacing throughout the site due to limited space, driveway locations, and underground utilities.

11. Waiver from providing specific screen plants and to allow alternate plants (SALDO SECTION 421.1.C(3))

This waiver is requested to provide the following alternate screen plants: Red Chokeberry Shrubs, Inkberry Holly Shrubs, and Arrowwood Viburnum Shrubs. These shrubs are native, suitable for their purpose as buffer shrubs, and suitable for their locations throughout the site.

12. Waiver from providing pavement and right-of-way of specified widths at the intersection of Maple Avenue and the proposed Bennett's Court (SALDO SECTION 428.1B (Section 102))

This waiver is requested to provide less than the required 35-foot pavement and 20-foot right-of-way arc at the existing intersection at Maple Avenue. The existing conditions are an existing non-conforming condition. The two properties on both sides of the intersection are developed and the dwellings occupied. The intersection is limited by the existing Right-of-Ways. The paper street is being developed as a private street.

Chairman Farrall asked for any other comments from any other review letters. None were stated.

Chairman Farrall stated in regards to the waivers, its sounded like through discussion this evening, the Board would really like to see what the outcome of the emergency access would be.

Motion: A motion was made by Larry Stevens and seconded by Larry Burns to Approve these listed waivers:

- Waiver Subdivision request, to keep the existing ROW 33-foot wide not 40 feet as required in the Ordinance
- Waiver Subdivision request, for the Paper Street, E. Broad Street, Bennett's Court so the County can provide a parcel number.
- Waiver from providing a Right-of-way of 60 feet for a cul-de-sac (SALDO SECTION 408.3.B)
- Waiver from providing a maximum 500-foot-long cul-de-sac (SALDO SECTION 408.3.C)
- Waiver to allow perpendicular parking on streets (SALDO SECTION 414.A(2))
- Waiver to provide parking within 20 feet of the property line (SALDO SECTION 414.B(2))
- Waiver to not provide curb in the alley (SALDO SECTION 409.D)
- Waiver to have less than 6 inches between the back of the sidewalk and the Right-of-Way and to not provide a grass strip between the curb and sidewalk (SALDO SECTION 413.F)
- Waiver to provide access to a Private Street (SALDO SECTION 418.5)
- Waiver to provide street trees more than the required minimum of 5 feet from the sidewalks (SALDO SECTION 420.1.B(2))
- Waiver from the requirement to provide Street trees at specific spacing (SALDO SECTION 420.1.B.(3))
- Waiver from providing specific screen plants and to allow alternate plants (SALDO SECTION 421.1.C(3))
- Waiver from providing pavement and right-of-way of specified widths at the intersection of Maple Avenue and the proposed Bennett's Court (SALDO SECTION 428.1B (Section 102))



All were in favor and the motion was unanimously approved with a vote of 5-0.

Chad Camburn added that he will meet with the Developer's Engineer to address stormwater issues and the developer agreed they will take care of some of the comments from this evening along with the emergency access and listing the waivers to look for preliminary/ final approval once these items are addressed on the plans.

The Planning Commission thanked the Developer and Engineer for the presentation this evening.

#### 4. Old Business:

##### A. 43 Roosevelt Land Development Update

Manager DeFinis stated the Planning Commission should have received the latest submission for the 43 Roosevelt Land Development and they are looking to be on the June 14, 2021 Planning Commission Meeting.

##### B. Edinburgh Square Land Development Update

Manager DeFinis stated this development was issued a stop work order and need to supply the Borough with the plan on how they want to proceed as they installed water utilities in locations that were not on an approved plan. Chad Camburn added that he is aware that the developer would like to flip the driveway location as well but he has not reviewed any plans to date.

Ms. Michelle Kroesser added that the construction fence needs to be addressed as there are large openings causing safety concerns.

Manager DeFinis stated he will have Code Enforcement check it tomorrow.

#### 5. New Business:

##### A. 127 Penn Avenue Sketch Plan

Manager DeFinis informed the Planning Commission of the sketch plan of the Penn Avenue project. Manager DeFinis added that this is a single-family home being torn down and the developer would like to put four townhomes on the property. Manager DeFinis stated that this property is located next to Penn Colonial and the property owner has been made aware of this submission and had comments regarding the stormwater issues. Manager DeFinis added that some other issues were discussed such as having a HOA and nonrental properties. A discussion ensued amongst the Planning Commission about the process and feedback for the developer.

B. 2021 Meeting Dates

Manager DeFinis highlighted the 2021 Meeting Dates.

C. Codification

Manager DeFinis stated that the Borough is going through the codification process with General Code.

D. Feral Cat Ordinance / Chapter 2

Manager DeFinis informed the Planning Commission that this issue was brought up to Borough Council and that the Planning, Building, and Zoning Committee is working on having a meeting and discussing this and then will send a recommendation back to Council. Manager DeFinis highlighted the proposed Ordinance and stated that it is intended to have those who are feeding the cats, take some responsibility for those actions and the cats.

Mr. Larry Burns asked who would be responsible for the TNR (trap, neuter, release). Manager DeFinis stated that there are a few organizations who would take care of this and it was brought to the Borough's attention other municipalities who are dealing with similar issues as noted in the packets identified on the map.

Mr. John Kroesser stated we received a letter regarding one specific location for the feeding of cats in the Borough but are there others? Manager DeFinis stated Yes, Lambert Street has cats as well.

Mr. John Kroesser asked about videos of the destruction identified in the submitted letters and requested if there was footage. Manager DeFinis stated that was not submitted.

Mr. John Kroesser asked what happens when the cats are released back into the Borough after the TNR process besides stopping the offspring? Manager DeFinis stated just that.

Mr. John Kroesser asked about the policing of this Ordinance. Chairman Farrall stated that he believes this would allow the Borough to have enforcement, as the Borough could then send the Code Enforcement Officer to the property to address the issue saying they are feeding cats, which in turn, is then taking ownership, which then would require them to participate in the TNR program at their expense. A discussion ensued amongst the Planning Commission about the potential to control the issue with the Ordinance.

Mr. John Kroesser added that Mr. Fox, the resident on S. Wayne Avenue feeding the cats, has spent money and time to take care of the cats and find them homes even during the pandemic when shelters were shut down. Mr. Kroesser asked if this was really something the Borough needs to be involved in. Chairman Farrall stated that without an Ordinance, the Borough has no control over the issue with enforcement. A discussion ensued about the Ordinance and the role the Borough should have on this issue.

Mr. Larry Stevens asked if more than one resident in the Borough is feeding cats and Ms. Michelle Kroesser stated Yes, according to the Hatfield Community Page. Mr. Stevens added that not all cat feeders may be as responsible as Mr. Fox and an Ordinance could help with that issue.

After further discussion, Chairman Farrall stated to the Planning Commission to gather any comments or recommendations and be ready to talk at the next Planning Commission Meeting regarding this issue.

E. Sewer Lateral Repair Ordinance / Chapter 18

Manager DeFinis stated that this Sewer Lateral Ordinance started with Hatfield Township Municipal Authority (HTMA) and Hatfield Township and manifested from DEP. Manager DeFinis added that it would address televising private laterals for the sale of a property in the Borough. Manager DeFinis stated that the original proposed Ordinance was not taken well from both Hatfield Township and Hatfield Borough residents and was then sent to the Utilities Committee in the Borough for further review and guidance. Manager DeFinis stated that what is presented to you this evening is the draft from the Utilities Committee that is going to Borough Council on Wednesday and will be on for discussion and comments at the next Planning Commission Meeting.

Chairman Farrall asked if this was the same Ordinance the Township is looking to adopt? Manager DeFinis stated that the Township did adopt it.

6. Action Items: (acted on during Bennett's Court Preliminary Land Development Presentation)

7. Next Meeting Monday, June 14, 2021 7:00PM

8. Motion to Adjourn

Motion: A motion was made by Larry Stevens to adjourn the May 3, 2021 Planning Commission Meeting. The Motion seconded by Larry Burns and unanimously approved with a vote of 5-0.

Respectfully Submitted,

Jaime E. Snyder  
Borough Assistant Manager

### 3. 43 Roosevelt Final Land Development Presentation:



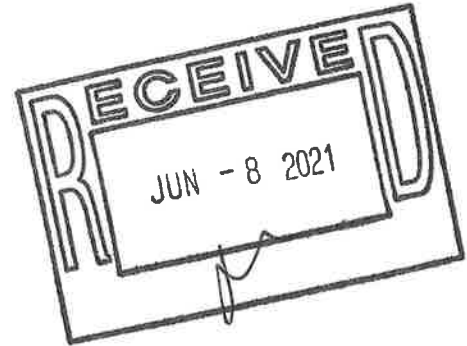
**BURSICH**  
ASSOCIATES

June 8, 2021

Hatfield Borough  
401 S. Main Street  
P.O. Box 190  
Hatfield, PA 19440

Attention: Mr. Michael J. DeFinis  
Borough Manager

RE: 43 Roosevelt Avenue  
Preliminary Subdivision Review #3  
Bursich Project No.: HAT-01 / 208148



Dear Mike:

As requested, Bursich Associates, Inc. has reviewed a Final Plan submission prepared for ABP Investment, Inc. The submission was received on April 28, 2021 and consisted of the following information prepared by Lenape Valley Engineering:

- Plan entitled "Plan of Subdivision prepared for ABP Investment, Inc., Sheets 1 – 7 of 7, with a plan origination date of 9/10/2020, and a latest revision date of 4/13/2021
- Stormwater Management Report for 43 Roosevelt Ave. prepared for ABP Investments, Inc. dated September 6 2020 with latest revision date of April 13, 2021
- Memo to the Borough of Hatfield for 43 Roosevelt Ave. dated April 13, 2012 – with responses to latest engineering review letters

Subsequent to receiving the documents listed above, we received revised plans and Stormwater Management Report last Revised June 8, 2021.

The Applicant is the record owner of a property located at 43 Roosevelt Avenue containing approximately 0.56 acres in the R-2 Residential Zoning District. The site is bound by Roosevelt Avenue to the east, Girard Terrace to the north, a twelve-foot wide alley to the south, and private property to the west. The Applicant proposes to subdivide the property into four lots consisting of two twin buildings. Construction of stormwater management BMPs are also proposed as part of the plan. An existing two-story dwelling, driveway, shed, and associated improvements are to be removed.

We offer the following for your consideration:

ENGINEERS, LAND SURVEYORS, LANDSCAPE ARCHITECTS

2129 E. High Street | Pottstown, PA 19464  
N 40° 14' 40.2" W 075° 36' 09.6"

610.323.4040  
www.bursich.com

## GRANTED WAIVERS

The granted waivers shall be added to the record plan along with the date of the Borough Council meeting.

## ZONING ORDINANCE COMMENTS

All Zoning Ordinance Comments from our previous letters have been adequately addressed.

## SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

1. 22-305.1.E.(2)(d) – Prior to a building permit being issued, the material of the existing sewer service proposed to be utilized for Lot 4 must be verified and replaced with new SDR-26 PVC pipe if it is not already PVC. General Note 11 on sheet 1 and the note on sheet 3 shall be revised accordingly.
2. §22-413 – The Plain Concrete Curb (18") detail on sheet 5 shall be revised to indicate 4,000 psi concrete. The curb ramp detail shall not include a curb wall since the developer has rights to grade the area behind the sidewalk. A design of the ramp shall be provided with the Grading Permit application.
3. §22-419.3 – Plan approval will require expeditious removal of the buildings. If the buildings will not be removed immediately, a financial guarantee must be posted for its removal.
4. §22-503 – Upon approval of the design, a construction cost estimate shall be submitted for review to establish financial security.

### The following comments pertain to Appendix 22-4-A Engineering Standards:

5. §102 – The minimum radius of arc at the intersection right-of-way line shall be 15 feet for a Local Access street. The Borough should consider if it wishes the applicant to offer to the Borough the additional right-of-way at the intersection of N. Girard Terrace and Roosevelt Avenue. The additional right-of-way would benefit the Borough by providing more room for any future maintenance of public improvements in that area.
6. §108.3.A – A letter of endorsement shall be required from the suppliers of all utility service providers acknowledging that underground utilities are feasible and shall be consummated as part of the improvement plan.

## STORMWATER COMMENTS

1. §26-164 – A Stormwater Operation and Maintenance Agreement shall be recorded to the satisfaction of the Borough Solicitor.
2. Sheets 3 and 6 shall be revised to label Bed #1 as 30 ft X 10 ft to match the design calculations. The top and bottom elevations of Bed #3 shall match the design calculations.

3. A note shall be added to the plans near Bed #4 stating that surface runoff from Lot 4 is intended to be collected in Bed #4 and not flow into the yard drain.
4. We recommend the yard drains from Lots 1 and 3 be connected to the underground stone beds further from the outlet structures to better disperse the water into the beds.
5. The yard drains for Beds 1 and 3 shall be slightly raised above the ground surface to minimize the chance of grass clippings, leaves, etc. from entering the drains and clogging the underground stone beds. Additionally, the top elevations of the cleanouts, and their relation to the ground surface elevation, shall be added to sheet 6.
6. The Stormwater Bed Detail label on sheet 5 shall be reformatted, and the detail shall be revised to specify filter fabric around all sides of the stone beds.

### SANITARY SEWER COMMENTS

1. PaDEP Sewage Facilities Planning shall be addressed.
2. Standard sewer details have been forwarded to the applicant's engineer under separate cover.

### GENERAL COMMENTS

1. The curb detail must include a bituminous expansion joint where new curb abuts existing curb.
2. Both a concrete washout area and a tire wash station shall be provided on the site.
3. A Note shall be added noting the providers of all utilities.
4. The Typical Cross-section Conc. Sidewalk detail specifies 6" of 2B stone while the sidewalk note under the Driveway Apron (3A) detail specifies 4" crushed stone base. The notes must be revised to be consistent.
5. The sidewalk ramps at the driveways shall be shifted to match the driveway apron locations.
6. The proposed 335 contour shall be corrected through lots 3 and 4 along N. Girard Terrace.
7. Orange safety fencing shall be provided around the site boundaries during construction.
8. All Erosion Control Notes referencing the local conservation district shall be replaced with municipality, with the exception of note 11 referencing off-site areas.
9. Legal descriptions shall be submitted for the four proposed lots, drainage easement, and right-of-way area offered for dedication if applicable.

10. Reviews, approvals, permits that may be required include, but are not limited to, the following:
- a. Hatfield Borough Zoning Officer / Code Enforcement Officer
  - b. Hatfield Borough Electric Consultant
  - c. Hatfield Borough Traffic Engineer
  - d. Hatfield Borough Fire Marshal
  - e. PaDEP Sewage Facilities Planning
  - f. Montgomery County Planning Commission
  - g. North Penn Water Authority (*Letter issued November 12, 2020*)
  - h. Hatfield Township Municipal Authority (*Letter issued November 13, 2020*)

The comments are made with the understanding that all existing features and topography are accurately represented on the plans, and that all designs, calculations and surveys are accurate and have been prepared in accordance with current laws, regulations, and currently accepted Professional Land Surveying and Engineering practice

If you have any questions or need further information, please feel free to contact me at 484-941-0418 or [chad.camburn@bursich.com](mailto:chad.camburn@bursich.com)

Very truly yours,

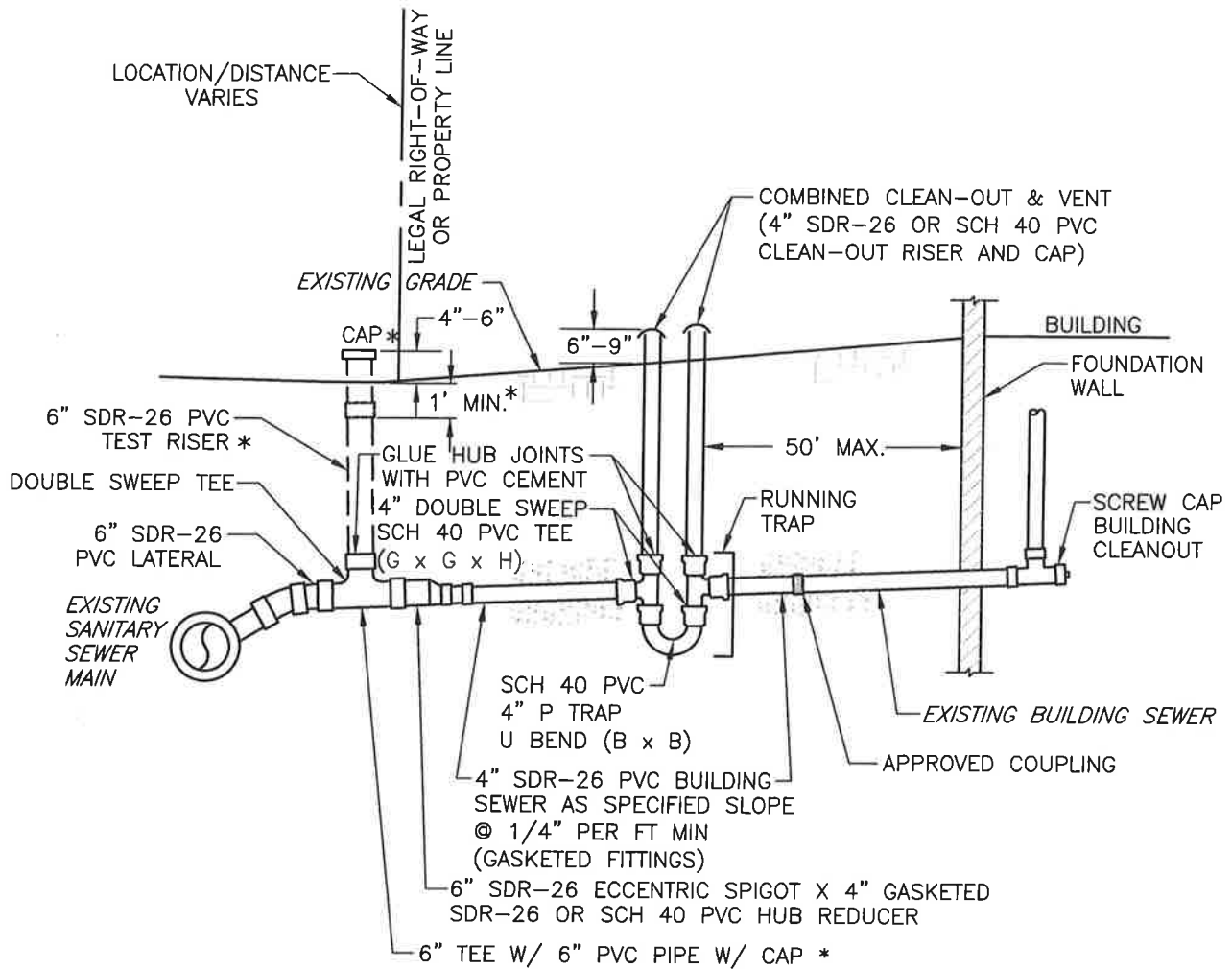


Chad E. Camburn, P.E.  
Director of Municipal Services  
Bursich Associates, Inc., Pottstown Corporate Office

Enclosures: Sewer Details

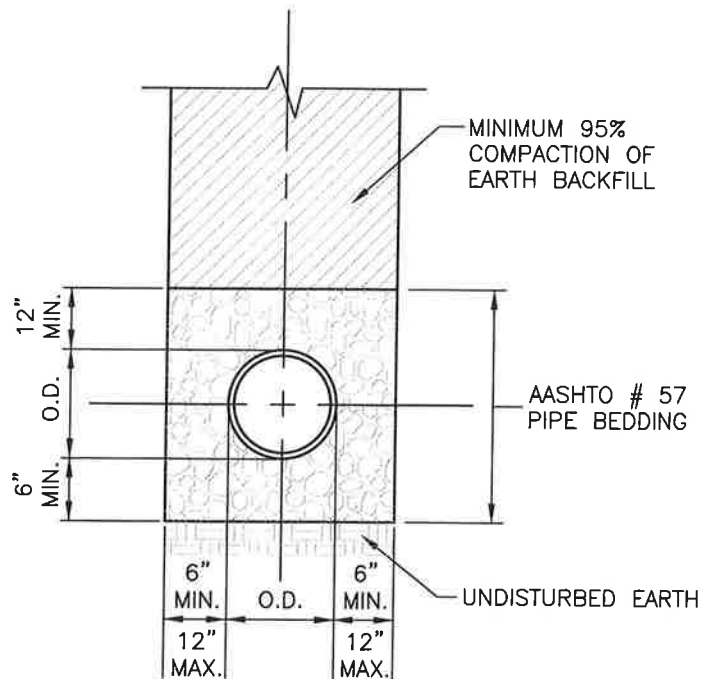
pc: Jaime Snyder, Borough Assistant Manager (*via email*)  
Kate Harper, Borough Solicitor (*via email*)  
Steve Fickert, Borough Public Works Director (*via email*)  
Matthew Traynor, Hatfield Borough Code Enforcement/Zoning Officer (*via email*)  
Lenape Valley Engineering (*via email*; [lenapeconsultants@yahoo.com](mailto:lenapeconsultants@yahoo.com)) (*w/encl., via email*)  
Kimberly Freimuth, Fox Rothschild LLP, applicant's attorney (*via email*)





**NOTES:**

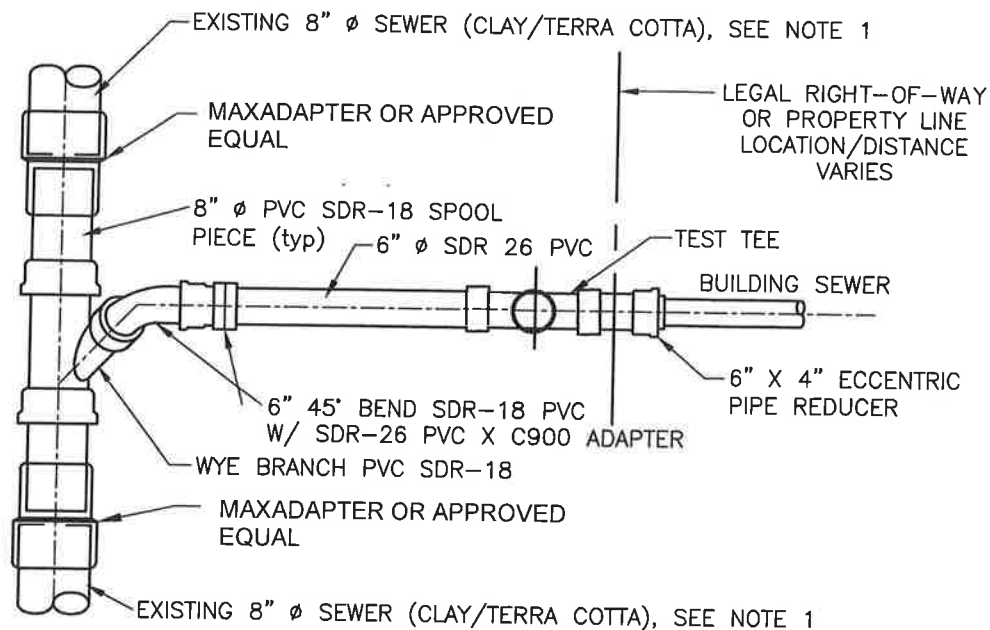
1. ALL BUILDING SEWERS TO BE TESTED PER MUNICIPALITY CODES
2. BUILDING SEWER TO BE TELEVISED AFTER INSTALLATION
3. CLEAN-OUT REQUIRED ONE PER 100 FEET OF PIPE AND AT EVERY BEND
4. ALL PVC FITTINGS ARE TO BE MOLDED, NOT FABRICATED.
- \* IF DIRECTED BY MUNICIPALITY, CUT TEST RISER A MINIMUM OF 1 FT. BELOW FINISHED GRADE AND CAP WATERTIGHT AFTER SUCCESSFUL TESTING.
5. CLEANOUTS IN OR ADJACENT TO PAVED AREAS SHALL HAVE LOAD BEARING COVERS PROVIDED.



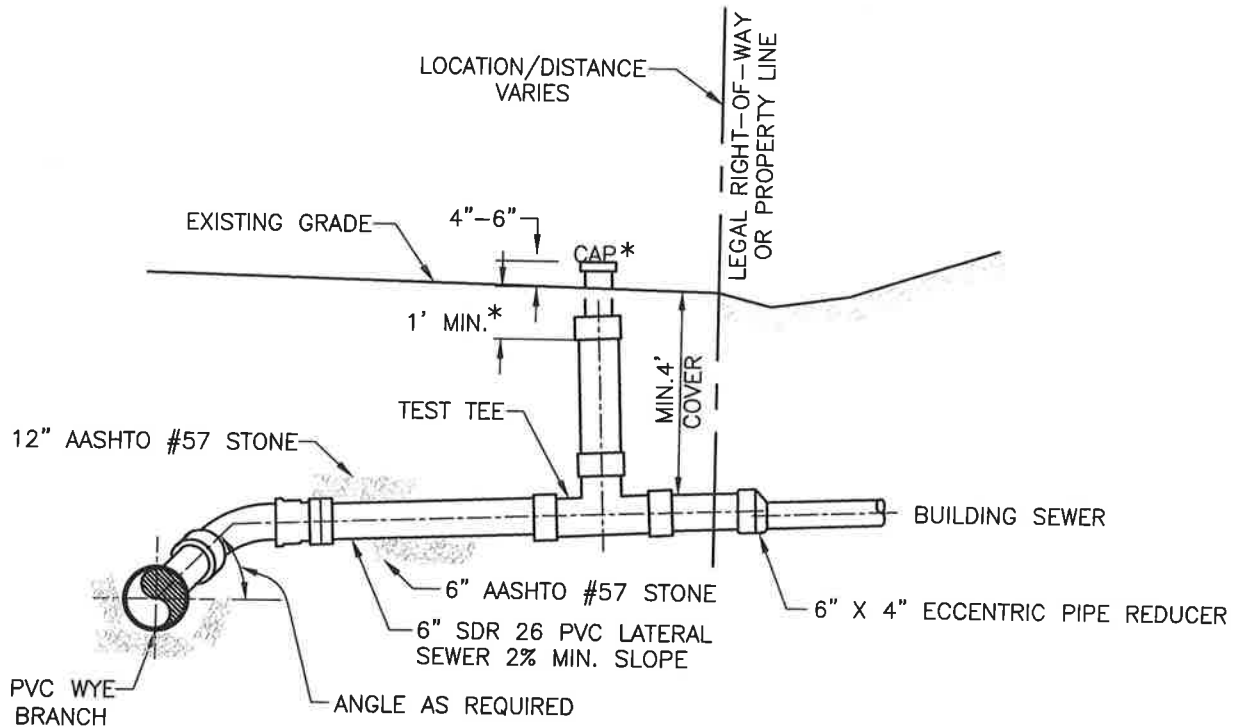
# 4" DIAMETER BUILDING SEWER CONNECTION (WITH CLEAN-OUT & TRAP)

NO SCALE

DBS-02



PLAN



SECTION

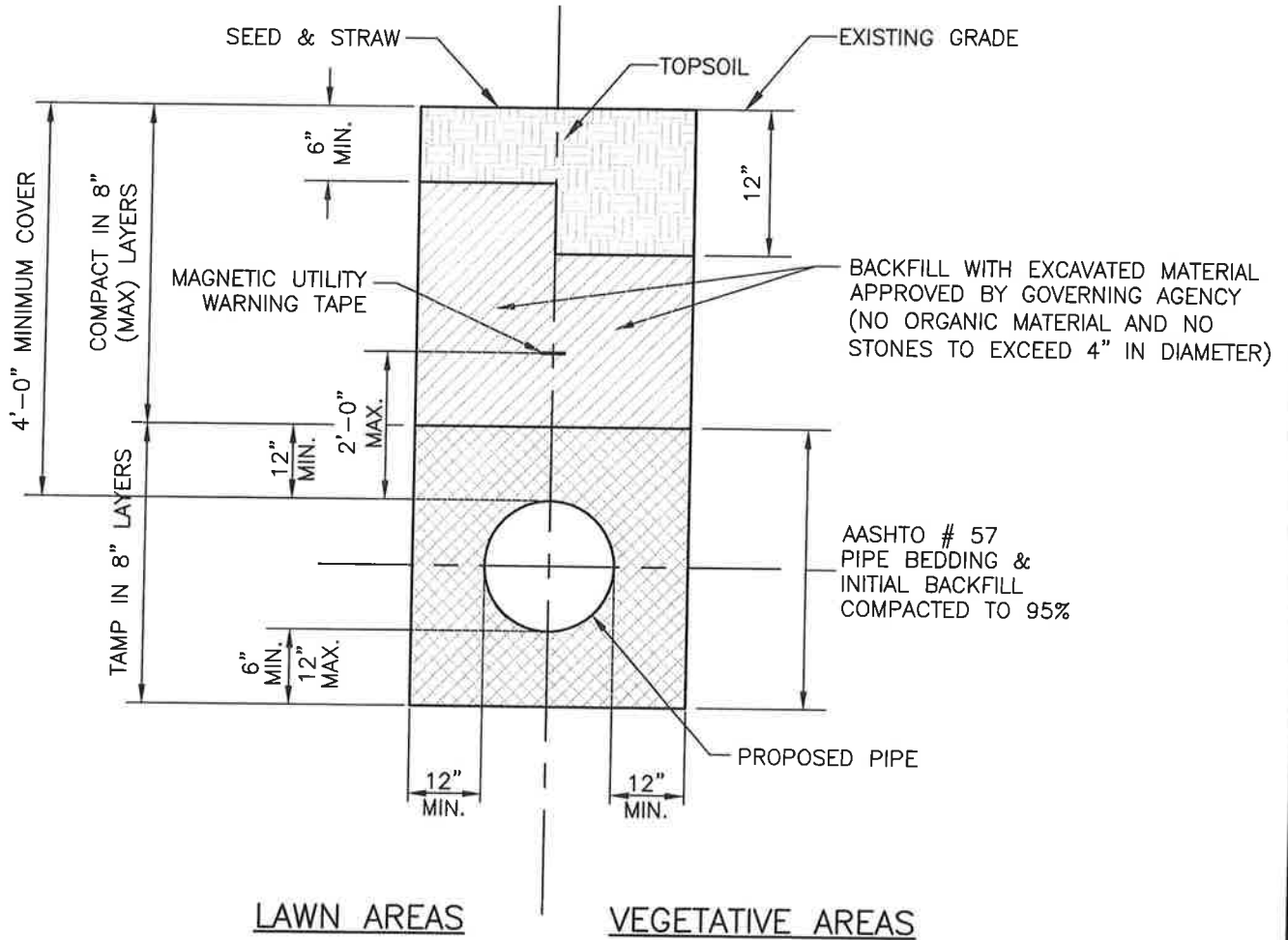
NOTES:

1. TEST DIG & DETERMINE THE O.D. OF EXISTING CLAY PIPE.
2. ALL BUILDING SEWERS TO BE TESTED PER MUNICIPAL CODE.
- \* IF DIRECTED BY MUNICIPALITY, CUT TEST RISER A MINIMUM OF 1 FT. BELOW FINISHED GRADE AND CAP WATERTIGHT AFTER SUCCESSFUL TESTING.

**LATERAL CONNECTION TO EXISTING CLAY OR TERRA COTTA SEWER MAIN**

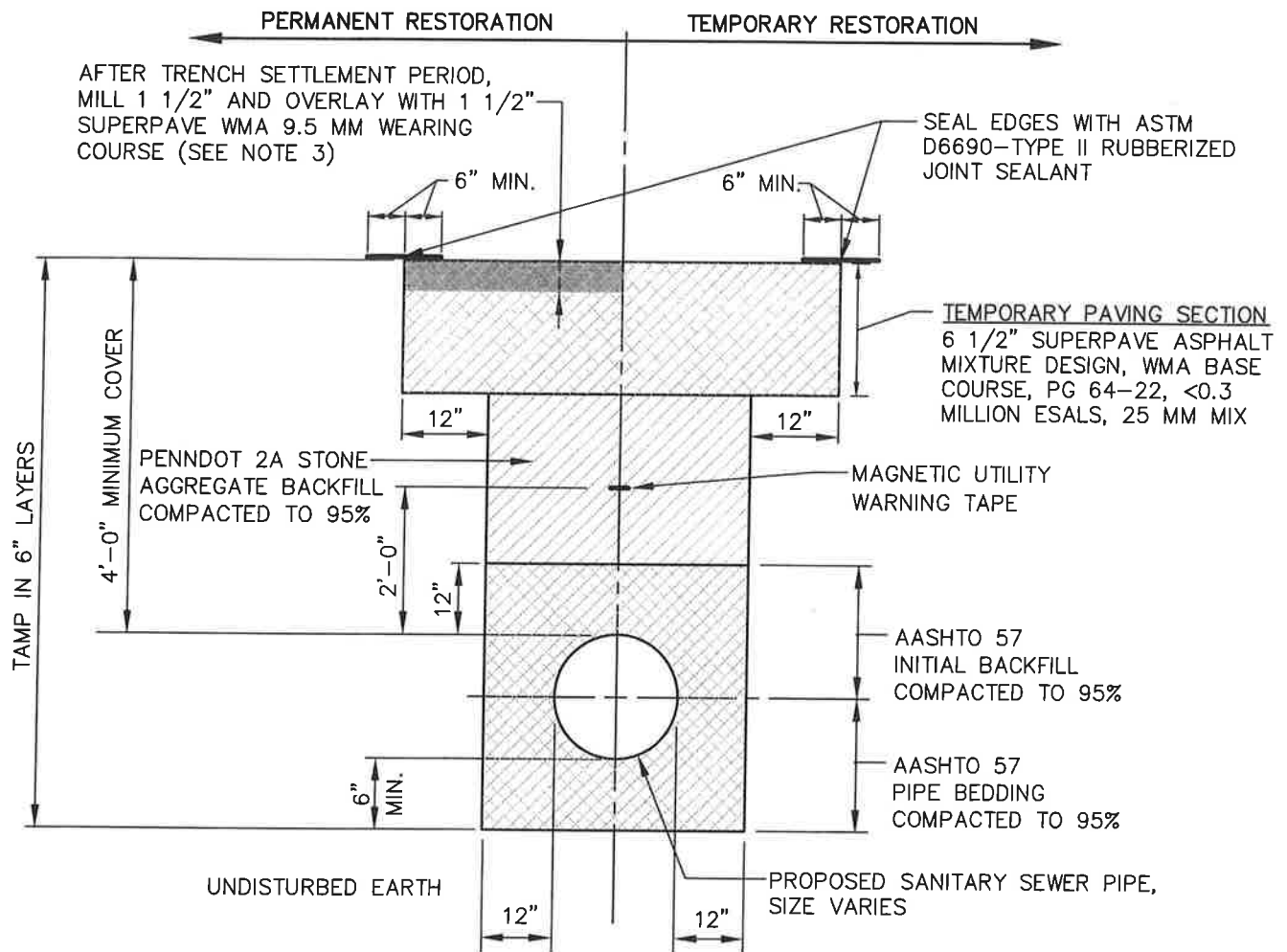
NO SCALE

DLC-00



# SANITARY BEDDING & TRENCH RESTORATION LAWN/VEGETATIVE AREAS

NO SCALE



**NOTES:**

1. ALL MATERIALS AND CONSTRUCTION METHODS SHALL COMPLY WITH PENNDOT PUBLICATION 408 REGULATIONS.
2. CONTRACTOR SHALL PROVIDE UNIFORM GRADE FROM EXISTING PAVEMENT.
3. TEMPORARY RESTORATION INCLUDES 6 1/2" SUPERPAVE WMA BASE COURSE AND SHALL BE MAINTAINED FOR A MINIMUM 45 DAYS PRIOR TO FINAL PAVING TO ALLOW TRENCH SETTLEMENT. FINAL PAVEMENT INCLUDES MILLING 1 1/2" DEPTH AND OVERLAY WITH 1 1/2" SUPERPAVE WMA WEARING COURSE.
4. FOR LATERALS LOCATED WITHIN SIDEWALK OR LAWN AREAS, REPLACE SIDEWALK AND STABILIZE LAWN AREA AS APPLICABLE.

# SANITARY TRENCH BACKFILL AND PAVEMENT RESTORATION DETAIL FOR MUNICIPAL ROADS

NO SCALE

June 1, 2021

Mr. Michael J. DeFinis  
Hatfield Borough  
401 South Main Street  
P.O. Box 190  
Hatfield, PA 19440



RE: **Traffic Engineering Review #3**  
43 Roosevelt Avenue  
Hatfield Borough, Montgomery County, PA  
McMahon Project No. 820875.1A

Dear Mr. DeFinis:

As requested, on behalf of Hatfield Borough, McMahon has completed a traffic engineering review of the proposed development to be located at the intersection of N. Girard Terrace and Roosevelt Avenue in Hatfield Borough, Montgomery County, PA. It is our understanding that the proposed development will consist of 4 townhomes with access to Girard Avenue and Roosevelt Avenue.

The following documents were reviewed in preparation of our review:

- Land Development Plans for 43 Roosevelt Avenue, prepared by Lenape Valley Engineering, revised April 13, 2021.

Based on our review of the submitted documents noted above, McMahon offers the following comments for consideration by the Borough and action by the applicant.

### **Plan Review**

1. The design has been revised to include a driveway access onto Roosevelt Avenue for Lot #4. The plans should be revised to indicate the available and required sight distances along Roosevelt Avenue. It appears that due to the horizontal curve along Roosevelt Avenue, tree trimming\removal may be required.

We trust that this review letter responds to your request and satisfactorily addresses the traffic issues that are related to the proposed development apparent to us at this time. If you or the Borough have any questions, or require clarification, please contact me.

Sincerely,



Anton K. Kuhner, P.E.  
Senior Project Manager

BMJ/smd

cc: Jaime Snyder, Borough Assistant Manager (via email)  
Chad Camburn, P.E., Bursich Associates, Inc. – Borough Engineer  
Kate Harper, Borough Solicitor (via email)  
Matthew Traynor, Hatfield Borough Code Enforcement/Zoning Officer (via email)  
Kimberly Freimuth, Fox Rothschild LLP, applicant's attorney  
Jason Smeland, P.E., Lenape Valley Engineering (Applicant's Engineer)

# **UTILITY ENGINEERS, PC**

---

861 St. John's Road, Suite 6, Drums, PA 18222  
(570) 788-2211 (570) 788-2277 Fax

June 7, 2021

**Michael J. DeFinis, Borough Manager**  
**BOROUGH OF HATFIELD**  
P.O. Box 190  
401 S. Main Street  
Hatfield, PA 19440

JUN - 7 2021

MTD 1

**Re: PLAN REVIEW 43 ROOSEVELT AVENUE-  
ABP INVESTMENT INC.  
HATFIELD, PA**

Dear Mr. DeFinis,

We have reviewed the submitted land development plans for the referenced project and contained herein are our comments.

The submitted Land Development Plans from Lenape Valley Engineering, do not include or indicate electric services to the 4 proposed lots. The layout, configuration and location of the electric services to the residential units are the responsibility of the Borough of Hatfield. It is the Developer's responsibility to include the electric services as part of the overall project. The Developer shall install and pay for the electric services in accordance with the Borough's requirements and layout. The attached electric service plan and details are to be included on future plan submissions.

Based on our review, the Developer shall include the electric services to the townhouses on all future plans.

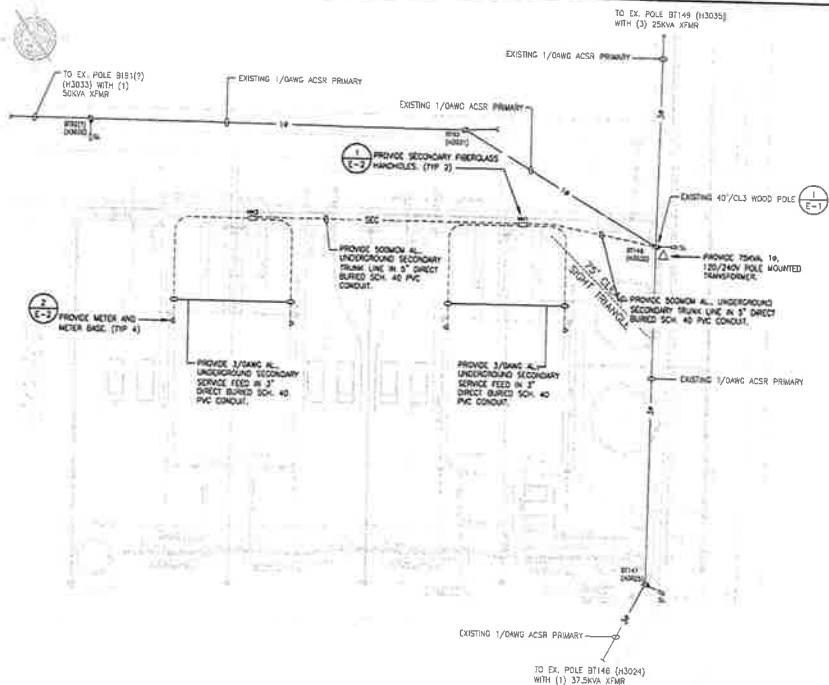
Sincerely,

UTILITY ENGINEERS, PC

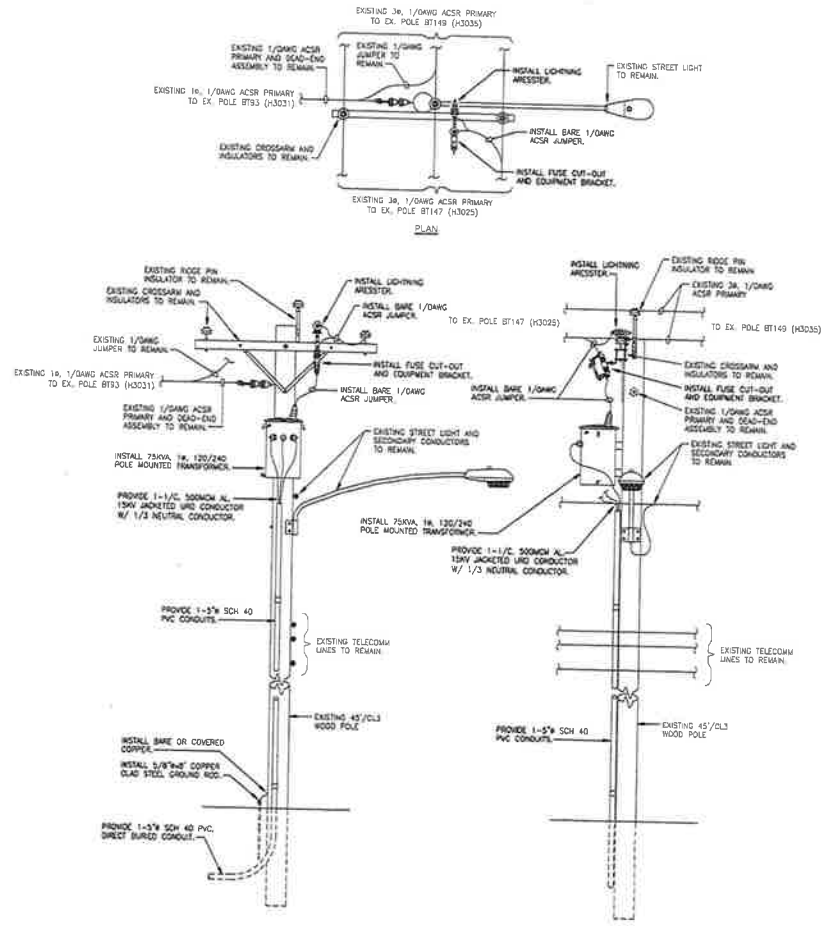


Shaun Loucks

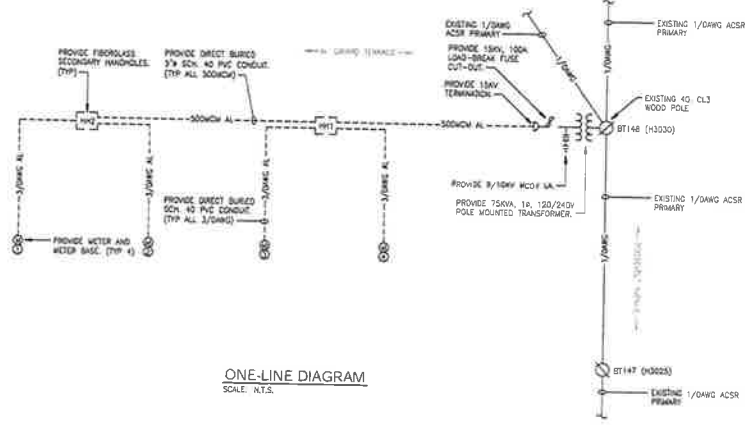
cc: Jamie Snyder, Assistant Borough Manager  
Kate Harper, Borough Solicitor  
Chad Camburn, PE, Borough Engineer  
John Lykens  
Norman Baron



**PROPOSED ELECTRICAL SITE PLAN**  
SCALE: 1"=20'-0"



**EXISTING POLE BT148 (H3030) DETAIL**  
SCALE: N.T.S.



**ONE-LINE DIAGRAM**  
SCALE: N.T.S.



NO.	DATE	REVISION

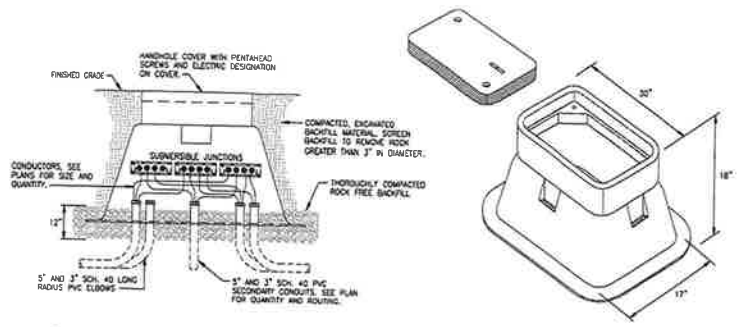
**UTILITY ENGINEERS, PC**  
881 SAINT JOHNS ROAD, SUITE 8, ORION, PA 15032  
TELE: (870) 788-2211 FAX: (870) 788-2237

BOROUGH OF HATFIELD  
MONTGOMERY COUNTY  
PENNSYLVANIA, 19440

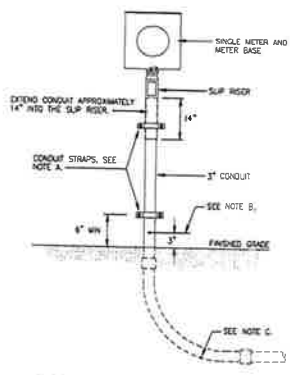
43 ROOSEVELT AVENUE  
ELECTRICAL SITE PLAN

JOB NO.: HAT20-03  
DATE: 5/17/2021  
SNG: N.P.B./J.C.L.  
DRAWN: B.S.L.  
SCALE: AS NOTED  
FILE: HAT2003-1  
DRAWING NO.:  
**E-1**  
SHEET 2 OF 2



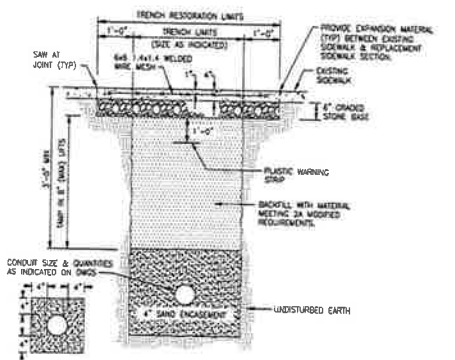


1 TYPICAL HANDHOLE DETAIL  
SCALE: N.T.S.

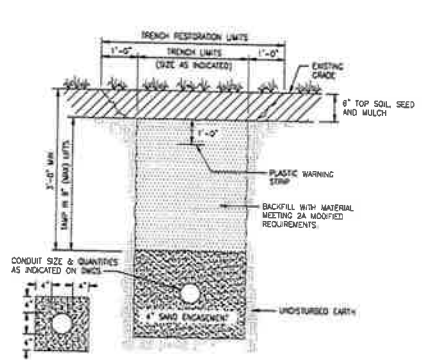


2 TYPICAL METER SLIP CONNECTION DETAIL  
SCALE: N.T.S.

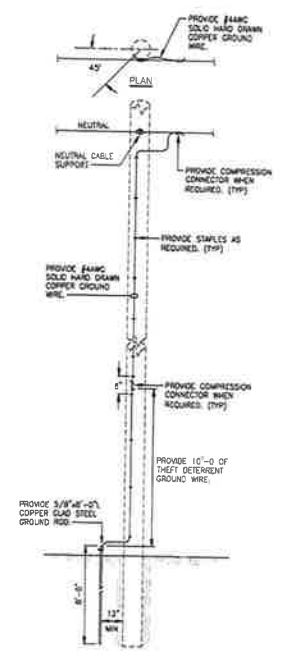
- DETAIL NOTES**
- A. CONDUIT STRAPS TO BE THE SAME SIZE TO ALLOW LOWER CONDUIT TO MOVE WITHIN STRAP.
  - B. DRILL TWO(2) 1/4\"/>



TYPICAL DIRECT BURIED CONDUIT IN CONCRETE SIDEWALK TRENCH DETAIL  
SCALE: N.T.S.



TYPICAL DIRECT BURIED CONDUIT IN LAWN AREA TRENCH DETAIL  
SCALE: N.T.S.



POLE GROUNDING DETAIL  
SCALE: N.T.S.

NO.	DATE	REVISION

	<b>UTILITY ENGINEERS, PC</b> 281 BAKET JOHNES ROAD, SUITE 8, ORLAND, PA 15222 TEL: (412) 788-2211 FAX: (412) 788-2217	JOB NO: HAT20-03 DATE: 01/18/2021 ENG: N.P.B./J.C.L. DRAWN: E.S.E. SCALE: NONE FILE: HAT2003E-2 DRAWING NO.:
	BOROUGH OF HATFIELD MONTGOMERY COUNTY PENNSYLVANIA, 19440 43 ROOSEVELT AVENUE DETAILS	E-2 SHEET 2 OF 2



# Borough of Hatfield

Montgomery County, Pennsylvania

June 10, 2021

43 Roosevelt  
Hatfield, PA 19440

PID# 09-00-00730-00-8

## ZONING REPORT: Subdivision/Land Development

A review for compliance with the Hatfield Borough Ordinances, and other applicable laws and codes for the Subdivision/Land Development submittal of 43 Roosevelt, Hatfield, PA 19440 has been completed and accepted as submitted.

43 Roosevelt Avenue, Hatfield, PA 19440 is located in the R-2 Residential District. Proposed Dwelling Type: Twin.

Minimum Lot Area:	4,000 Square Feet
Minimum Lot Width at Street Line:	30 Feet
Front Yard Setback:	30 Feet
Side Yard Setback:	12 Feet (15 if no alley present)*
Rear Yard Setback:	40 Feet
Maximum Building Coverage:	35% of Lot Area
Maximum Impervious Coverage:	70% of Lot Area

\*In the case of a corner lot, each yard abutting a street shall be equal to the minimum required front yard.

401 S. Main Street  
P.O. Box 190  
Hatfield, PA 19440

**Phone:**  
215-855-0781

**Fax:**  
215-855-2075

**Email:**  
admin@  
hatfieldborough.com

**Website:**  
www.hatfieldborough.com

Sincerely,

Matthew J Traynor  
Code and Zoning Enforcement



# Borough of Hatfield

Montgomery County, Pennsylvania

APR 27 2021

MJD 1

Michael Definis  
Borough Manager  
Hatfield Borough, Pa

April 25, 2021

43 Roosevelt Court

Dear Mr. Definis

Attached are the review comments for the project at 43 Roosevelt Avenue. The project is for the construction of 4 single family dwellings with off street parking. There must be an approved water supply as required by section 507 of the fire code. Fire hydrants must be spaced at a maximum of 600 feet and be operational. The access road must be capable of supporting the load being imposed as required by section 503 of the fire code.

Respectfully Submitted

Daniel Quimby  
Fire Marshal/Fire Safety

J Snyder A B M

401 S. Main Street  
P.O. Box 190  
Hatfield, PA 19440

**Phone:**  
215-855-0781

**Fax:**  
215-855-2075

**Email:**  
admin@  
hatfieldborough.com

**Website:**  
www.hatfieldborough.com

**MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR  
KENNETH E. LAWRENCE, JR., VICE CHAIR  
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY  
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311  
NORRISTOWN, PA 19404-0311  
610-278-3722  
FAX: 610-278-3941 • TDD: 610-631-1211  
[WWW.MONTCOPA.ORG](http://WWW.MONTCOPA.ORG)

SCOTT FRANCE, AICP  
EXECUTIVE DIRECTOR

March 17, 2021

Mr. Matthew Traynor, Code Enforcement Officer  
Hatfield Borough  
37 North Market Street—Box 190  
Hatfield, Pennsylvania 19440-0190

MAR 17 2021

*MJD 1*

Re: MCPC #21-0049-001  
Plan Name: 43 Roosevelt Avenue  
Situate: North Girard Terrace (south)/Roosevelt Avenue (west)  
Hatfield Borough

Dear Mr. Traynor:

We have reviewed the above-referenced subdivision and land development in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on February 10, 2021. We forward this letter as a report of our review.

**BACKGROUND**

ABP Investments Inc. is proposing the subdivision of 43 Roosevelt Avenue (Parcel #: 090000730008) into four separate lots. The lots would be zoned R-2 Residential and all will conform to the requirements of the district. Each lot will contain an attached housing unit and driveway for two vehicles. The lots also include stormwater management facilities and access to the rear alley.

**COMPREHENSIVE PLAN COMPLIANCE**

If appropriate, write a brief paragraph of consistency to the municipal and county comprehensive plans if not relevant you may delete this section.

**RECOMMENDATION**

The Montgomery County Planning Commission (MCPC) supports the applicant's proposal without comment as we have found it to be generally consistent with Hatfield Borough's goals for residential development.

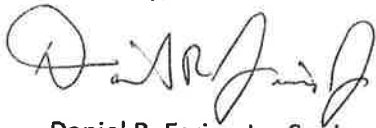
**CONCLUSION**

We wish to reiterate that MCPC supports the applicant's proposal without comment as we have found it to be generally consistent with Hatfield Borough's planning objectives for residential development.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files.

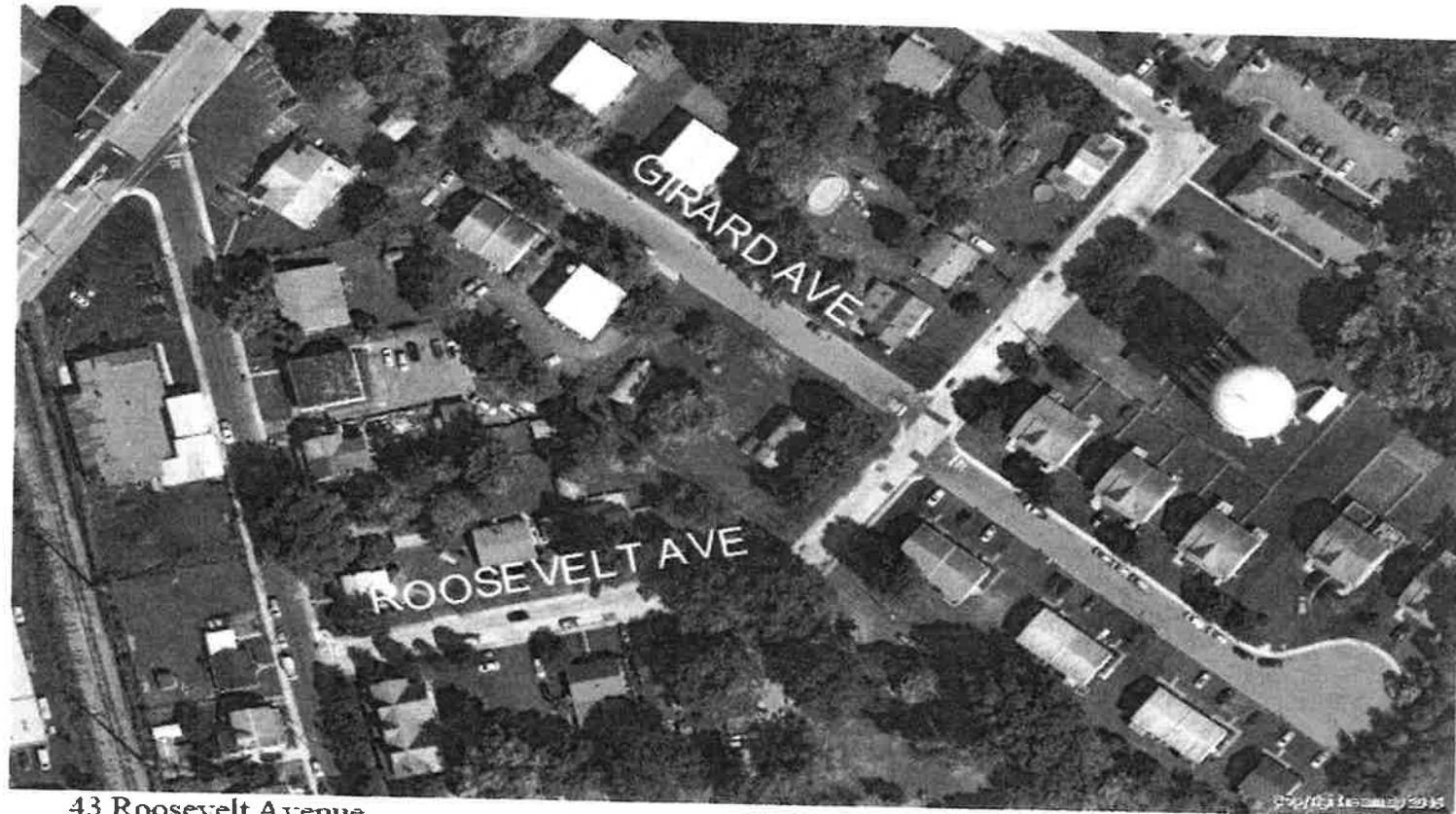
Sincerely,



Daniel R. Farina Jr., Senior County Planner  
[dfarina@montcopa.org](mailto:dfarina@montcopa.org) - 610-278-3728

Attachments: Aerial View of Site  
Reduced Copy of Applicant's Plan

ATTACHMENTS A & B



43 Roosevelt Avenue  
MCPC #210049001

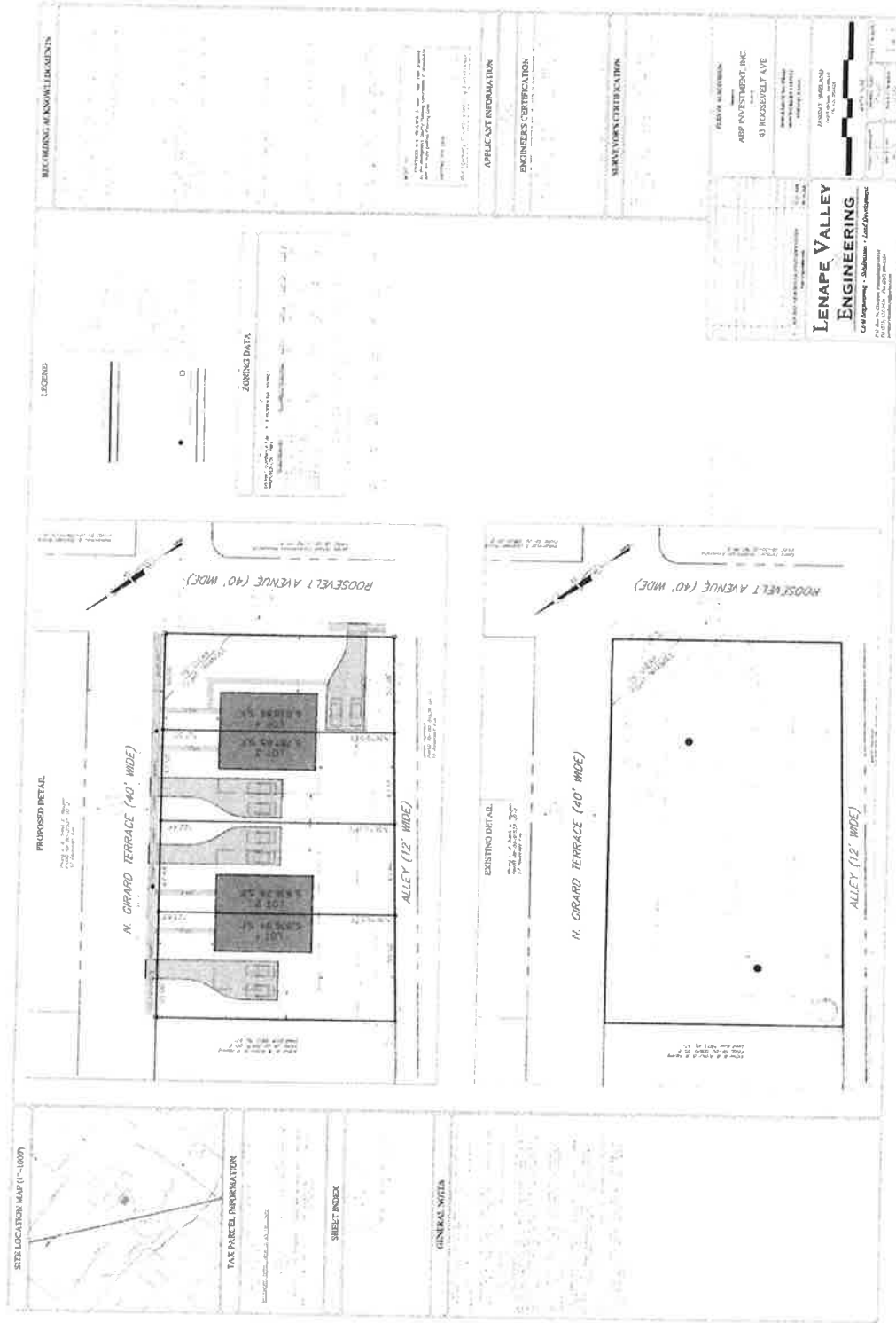
Montgomery  
County  
Planning  
Commission  
Montgomery County Planning Commission - 10000 Old Orchard Road  
Columbia, MD 21046-1100  
Phone: 301-496-1722 • Fax: 301-496-1723  
www.montgomeryplanning.com  
Aerial photography provided by GeoEye



Addressee's Name

Appendix 2

Date



## 4. Bennett's Court Preliminary Land Development Presentation:





# BURSICH

June 4, 2021

Hatfield Borough  
401 South Main Street  
P.O. Box 190  
Hatfield, PA 19440

JUN - 7 2021

Attention: Mr. Michael J. DeFinis  
Borough Manager

RE: Bennett's Court Subdivision & Land Development  
Preliminary Plan Review #4  
Bursich Job No.: HAT-01/187965

Dear Mike:

As requested, Bursich Associates, Inc. has reviewed the revised Preliminary Subdivision and Land Development Plan submission for the Bennett's Court Townhouse project. The submission consisted of the following information prepared by Boucher & James, Inc. Consulting Engineers:

- Plans titled Bennett's Court, consisting of sheets 1 through 22 of 22 dated October 4, 2019, with latest revision date of May 19, 2021
- Report titled Post Construction Stormwater Management - Bennett's Court, dated October 4, 2019, with latest revision date of May 19, 2021
- Report titled Erosion and Sediment Pollution Control Narrative - Bennett's Court, dated October 4, 2019, with latest revision date of May 19, 2021
- Waiver Requests letter dated May 19, 2021
- Response to April 26, 2021 Borough Review letter dated May 19, 2021

Based on the plans submitted, the properties proposed for subdivision contain four parcels located on the eastern side of Maple Avenue in the R-3 Residential/Commercial Zoning District. One tract has frontage on Maple Avenue and consists of an existing dwelling, garage, driveways, and grass and wooded areas. The other parcels are located along what is described as a 33 feet wide unimproved right-of-way labeled as E. Broad Street. To the best of the Borough's knowledge, E. Broad Street was never dedicated to the Borough. Properties located between the subject parcels and Maple Avenue utilize the E. Broad Street land, and an additional alley connected to the E. Broad Street land, for access to their properties. The applicant intends to convey the E. Broad Street land to the applicant, Prestige Property Partners, LLC, through a quitclaim, and then convey the new parcel to a homeowner's association for use as a private street right-of-way. The municipal boundary with Hatfield Township is located along the eastern tract boundaries.

ENGINEERS, LAND SURVEYORS, LANDSCAPE ARCHITECTS



2129 E. High Street | Pottstown, PA 19464  
N 40° 14' 40.2" W 075° 36' 09.6"

610.323.4040  
www.bursich.com

The plans propose to convey ownership of the East Broad Street (undedicated paper street) right-of-way to Prestige Property Partners, LLC through a quit claim, consolidate the existing parcels and subdivide the consolidated property into one lot consisting of the existing single-family dwelling, eighteen townhouse unit lots, three open space areas, and one private street right-of-way. The proposal also includes developing eighteen new townhouse units in three buildings, constructing a cul-de-sac street and parking lots within the new private street right-of-way and open space areas, and constructing associated utilities and stormwater controls.

We offer the following for your consideration:

### VARIANCES GRANTED

The Hatfield Borough Zoning Hearing Board granted the following variances from the Borough's Zoning Ordinance on September 3, 2019:

1. A variance from Section 27-811.C to allow a 12 feet deck in the required yard for two of the proposed lots (lots 17 and 18).
2. A variance from Section 27-815 to permit more than 70% of the front yard between the right-of-way and the setback line to be a paved driveway.
3. A variance from Section 27-1408.2 to allow two parking spaces on each lot to be located within the front yard.
4. A variance from Section 27-1407 to allow two of the proposed lots (lots 17 and 18) to have less than the required 50 feet rear yard.

The relief was granted subject to the following conditions:

1. Applicant shall meet with the owners of the properties on both sides of East Broad Street to determine whether the roadway may be widened to a width of 24 feet. If said owners agree, Applicant shall widen the roadway at its costs during the construction of the proposed development project.

The plans illustrate the area of E. Broad Street between the affected properties to be improved with curbing, sidewalk, and 28-foot wide paving consisting of two 10-foot wide travel lanes and 8-foot wide on-street parking spaces. The engineer's response letter indicates that conversations with the neighboring properties are on-going, and documentation will be provided once finalized.

2. Applicant shall provide a landscape buffer between the subject property and any adjacent residentially used or zoned lots located within the Borough.

The development is proposed to be buffered from the adjoining properties with plantings and privacy fences. The Zoning Officer should determine if the proposed buffers meet the intent of the Zoning Order.

3. The alley located north of East Broad Street along the western property line of the Subject Property shall be preserved and shall be improved, at Applicant's cost, as part of the development of the Subject Property. If all of the owners of the adjacent properties allow access to the portion of the alley located on said properties, Applicant shall improve the full width of the alley at Applicant's cost.

The plans illustrate the alley to be paved within an existing 16-foot wide "Alley ROW" and proposed driveway easement. The applicant shall confirm that the adjoining owners are allowing access to the portions of the alley located on their respective properties.

4. Applicant shall apply for and receive Subdivision and Land Development approval from the Borough and such approval shall show that the proposed development satisfies the requirements of the emergency service providers providing service within the Borough.

The Applicant shall provide approval letters from the applicable Fire Company, Police Department, Ambulance providers, etc. to the Borough's satisfaction.

5. The subdivision of the lot to be created on Maple Avenue shall meet the requirements of the Borough's Zoning Ordinance.

The plans illustrate the removal of the existing shed, and portion of the garage, in order to comply with the required property line setbacks.

6. The proposed development of the Subject Property shall be consistent with the plans and testimony presented at the Hearing.

The proposed townhouse subdivision plans appear to be generally consistent with the Zoning Hearing plans. All future iterations of the plans must remain consistent.

#### WAIVERS REQUESTED

The Applicant has requested waivers from the following sections of the Subdivision and Land Development Ordinance via a letter dated May 19, 2021:

1. §22-404.1 - a waiver to allow a 33-foot right-of-way for Bennetts Court between the existing Lersch and Stauffer properties.
2. §22-408.3.B - a waiver to allow the cul-de-sac bulb to be partially located within an easement with a 48-foot radius, rather than within a right-of-way with a 60-foot radius.
3. §22-408.3.C - a waiver to allow a cul-de-sac street length of 665 feet in lieu of the maximum allowable length of 500 feet. *[Based on Record Plan 2 of 2, the waiver should state 658 feet rather than 665 feet.]*
4. §22-409.D *[The correct section is §22-409.1.D(3)]* - a waiver from providing curbing or other form of rigid edge stabilization along the existing alley to be paved.
5. §22-413.F - a waiver to allow the sidewalks to be less than 6 inches from the street right-of-way and to be adjacent to the curb, rather than providing a grassed strip between the edge of the sidewalk and the curb.
6. §22-414.A(2) - a waiver to allow an eight-space perpendicular parking row on Bennetts Court.
7. §22-414.B(2) - a waiver to allow the southern parking row to be 6.52 feet from the tract line and the northern parking row to be 12.29 feet from the tract line, rather than the required 20 feet.

8. §22-418.5 - a waiver to allow the proposed lots to have frontage along a private street rather than a public street.
9. §22-420.1.B(2) - a waiver from planting new trees a minimum of five feet from the sidewalks.
10. §22-420.1.B(3) - a waiver to allow variable street-tree spacing rather than the spacing required.
11. §22-421.1.C(3) - a waiver to allow alternate species of screening plants.
12. §22-428 (§102) - a waiver to allow no right-of-way arcs rather than a minimum radius of 20 feet, and pavement arcs of 10 feet and 15 feet, rather than 35 feet, where proposed Bennetts Court intersects Maple Ave.

### ZONING ORDINANCE COMMENTS

#### 1. §27-1407

##### A. Cul-de-sac Right-of-Way

The required front yard is 30 feet, and the required side yard is 20 feet. SALDO §22-408.3.B requires a right-of-way for a cul-de-sac street to have a minimum radius of 60 feet. The applicant is proposing a waiver to allow a "Turnaround/Parking/Snow Easement" around a portion of the turnaround area in lieu of a right-of-way. The easement appears to have a 48 foot radius.

- 1) If the Borough determines a right-of-way is required with a radius of 60 feet, Lot 12 will not meet the front yard setback requirement.
2. The applicant proposes to create a private street in what is currently the area of an undedicated "paper" street, which is intended to be conveyed to the applicant through a quit claim prior to the recording of the plans for this subdivision. The proposed site layout on the record plans must illustrate the southern and eastern boundaries of the private street, including the boundaries along the Stauffer and Lersch properties, as proposed right-of-way lines. Access easements for the existing properties currently utilizing E. Broad Street, and notes clarifying the quit claim, shall be added to the satisfaction of the Borough Solicitor.

### SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

1. §22-410.E - We note that a number of existing permanent features that would obstruct sight distances to and from Maple Avenue are located within the sight triangle. The Borough may wish to consider requiring a three-way stop at this intersection.
2. §22-413 - Sidewalks and Curbs
  - A. Handicap ramps shall be designed in accordance with PennDOT standards, and design details shall be provided. Certified As-built plans of each ramp shall be provided during construction. If a three-way stop will be added at the intersection of Bennett's Court (E. Broad Street) and Maple Ave, the Borough should consider if it would like the applicant to install a crosswalk across Maple Ave. and a handicap ramp on the western side.  
*The applicant has indicated the required information will be provided once the Borough makes a determination on the three-way stop.*

- B. The applicant previously provided an Entrance Exhibit illustrating the street and sidewalk alignment with the sidewalk continuing on the northern side of the street rather than crossing mid-block.

*At its May 3, 2021 meeting the Borough Planning Commission supported the alignment shown on the current plan submission, with the sidewalk on the southern side of Bennetts Court along the Stauffer property.*

3. §22-420.C – Landscaping Buffers
  - A. The proposed landscaping at the end of the cul-de-sac must be eliminated to provide the emergency access.
4. §22-420.D.(2) – A 100 percent performance bond shall be posted to ensure replacement of landscape material that is removed, destroyed, damaged, or in ill-health within 15 months of installation. We also recommend an agreement be recorded perpetually requiring the Homeowner's Association to replace any landscaping that dies at any point in the future.
5. §22-428 – Compliance with Engineering & Construction Standards:
  - A. §108.3.A – A letter of endorsement shall be required from the suppliers of utility services wherein the applicant acknowledges that underground utilities are feasible.
  - B. §114 – A removable barrier must be installed at each end of the emergency access, and appropriate signage shall be installed to the Borough Fire Marshal's satisfaction. An easement agreement shall be provided to the satisfaction of the Borough Solicitor. An emergency access detail shall be added to the plans, and the grading, E&S, etc. plans shall include the accessway. The applicant is responsible to obtain any permits or approvals from Hatfield Township for the improvements located within the Township.
6. §22-502.B – A cost estimate to establish financial security for the completion of the proposed improvements shall be provided.

### STORMWATER COMMENTS

1. §26-122.1.B.(3) – A PaDEP NPDES construction activities permit is required for regulated earth disturbance activities.
2. §26-161 - For subdivisions and land developments, the applicant shall provide financial security acceptable to the Borough of Hatfield for the timely installation and proper construction of all stormwater management (SWM) facilities as specified in this section.
3. §26-164 – A Stormwater Operation and Maintenance Agreement must be provided to the Borough Solicitor's satisfaction.
4. §107.6 [22-428] – The interior slope bank of BMP No. 1 Vegetated Extension Detention Basin shall not exceed 4 to 1.
5. Based on the design calculations, the 100-year water elevation in BMP No. 1 would overflow the storm inlets in Bennetts Court and bypass the detention system.
6. A detail cross section of BMP No. 1 Vegetated Extension Detention Basin must be added to the plans with all relevant information. The top of berm and emergency spillway locations, elevations, widths, etc. must be illustrated on the plans and detail. The emergency spillway must be located in a manner that will direct an overflow caused by a blocked outlet pipe to drain to a storm sewer within the Bennett's Court development rather than directly onto neighboring properties.

7. The BMP No. 1 Extended Detention Basin Outlet Structure Detail on sheet 9 shall be revised to change the pipe notation from Pipe 9 to Pipe 3. Additionally, the "18-inch Distribution Pipe" reference shall be clarified as one is not shown on the plans.
8. The BMP No. 1 storage volume in the design report does not appear to include the volume of the pipe network upstream of the outlet structure. Those pipes would provide additional water storage volume and could be incorporated into the design calculations if they are protected from materials that could reduce the volume of the system.
9. Considering the length of the Outlet Structure OS-INL 3 box (8'-3") we recommend the weir wall be located closer to the center of the box to provide additional space to access the downstream side than the proposed 1-foot opening. Additionally, the inlet top type must be evaluated considering its proximity to the ADA ramp.
10. The Stage / Storage Table for BMP No. 2 should not include the volume below the 6-inch orifice and underdrain connection as storage volume since it will likely remain full of water after the first rain event.
11. The details for the BMP No. 2 Outlet Structure shall include the 6-inch orifice in the weir wall, per the design calculations. The details must also include the location of the underdrain connection. Considering the space constraints within the box, we recommend a single load-bearing hatch be installed rather than two manhole lids.
12. The plans shall clarify the configuration of the underdrain from the BMP No. 2 underground basin to the outlet structure, as the plans appear to illustrate the pipe connecting to Inlet 13 rather than Outlet Structure 21.
13. The BMP No. 2 Subsurface Detention Basin detail must include the total length of 6-inch diameter pipes for water storage.
14. Based on the design calculations, the BMP No. 3 Rain Garden would overflow into the parking lot and into Inlet 19 for all of the studied storm events.
15. The routing for the BMP No. 3 Rain Garden must consider the effect of the tail water elevation from BMP No. 1.
16. The BMP No. 3 Rain Garden with MRC Outlet Structure Detail on sheet 9 shall clarify if the underdrain will include an upturn elbow per the note, and if so, the elevations of the underdrain and connection to the outlet structure must be revised accordingly. Additionally, the Rain Garden Installation Detail on sheet 10 shall include the critical component elevations.
17. The plans shall indicate the existing inlet box in Maple Ave., that will receive proposed Pipe 1, will be replaced with a new PennDOT style box with new top. A detail of Hatfield Borough's public storm sewer inlet top will be provided to the applicant's engineer under separate cover.

#### EROSION AND SEDIMENTATION CONTROL COMMENTS

While we defer to the Montgomery County Conservation District for review of Erosion and Sedimentation Controls, the following are general comments based on our review of the project plans:

1. A tire wash station must be provided for the site.

### SANITARY SEWER COMMENTS

1. Sewer Note 5 on sheet 13, and the Bennetts Court profile on sheet 14, shall note SDR-26 PVC for all sanitary sewer pipes.
2. Standard sanitary sewer details have been provided to the applicant's engineer under separate cover.

### GENERAL COMMENTS

1. Grading is proposed along the northern curblin within the Lersch property. A temporary construction easement shall be secured for this encroachment. Also, the proposed 5-foot wide sidewalk along the Stauffer property appears to be partially located within the Stauffer property. A permanent access easement would be required for this permanent encroachment. Agreements, exhibits, and legal descriptions for the Temporary Construction Easements and any permanent easements on adjoining properties shall be provided to the satisfaction of the Borough Solicitor.
2. Considering the relatively flat slope along the rear face of the building housing units 13-18, we recommend the roof runoff from units 13-17 be collected in a drain system and conveyed to the storm sewer rather than having runoff from the downspouts draining along a path approximately 10 feet from the rear face of the units. The plans should also consider how the drainage may impact patios in case a unit owner prefers a ground-level seating area rather than an elevated deck. If a drain system is proposed, Grading and Drainage Note 11 on sheet 10 will need to be updated.
3. The proposed grading around the cul-de-sac bulb does not appear to be sufficient to convey runoff away from adjoining Mysel and Hatfield Village Associates properties. Additional consideration must be paid to the proposed slopes and area limitations to install a functional yard drain system within the constraints of the site boundaries. Additionally, the southern side of the cul-de-sac bulb appears to be designed with no vertical curb, and the 333 contour along unit 12 must be revised to convey runoff away from the building.
4. General Note 15 on sheet 3 indicates "Improvements shown within the East Broad Street 33' right-of-way between the Lersch and Stauffer properties are subject to appropriate easements and approvals from the property owners". The note shall be revised to the Borough Solicitor's satisfaction considering the pending quit claim.
5. Iron pins or other appropriate markers shall be installed at the corners of all lots and easements including the corners of Lot 1, access easement to the Johnson property, and sidewalk easement along the Stauffer property.
6. The 18" Cement Concrete Curb Typical Cross Section on sheet 15 shall be revised to specify Class AA concrete.
7. The plans shall clarify the line with "X"s along the proposed sidewalk in the Stauffer property. If this is intended to be a new fence, the plans shall label it as such, a detail shall be provided, and the ownership and maintenance responsibilities shall be established.

8. The proposed sidewalk will be constructed very close to an existing large tree in the Stauffer property. Construction of the sidewalk will require an 8-inch excavation. The plans shall note the developer's / HOA's responsibilities if the tree ultimately dies due to damage from construction.
9. Homeowner's Association documents shall be provided to the satisfaction of the Borough Solicitor.
10. Considering the very close proximity of the proposed improvements to the municipal boundary, and potential emergency access through properties in the Township, the Borough may wish to consider having the applicant provide Hatfield Township with a copy of the plans to identify any concerns they may have with potential impacts to properties in the Township.
11. Legal descriptions shall be provided for the overall tract, combined and adjusted parcels, the Bennetts Court right-of-way, and any defined easements.
12. Reviews, approvals, permits required include, but are not limited to, the following:
  - A. PaDEP Sewage Facilities Planning (exemption letter was issued 5/27/21)
  - B. Montgomery County Planning Commission
  - C. Borough Traffic Engineer (McMahon Associates letter issued June 2, 2021)
  - D. Borough Electric Engineer
  - E. Borough Fire Marshal
  - F. Emergency Service providers
  - G. NPWA – serviceability (letter was issued 8/11/2020)
  - H. NPWA - design approval
  - I. HTMA – sewage treatment capacity (letter was issued 1/15/2021)
13. Additional comments may be generated from subsequent submissions as a result of the plan and design revisions and additional information to be provided.

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

If you have any questions or comments with this review, please do not hesitate to contact me at 484-941-0418 or [chad.camburn@bursich.com](mailto:chad.camburn@bursich.com).

Sincerely,

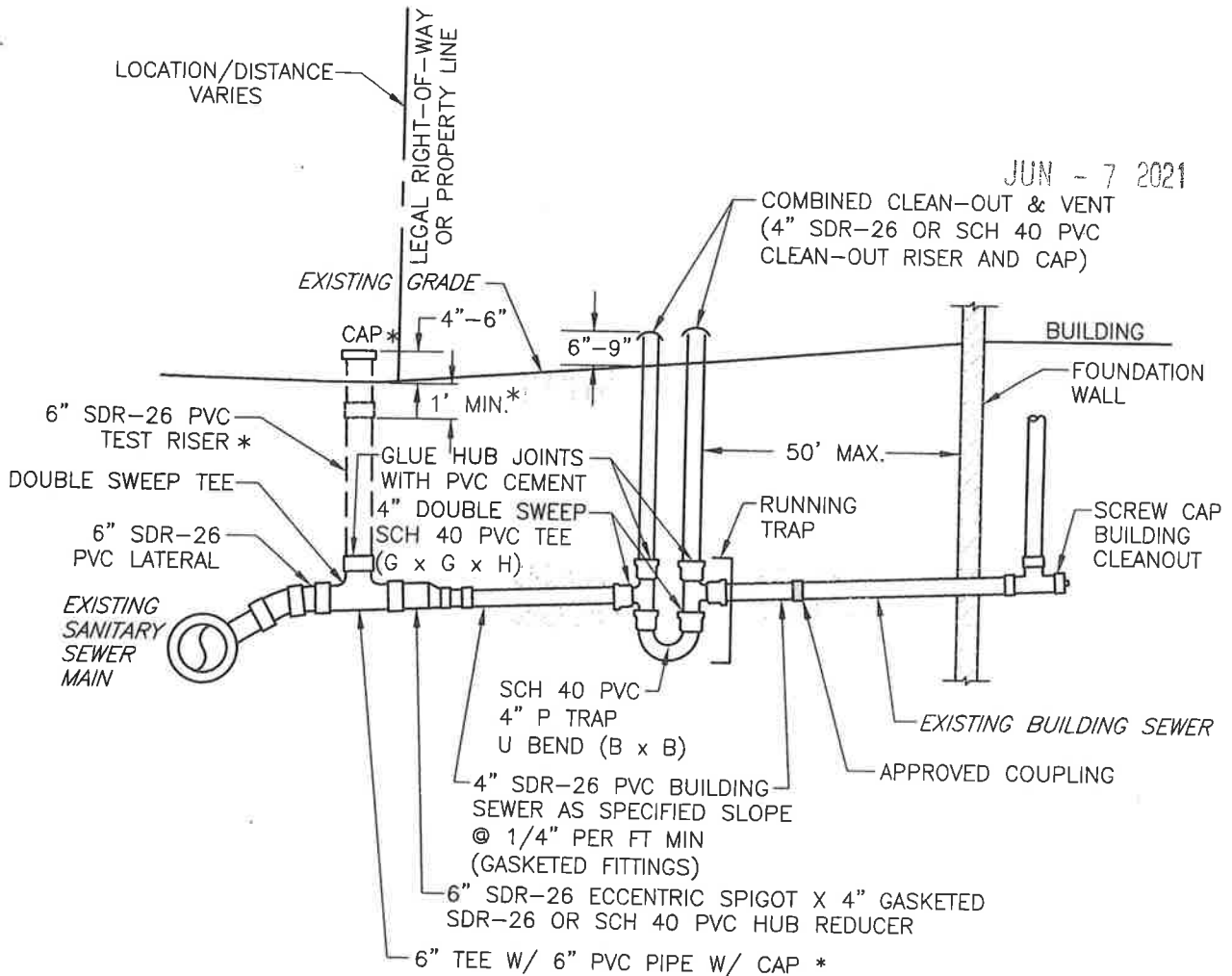


Chad E. Camburn, P.E.  
Director of Municipal Services  
Bursich Associates, Inc.

**pc:** Jaime Snyder, Assistant Borough Manager (via email)  
Kate Harper, Borough Solicitor (via email)  
Steve Fickert, Borough Director of Public Works (via email)  
Matt Traynor, Borough Zoning Officer (via email)  
Bob Heil, Hatfield Borough Code & Zoning Enforcement (via email)  
Prestige Property Partners, LLC c.o. James D'Angelo, Applicant (via email)  
Kris J. Reiss, P.E., Boucher 7 James, Inc., Applicant's Engineer (via email)

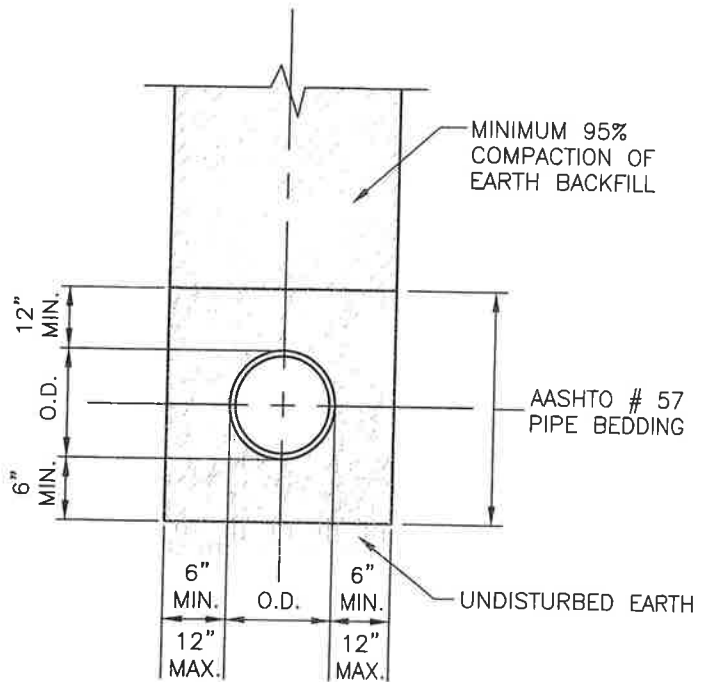


JUN - 7 2021



**NOTES:**

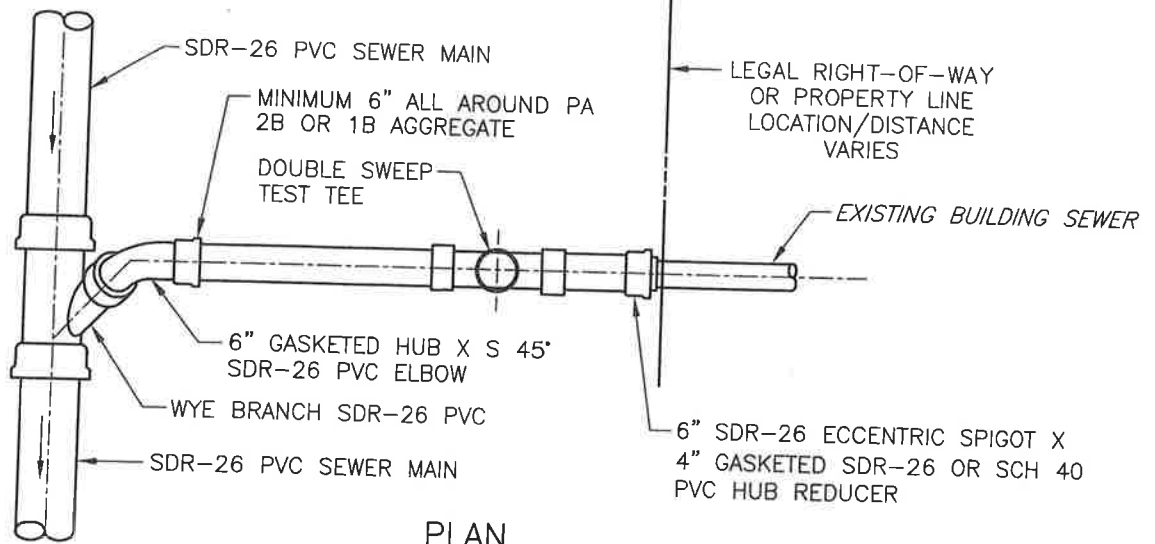
1. ALL BUILDING SEWERS TO BE TESTED PER MUNICIPALITY CODES
2. BUILDING SEWER TO BE TELEVISED AFTER INSTALLATION
3. CLEAN-OUT REQUIRED ONE PER 100 FEET OF PIPE AND AT EVERY BEND
4. ALL PVC FITTINGS ARE TO BE MOLDED, NOT FABRICATED.
- \* IF DIRECTED BY MUNICIPALITY, CUT TEST RISER A MINIMUM OF 1 FT. BELOW FINISHED GRADE AND CAP WATERTIGHT AFTER SUCCESSFUL TESTING.
5. CLEANOUTS IN OR ADJACENT TO PAVED AREAS SHALL HAVE LOAD BEARING COVERS PROVIDED.



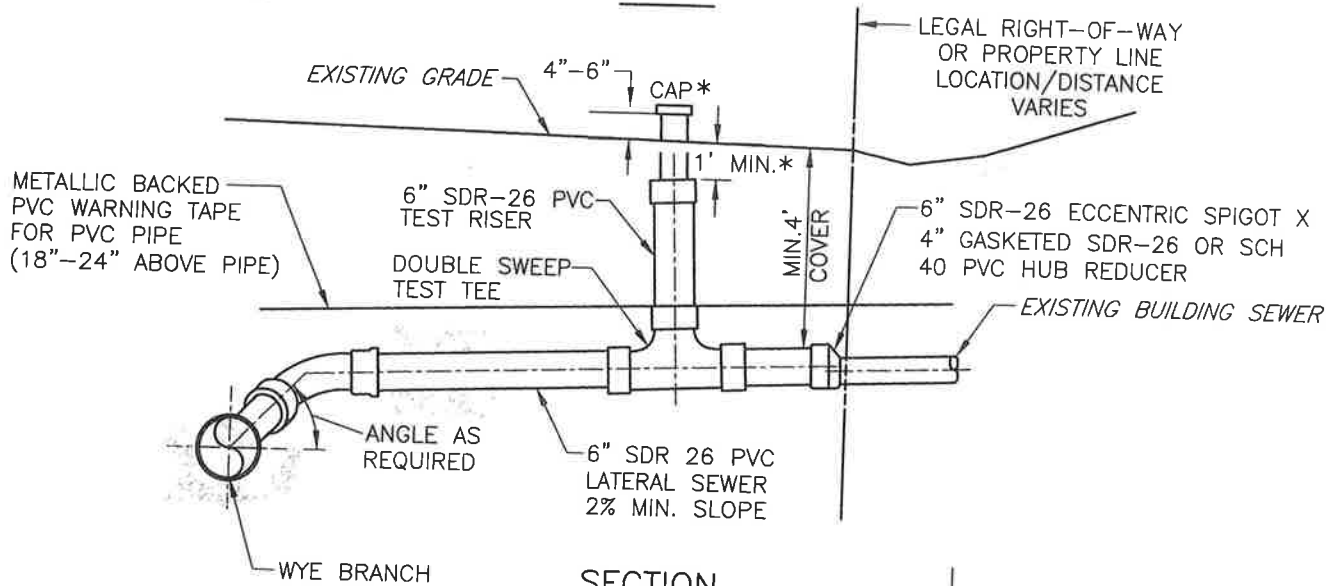
# 4" DIAMETER BUILDING SEWER CONNECTION (WITH CLEAN-OUT & TRAP)

NO SCALE

DBS-02



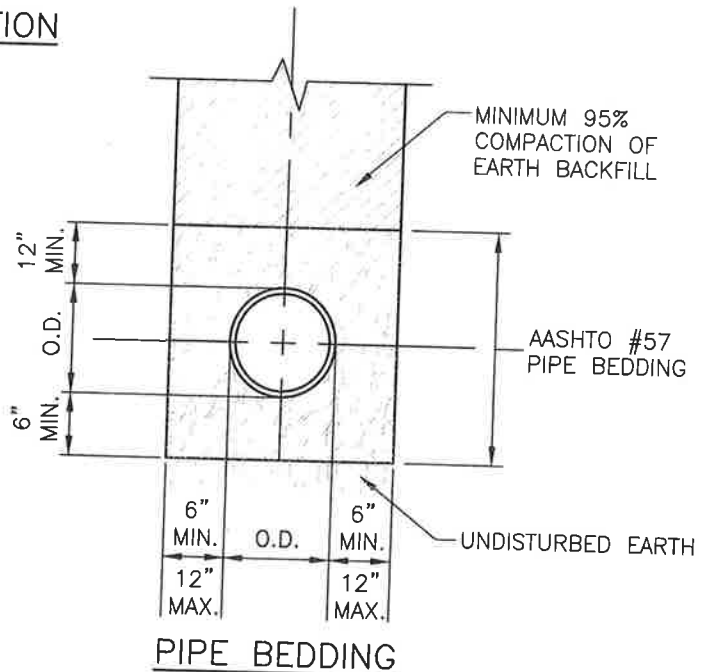
PLAN



SECTION

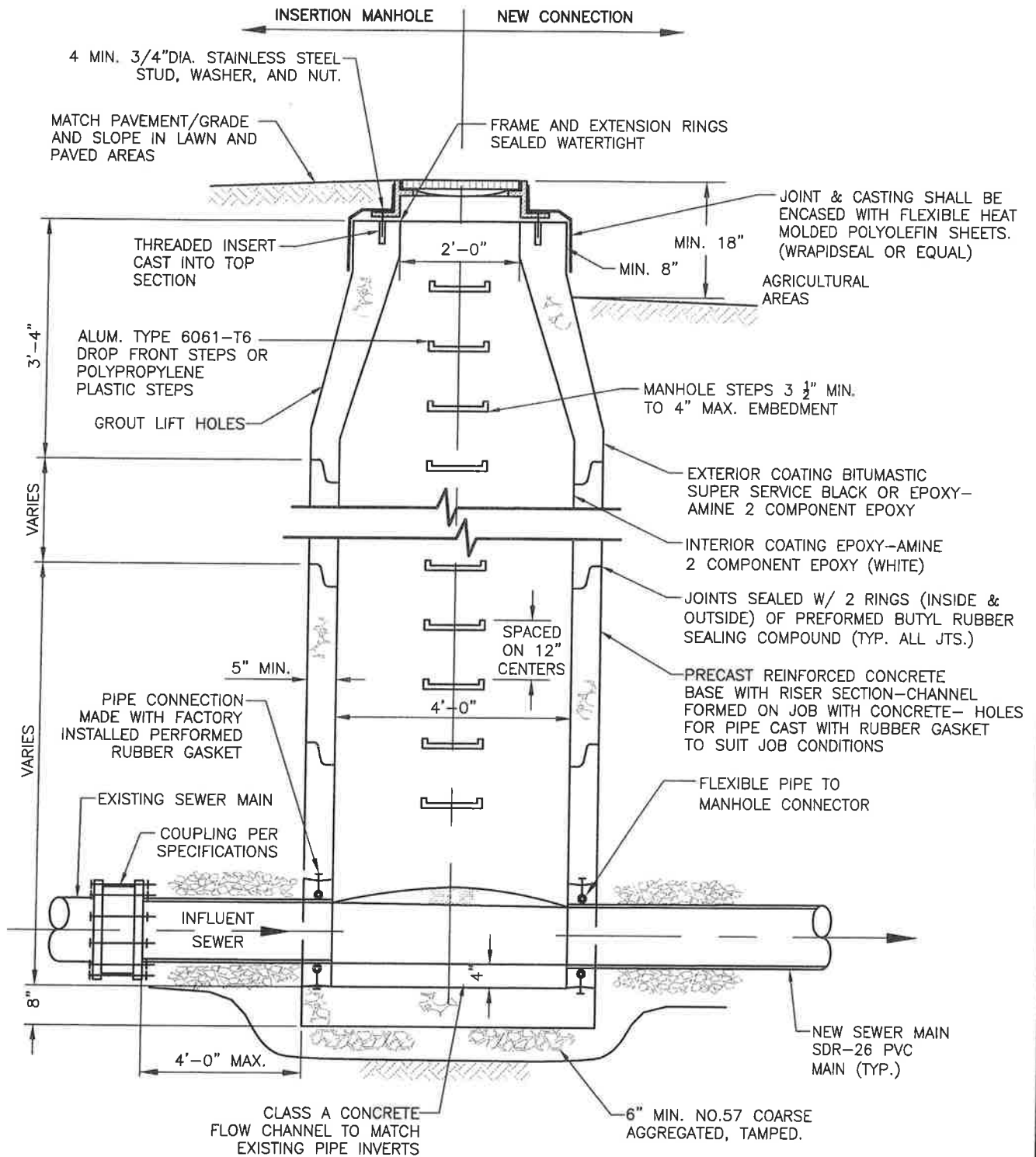
NOTES:

1. IF CURBING OR PAVING DOES NOT EXIST, LATERAL WILL BE 10' IN LENGTH OR FOUR (4') PAST THE EDGE OF THE RIGHT-OR-WAY, WHICHEVER IS GREATER.
2. CONNECTION FROM SERVICE LATERAL TO STRUCTURE SHALL BE IN ACCORDANCE WITH MUNICIPALITY PLUMBING CODE.
3. ALL PVC FITTINGS SHALL BE MOLDED, NOT FABRICATED.
4. INVERT OF LATERAL TO BE NO LOWER THAN CROWN OF SEWER MAIN.
5. WYE POSITION SHALL BE BETWEEN CROWN AND SPRINGLINE WHERE POSSIBLE.
- \* IF DIRECTED BY MUNICIPALITY, CUT TEST RISER A MINIMUM OF 1 FT. BELOW FINISHED GRADE AND CAP WATERTIGHT AFTER SUCCESSFUL TESTING.



**TYPICAL LATERAL DETAIL**

NO SCALE



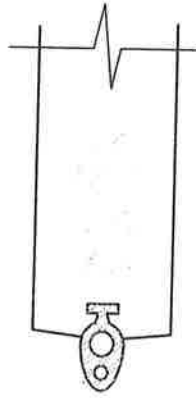
**NOTES:**

1. PIPES SHALL PROTRUDE A MAXIMUM OF 2" INTO MANHOLE.
2. ADJUST CASTING TO GRADE W/ PREFORMED RUBBER GRADE RINGS. (MAX. VERT. ADJUSTMENT IS 6").
3. CONCRETE SHALL CONFORM TO A.S.T.M. C-478.
4. MANHOLE INSIDE DIAMETER FOR 8" - 12" DIAMETER SEWERS. LARGER MANHOLES REQUIRED FOR LARGER PIPE DIAMETERS.
5. PRIOR TO INSTALLATION OF MANHOLE THE CONTRACTOR SHALL TEST DIG AND DETERMINE THE O.D. AND OVALITY OF THE EXISTING PIPE.

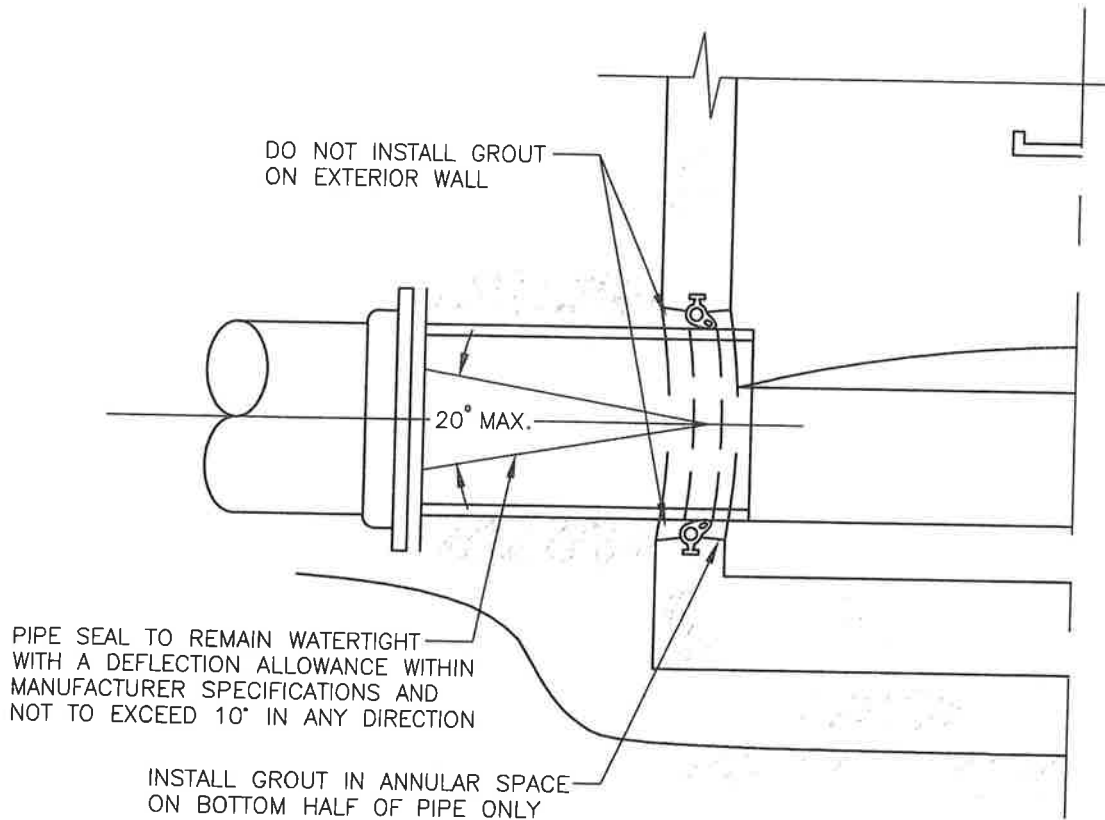
# 4' DIA. PRECAST CONCRETE MANHOLE WITH PRECAST CONCRETE BASE

NO SCALE

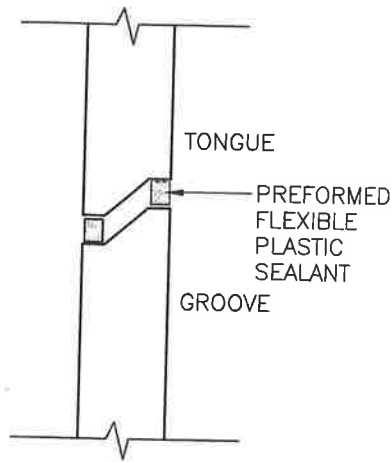
DM-01



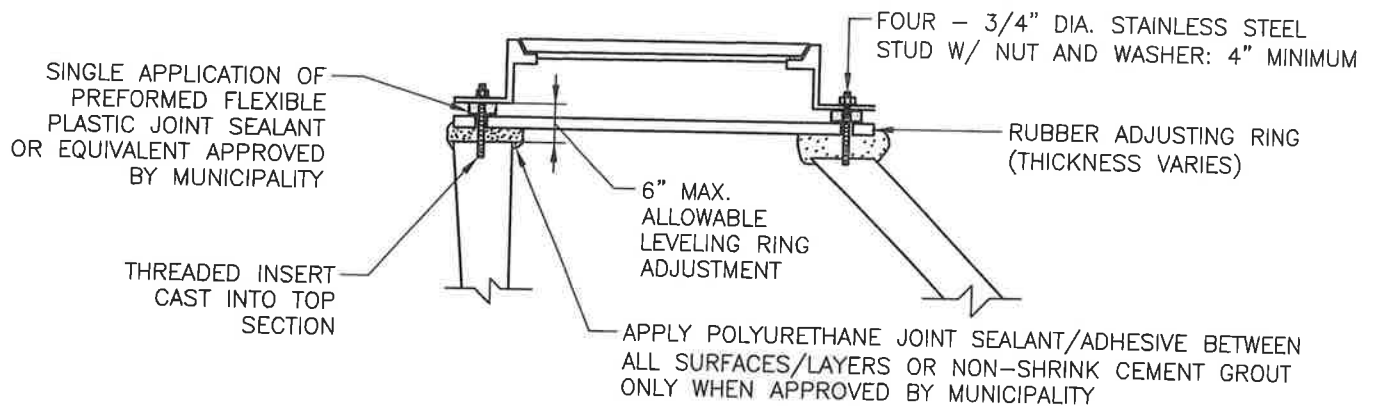
INTEGRAL PIPE GASKET  
(BEFORE INSTALLATION)



MANHOLE PIPE GASKET  
NO SCALE



PRECAST CONCRETE  
MANHOLE SECTION GASKET



SECTION

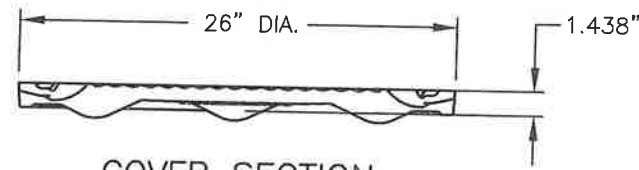
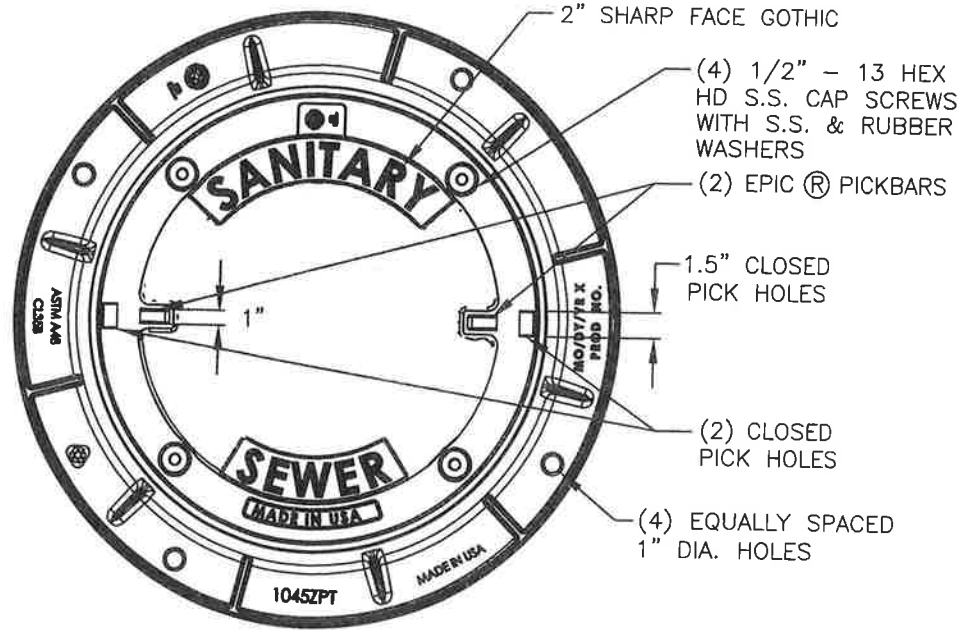
MANHOLE FRAME & LEVELING RINGS

NOTES:

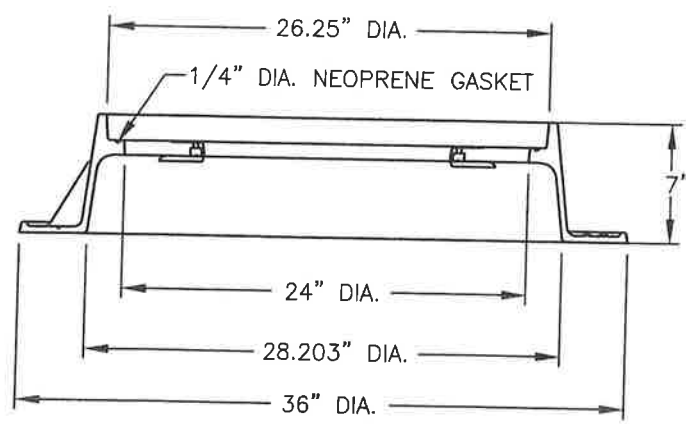
1. ALL NON-SHRINK CEMENT GROUT SHALL BE TROWLED SMOOTH.
2. MINIMUM COMBINED WEIGHT OF FRAME & COVER SHALL BE 400 LBS.
3. CONCRETE ADJUSTING RINGS MAY BE USED WHEN APPROVED BY MUNICIPALITY.
4. BOLTS MAY NOT BE UTILIZED IN PAVED SURFACES AT DISCRETION OF MUNICIPALITY.

MANHOLE GASKETS, LEVELING RINGS,  
AND BOLTED FRAME DETAIL

NO SCALE



COVER SECTION

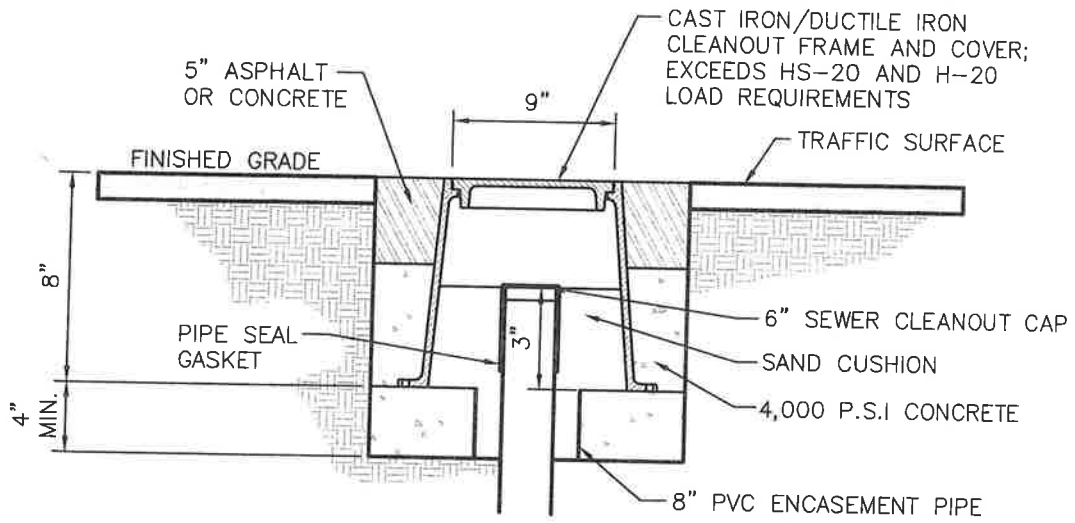


FRAME SECTION

- NOTES:
1. ALL MANHOLES ARE TO HAVE WATERTIGHT MANHOLE FRAME AND COVER.

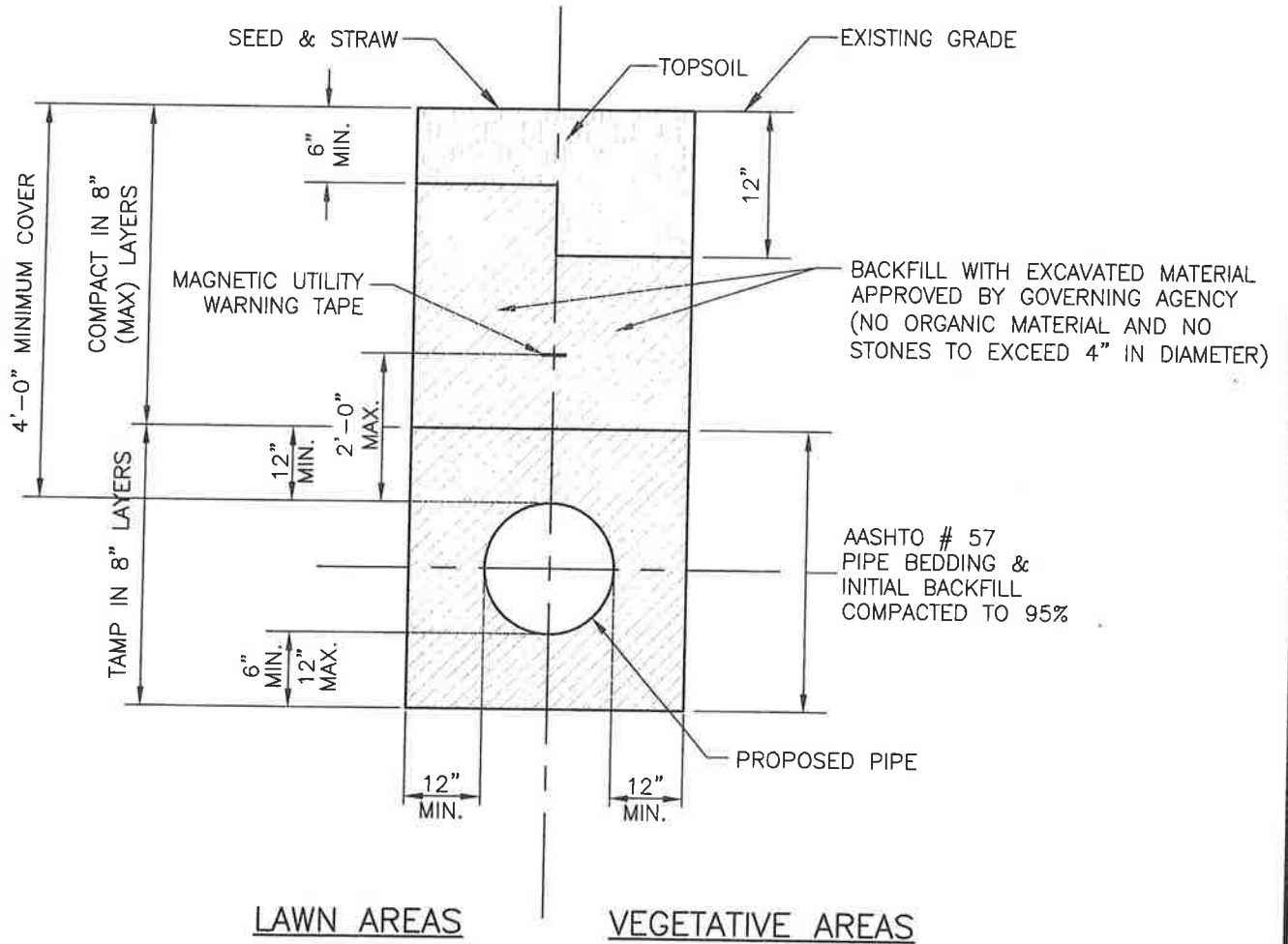
**CAST IRON WATERTIGHT MANHOLE  
FRAME & COVER**  
NO SCALE

P:\LOW-04\065126\_UPTA Misc. Consultation\STANDARD SPECS\2020-Spec Update\Standard Details\Sanitary Details.dwg



## CLEANOUT FRAME & COVER IN IMPERVIOUS AREAS

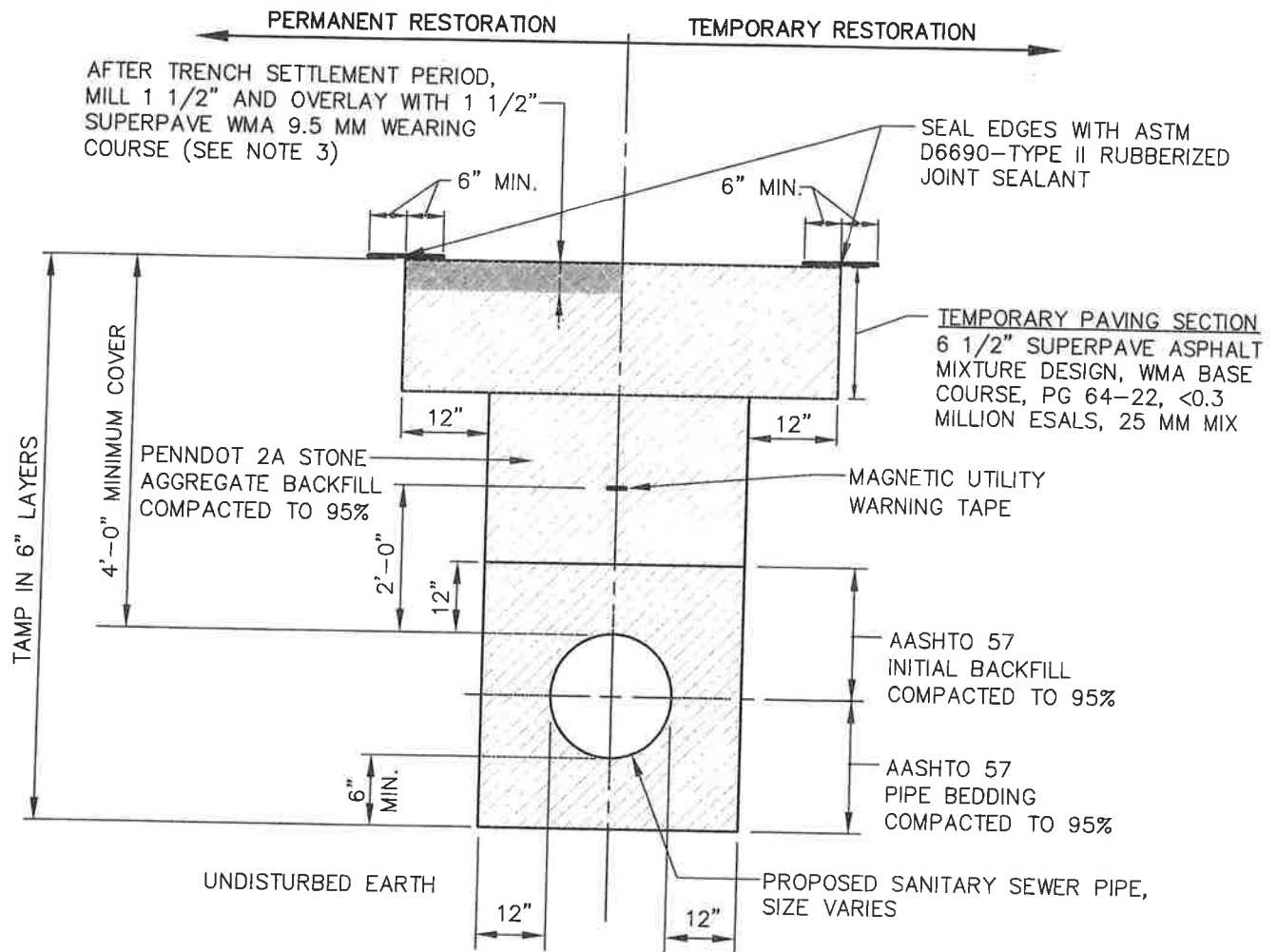
NO SCALE



# SANITARY BEDDING & TRENCH RESTORATION LAWN/VEGETATIVE AREAS

NO SCALE



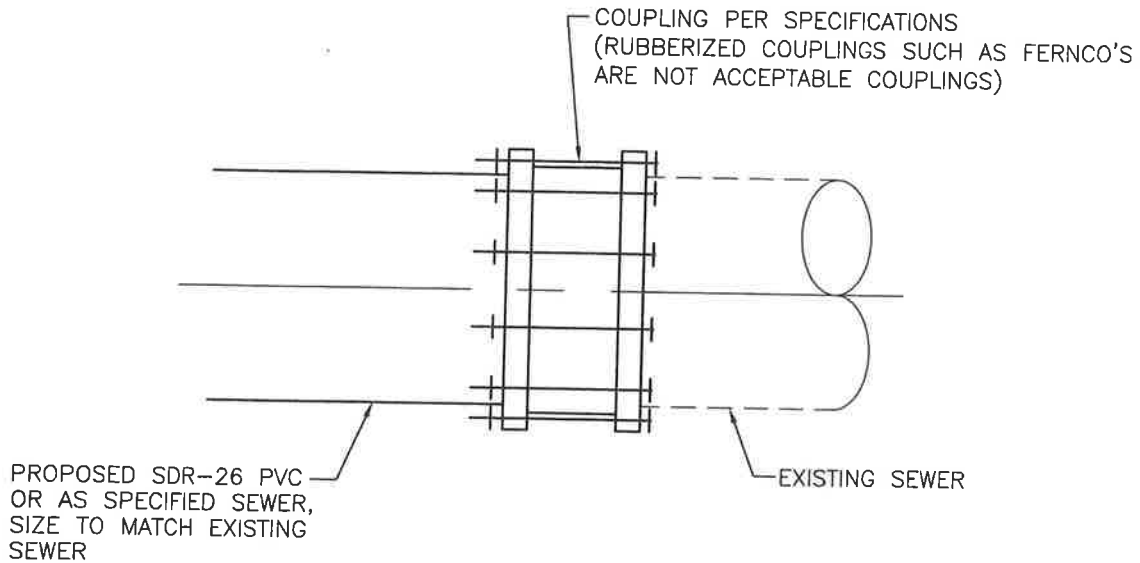


**NOTES:**

1. ALL MATERIALS AND CONSTRUCTION METHODS SHALL COMPLY WITH PENNDOT PUBLICATION 408 REGULATIONS.
2. CONTRACTOR SHALL PROVIDE UNIFORM GRADE FROM EXISTING PAVEMENT.
3. TEMPORARY RESTORATION INCLUDES 6 1/2" SUPERPAVE WMA BASE COURSE AND SHALL BE MAINTAINED FOR A MINIMUM 45 DAYS PRIOR TO FINAL PAVING TO ALLOW TRENCH SETTLEMENT. FINAL PAVEMENT INCLUDES MILLING 1 1/2" DEPTH AND OVERLAY WITH 1 1/2" SUPERPAVE WMA WEARING COURSE.
4. FOR LATERALS LOCATED WITHIN SIDEWALK OR LAWN AREAS, REPLACE SIDEWALK AND STABILIZE LAWN AREA AS APPLICABLE.

# SANITARY TRENCH BACKFILL AND PAVEMENT RESTORATION DETAIL FOR MUNICIPAL ROADS

NO SCALE



**NOTES:**

1. PRIOR TO THE START OF PIPE LAYING, CONTRACTOR SHALL TEST DIG TO VERIFY PIPE SIZES, MATERIAL, OUTSIDE DIAMETERS, STRUCTURAL INTEGRITY, AND OVALITY OF ALL EXISTING PIPES WHERE CONNECTION TO THE EXISTING SEWER IS PROPOSED IN ORDER TO SUPPLY ACCEPTABLE COUPLING.

**CONNECTION TO EXISTING SEWER PIPE**  
NO SCALE

June 2, 2021

Mr. Michael J. DeFinis  
Hatfield Borough  
401 South Main Street  
P.O. Box 190  
Hatfield, PA 19440

JUN - 7 2021

RE: **Traffic Engineering Review #4**  
Bennett's Court  
Hatfield Borough, Montgomery County, PA  
McMahon Project No. 819926.1A

Dear Mr. DeFinis:

As requested, on behalf of Hatfield Borough, McMahon has completed a traffic engineering review of the proposed development to be located along the eastern side of Maple Avenue, to the south of Roosevelt Avenue in Hatfield Borough, Montgomery County, PA. It is our understanding that the proposed development will consist of 18 townhomes with access to the development proposed via roadway connection (E. Broad Street) to Maple Avenue.

The following documents were reviewed in preparation of our review:

- Land Development Plans for Bennett's Court, prepared by Boucher & James, Inc., revised May 19, 2021.
- Waiver Request Letter for Bennett's Court, prepared by Boucher & James, Inc., revised May 19, 2021.

Based on our review of the submitted documents noted above, McMahon offers the following for consideration by the Borough and action by the applicant.

### Waiver Requests

1. The previous waiver request to provide an emergency access has been removed in this submission. It is noted that the applicant is continuing coordinate with property owners for the emergency access connection.
2. The applicant is requesting a waiver from **Section 414.A(2)** of the **Subdivision and Land Development Ordinance**, requiring no angled or perpendicular parking along private or public streets. The plans currently show perpendicular parking along E. Broad Street, thereby not satisfying the ordinance requirement. Based upon the proposed development and location of the parking, we have no objection to granting the waiver.

**Plan Review**

3. As previously noted, the applicant's engineer has provided an Entrance Exhibit illustrating the installation of sidewalk on the north side of the roadway. It is our understanding that this exhibit was discussed at the Planning Commission meeting and it was determined to maintain the sidewalk on the south side of the roadway as currently noted on the plans. No further action is required.

Based on our review, there are no further comments from our office. We trust that this review letter responds to your request and satisfactorily addresses the traffic issues that are related to the proposed development apparent to us at this time. If you or the Borough have any questions, or require clarification, please contact me.

Sincerely,



Anton K. Kuhner, P.E.  
Associate

BMJ/smd

cc: Chad Camburn, P.E., Bursich Associates, Inc. – Borough Engineer  
Kris J. Reiss, P.E. – Boucher & James, Inc. (Applicant's Engineer)



# Borough of Hatfield

Montgomery County, Pennsylvania

June 10, 2021

Bennett's Court  
Hatfield, PA 19440

PID# 09-00-00199-00-8, 09-00-00196-00-2,  
09-00-00070-00-2, 09-00-01285-00-2

## ZONING REPORT: Subdivision/Land Development

*No change from previous review letter*

A review for compliance with the Hatfield Borough Ordinances, and other applicable laws and codes for the Subdivision/Land Development submittal of Bennett's Court, Hatfield, PA 19440 has been completed and approved as submitted with variances granted. All design specifications out of compliance with Hatfield Borough Zoning Ordinances have been granted by variances on the September 3, 2019 by the Hatfield Borough Board.

Bennett's Court, Hatfield, PA 19440 is located in the R-3 Residential/Commercial District. Proposed Dwelling Type: Single-Family Attached.

Minimum Lot Area:	2,500 Square Feet
Minimum Lot Width at Street Line:	20 Feet (center) 35 Feet (end)
Front Yard Setback:	30 Feet
Side Yard Setback:	15 Feet (20 if no alley present)
Rear Yard Setback:	50 Feet
Maximum Building Coverage:	40% of Lot Area
Minimum Landscaped Area	25% of Lot Area
Maximum Impervious Coverage:	75% of Lot Area

The following is out of compliance with Hatfield Borough Zoning Ordinances and have been granted by variances on the 3rd day of September, 2019 by The Hatfield Borough Board.

- Lot #17
  - Does not meet 50-foot rear yard setback requirement
- Lot #18
  - Does not meet 50-foot rear yard setback requirement

Sincerely,

Matthew J Traynor  
Code and Zoning Enforcement

401 S. Main Street  
P.O. Box 190  
Hatfield, PA 19440

Phone:  
215-855-0781

Fax:  
215-855-2075

Email:  
admin@  
hatfieldborough.com

Website:  
www.hatfieldborough.com



# Borough of Hatfield

Montgomery County, Pennsylvania

Mr. Michael DeFinis  
Borough Manager  
Hatfield Borough  
401 South Main Street  
P O Box 190 Hatfield, Pa.

6-4-2021

RE: BENNETTS COURT

Dear Mr. DeFinis

Within the subdivision there should be adequate turning and operating space required for fire fighting operations.

Considerations should be given regarding granting of a variance to eliminate the access road for emergency purposes.

Ensure the code required fire hydrants are properly spaced and a reliable water supply is available for fire fighting purposes

  
Daniel Quimby  
Fire Marshal/ Fire Safety

401 S. Main Street  
P.O. Box 190  
Hatfield, PA 19440

**Phone:**  
215-855-0781

**Fax:**  
215-855-2075

**Email:**  
admin@  
hatfieldborough.com

**Website:**  
www.hatfieldborough.com

J Synder A. B. M.

**MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS**  
VALERIE A. ARKOOSH, MD, MPH, CHAIR  
KENNETH E. LAWRENCE JR., VICE CHAIR  
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY  
PLANNING COMMISSION**  
MONTGOMERY COUNTY COURTHOUSE • PO Box 311  
NORRISTOWN, PA 19404-0311  
610-278-3722  
FAX: 610-278-3941 • TDD: 610-631-1211  
WWW.MONTCOPA.ORG

SCOTT FRANCE, AICP  
EXECUTIVE DIRECTOR

February 22, 2021

Mr. Matthew Traynor, Code Enforcement Officer  
Hatfield Borough  
37 North Market Street—Box 190  
Hatfield, Pennsylvania 19440-0190

Re: MCPC #21-0020-001  
Plan Name: Bennet's Court  
Situate: Roosevelt Avenue (south)/Maple Avenue (east)  
Hatfield Borough

Dear Mr. Traynor:

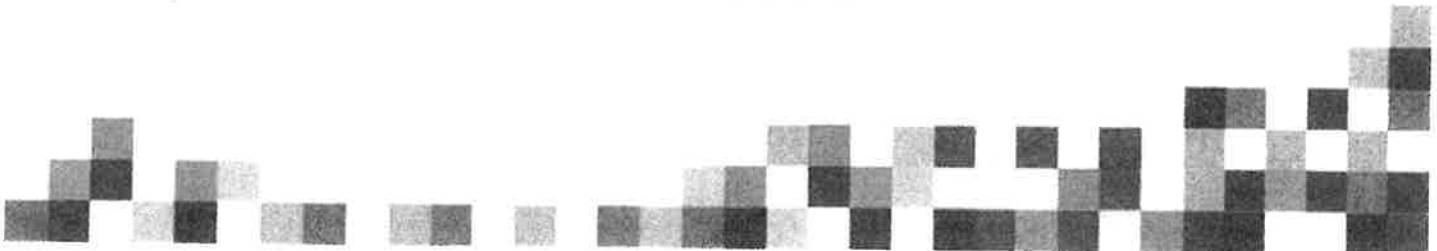
We have reviewed the above-referenced subdivision and land development plan in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on January 19, 2021. We forward this letter as a report of our review.

## BACKGROUND

Jim DeAngelo, on behalf of Prestige Property Partners LLC, is proposing to subdivide and develop 18 single-family attached units at the end of E. Broad St. in Hatfield Borough. The property is currently open space and is split between two parcels owned by the applicant (PARID: 090000196002) and Geoffrey C. Horrocks (PARID: 090001285002). The parcel owned by Mr. Horrocks will see the rear portion subdivided and transferred to the new development. The development contains 18 single-family attached units in 3 groupings along a new street (Bennet Court). In order to manage stormwater on the site, the development includes a large vegetated detention basin, managed release concept (MRC), and a rain garden. Variances were requested for various non-conforming aspects of the preliminary plan and were granted with conditions on 9/3/19.

## RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal, however, in the course of our review we have identified the following issues that the applicant and Hatfield Borough may wish to consider prior to final plan approval. Our comment is as follows:



## REVIEW COMMENTS

### STORMWATER MANAGEMENT

#### A. Driveway Paving

- 1) The MCPC would like to suggest that the proposed driveways utilize porous pavers or other like technologies to allow for more passive stormwater management on each individual lot. The MCPC provides guidance on these types of paving technologies within our Sustainable Green Parking Lots guide.

#### B. Rain Garden

- 2) The MCPC recommends the following soil amendment composition for rain gardens: 15%-20% by volume double shredded hardwood mulch, 70%-80% by volume washed sharp sand – ASTM C-33, and 5%-15% by volume compost (assuming approximately 30% organic content – use a lower percentage if under-drained or higher organic percentage). We also recommend a minimum 18" and prefer 30" for soil depth, especially where there are shrubs and trees.

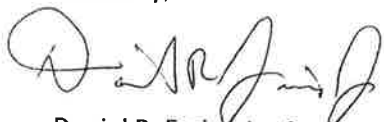
## CONCLUSION

We wish to reiterate that MCPC supports the applicant's proposal but we believe that our suggested revision will better achieve Hatfield Borough's planning objectives for stormwater management and residential development.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files.

Sincerely,



Daniel R. Farina Jr., Senior County Planner  
[dfarina@montcopa.org](mailto:dfarina@montcopa.org) - 610-278-3728

Attachments: Aerial View of Site  
Reduced Copy of Applicant's Plan





Bennet's Court  
MCPC #210020001

Montgomery  
County  
Planning  
Commission  
1810 Montgomery County Administration Center • Two Liberty Center Plaza  
Columbia, MD • 21046-3601 • Tel: 410-326-7100  
p: 410-278-3722 • f: 410-326-7101  
www.montgomeryplanning.com  
Aerial photography provided by Google Earth



**DETECTION BASIN AREA**

**RECOMMENDED PARKING/SNOW STORAGE AREA**

**TURNAROUND/PARKING/SNOW EASEMENT**

**BENNETT'S COURT**

**PRESTIGE BUILDING PARTNERS**

**WATER REQUESTS**

**ZONING DATA:**

NO.	DESCRIPTION	MINIMUM	MAXIMUM	REMARKS
1	HEIGHT	20 FT	25 FT	
2	AREA	10,000 SQ FT	15,000 SQ FT	
3	SETBACKS	10 FT	15 FT	
4	STORYS	2	3	
5	USE	RESIDENTIAL	RESIDENTIAL	

**LEGEND**

**GENERAL NOTES**

**ENGINEER'S CERTIFICATION**

**SURVEYOR'S CERTIFICATION**

**LOCATION MAP**

**OWNER'S CERTIFICATION**

**BOROUGH ENGINEER'S REVIEW**

**BOROUGH COUNCIL CERTIFICATION**

**MONTGOMERY COUNTY PLANNING COMMISSION**

**RECORDING CERTIFICATION**

**157201**

**RECORD PLAN 2 OF 2**

**Boucher & James, Inc.**

**1224 HORSHAM ROAD, SUITE 200, HORSHAM, PA 19036**

**BENNETT'S COURT**

**SHEET 3 OF 21**

**OCTOBER 6, 2018**

## 5. Old Business:

### A. Edinburgh Square Land Development Update

**5. Old Business:**  
**B. 127 Penn Street Sketch Plan**

5. Old Business:  
C. Codification

**5. Old Business:**  
**D. Sewer Lateral Repair Ordinance / Chapter 18**

**BOROUGH OF HATFIELD  
MONTGOMERY COUNTY, PENNSYLVANIA  
ORDINANCE NO. \_\_\_**

---

**AN ORDINANCE AMENDING CHAPTER 18 OF THE BOROUGH OF HATFIELD CODE, ENTITLED "SEWERS AND SEWAGE DISPOSAL," TO ADD REQUIREMENTS FOR PRIVATE SEWER LATERAL INSPECTIONS UPON THE SALE OR TRANSFER OF PROPERTIES WITHIN THE BOROUGH IN ACCORDANCE WITH CHAPTER 5 "CODE ENFORCEMENT" PROPERTY TRANSFER CERTIFICATIONS.**

---

**RECITALS:**

**A.** The Borough Code authorizes the Hatfield Borough Council to make and adopt Ordinances that are consistent with the Constitution and the laws of the Commonwealth that it deems necessary for the proper management and control of the Borough and welfare of the Borough and its citizens.

**B.** The Pennsylvania Department of Environmental Protection has informed the Borough and the Hatfield Township Municipal Authority of identified Inflow and Infiltration issues within the public sanitary sewer system in Hatfield Borough and Hatfield Township.

**C.** Inflow and Infiltration can damage public sanitary sewer systems and poses a threat to the health, safety, and welfare of the residents served by such public sanitary sewer system by events such as sanitary sewer overflows.

**D.** The Borough Code authorizes the Borough Council to adopt rules and regulations governing the connections and use of public sanitary sewer systems within the Borough.

**E.** The Borough Council of Hatfield desires to amend Chapter 18 of the Borough of Hatfield Code, entitled "Sewers and Sewage Disposal", to establish requirements for the inspection of private sewer laterals upon the sale or transfer of properties located within the Borough.

**F.** The inspection of such private laterals will identify issues with the laterals, including inflow and infiltration, connected to the public sanitary sewer system.

**G.** The Borough Council of the Borough of Hatfield, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety, and general welfare of the residents of the Borough of Hatfield will be served by adopting this ordinance.

5.14.2021

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Borough Council of Hatfield, as follows:

**SECTION 1. CODE AMENDMENTS.**

The Hatfield Code is hereby amended as follows:

**Chapter 18, Part 6, entitled “Lateral Inspection Program” of the Hatfield Borough Code is hereby added as follows:**

**§18-601** Definitions.

**AUTHORITY**

Hatfield Township Municipal Authority

**SEWER SYSTEM**

The public sanitary sewer system, together with appurtenant facilities about to be constructed for the Borough and any improvements, additions or extensions that hereafter may be made thereto by the Authority or the Borough or to any part or parts of any or all thereof and shall specifically include all presently existing public sewer lines now owned or hereafter acquired by the Borough or the Authority.

**PRIVATE SEWER SERVICE LATERAL**

The private sewer pipe extending from a building to the public sanitary sewer system. lateral. Such private sewer pipe shall include the private 4" (or other) sewer pipe to its transition to the public 6" service lateral in the public right of way. Where no such transition exists, the private sewer pipe shall include the sewer pipe from the building to the public right of way, and to the easement demarcation line when the private line connects to a public sewer that is located within an easement. If a property contains a different set-up for the Private Sewer Service Lateral, this ordinance shall remain applicable and such Private Sewer Service Lateral shall be inspected in accordance with this ordinance. All Private Sewer Service Laterals shall comply with the Borough's and the Authority's then current adopted specifications.

**TRANSFER**

The transfer of title to real estate whether by sale, gift or otherwise, which requires a Property Transfer Certification in accordance with §5-209 of the Hatfield Borough Code of Ordinances.

**§18-602** Inspection required upon transfer of properties.

(1) In addition to the requirements of §5-209 relating to Property Transfer Certification, the seller of any property located in the Borough, which is connected to the System shall be required to retain the services of a master plumber or utility contractor for the purposes



5.14.2021

of conducting an inspection of the Private Sewer Service Lateral. The inspection shall require a video inspection of the Private Sanitary Sewer Lateral from the face of the building or other connected structure to the connection to the System and contain a report of the inspection result. Such video shall be given to the Borough for review.

(2) Should the Private Sewer Service Lateral be found to be defective, based upon the Borough's or Authority's rules, regulations, and resolutions and/or sound engineering practice, the lateral pipe shall be replaced, realigned or otherwise corrected. In the sole discretion of the Borough, limited permission for spot and/or minor repairs and maintenance may be granted. The pipe replacement/realigning/spot repair shall be performed by a master plumber or utility contractor in accordance with Borough Code of Ordinances requirements; as well as the Borough's and Authority's rules, regulations, and resolutions and in accordance with industry standards. Any defect in the Private Sewer Service Lateral is hereby deemed a substantial violation of the Municipal Code and Ordinance Compliance Act, 68 P.S. § 1081 et seq., as inadequate sanitary facilities and the health risks posed to adjoining properties.

(3) In the event that any Transfer occurs without an inspection having been conducted and without the seller obtaining a certified report, the buyer or purchaser of the property shall be responsible for having the aforementioned inspection conducted and for the submission of the certified result to the Borough.

(4) This section shall not apply to a transfer of newly constructed properties from the builder to the first owner, nor to any properties where the property owner can prove that the lateral was replaced to the Borough's satisfaction within the last ten years, nor to any properties where the Borough has received or performed an inspection of the Private Sewer Service lateral and found the property to be in compliance within the previous five years.

(5) The Borough, upon payment of any application and inspection fee and, upon the Borough's receipt and approval of the inspection report required above, including a copy of the televised video inspection, the report specifically certifying that there is no inflow and/or infiltration into the private sewer service lateral, nor any illegal connections and that the clean-out vent is capped and not damaged; shall issue a private sewer service lateral inspection permit to the seller who shall deliver said permit to the buyer or lessee of the property at the time of the Transfer.

(6) In the event that the property owner fails to repair or replace the Private Sewer Service Lateral as required, the Borough shall be authorized as permitted by law to go onto the property and repair or replace the Private Sewer Service Lateral and charge the property owner for the cost and expenses incurred by the Borough to repair or replace the Private Sewer Service Lateral. In the event that satisfactory payment arrangements are not agreed upon between the Borough and the property owner, the Borough may file a municipal lien against the property pursuant to Pennsylvania's Municipal Claims Act and/or pursue other legal remedies for the collection of same, including the collection of attorney's fees. In addition thereto, the Borough can refuse the issuance of a Property Transfer Certification or use and occupancy permit if the necessary repairs or replacement are not completed. In the alternative, at the sole discretion of the Borough and after the posting of an escrow fund to ensure payment for any repairs or replacements, the Borough may issue a Conditional Property Transfer Certification conditioned on obtaining the inspection and making any needed repairs within 60 days.

5.14.2021

(7) During the inspection of the Private Sewer Service Lateral, the property owner shall permit the designated employees or agents of the Borough access to the property to make necessary inspections and observations.

(8) The master plumber or utility contractor utilized by the property owner must be registered with the Borough, own its equipment, and have appropriate insurance, in compliance with industry standards, to perform such work.

**SECTION 2. AMENDMENT TO CHAPTER 5, "CODE ENFORCEMENT".** Chapter 5, "Code Enforcement," is hereby amended to add a new section to §5-209.3, "Certification and Code Compliance," to add a new section, §5-209.3.D. "Lateral Inspection Program. The owner shall comply with the requirements of Chapter 18, Part 6, Lateral Inspection Program."

**SECTION 3. REPEALER.** All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**SECTION 4. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

**SECTION 5. FAILURE TO ENFORCE NOT A WAIVER.**

The failure of Hatfield Borough to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

**ORDAINED AND ENACTED** by the Borough Council of HATFIELD BOROUGH on this

\_\_\_\_\_ day of \_\_\_\_\_, 2021 with \_\_\_\_\_ Council Members

\_\_\_\_\_ voting "aye" and \_\_\_\_\_ voting "nay."

Attest:

HATFIELD BOROUGH

\_\_\_\_\_  
Michael J. DeFinis, Secretary

By: \_\_\_\_\_  
John H. Weierman, Council President

5.14.2021

Approved by the Mayor:

\_\_\_\_\_  
Robert L. Kaler, III

Date: \_\_\_\_\_

## 7. Action Items:

A. Motion to Consider Granting Final Land Development Approval for the 43 Roosevelt Subdivision and have the Solicitor Draft a Resolution Identifying all Conditions and Obligations

**8. Next Meeting Monday, July 12, 2021 7:00PM**

## 9. Motion to Adjourn