



**Planning and Zoning
Department**

616 Germantown Pike, Lafayette
Hill, PA 19444-1821

484-594-2625

www.whitemarshtwp.org

Subdivision and Land Development Cover
Page for SLD # 05-23

Project Name: Official Map Amendment

Address: Washington Street

Date: June 19, 2023

Status: Under Review

Updates:

Memo to Planning Commission Concerning Appeal Procedure 7.24.23

Montgomery County Planning Commission Review 7.28.23

Conshohocken Borough Response to Whitemarsh Proposed Map Amendment 8.1.23

Law Library Transmittal 8.30.23

**WHITEMARSH TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. _____

AN ORDINANCE OF WHITEMARSH TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE WHITEMARSH TOWNSHIP OFFICIAL MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on October 2, 1969, the Board of Supervisors of Whitemarsh Township enacted Ordinance No. 238 which adopted an Official Map pursuant to Article IV of the Pennsylvania Municipalities Planning Code; and

WHEREAS, the Official Map had been amended from time to time by ordinance of the Board of Supervisors, and the Board of Supervisors desires to again amend the Official Map to add a portion of Washington Street connecting it to Lee Street; and

WHEREAS, the Board of Supervisors has determined that it is in the best interests of the health, safety, and welfare of the residents of Whitemarsh Township to amend the Official Map to add a portion of Washington Street connecting it to Lee Street;

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the Board of Supervisors of Whitemarsh Township, Montgomery County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

- I. The Whitemarsh Township Official Map is amended to add the portion of Washington Street depicted on Exhibit "A" hereto and incorporated herein by reference.
- II. All provisions of the Whitemarsh Township Official Map unaffected by this Ordinance shall remain in full force and effect.
- III. All ordinances or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency.
- IV. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the Whitemarsh Township Official Map.
- V. This Ordinance will become effective at the earliest date permitted by the Whitemarsh Township Charter.

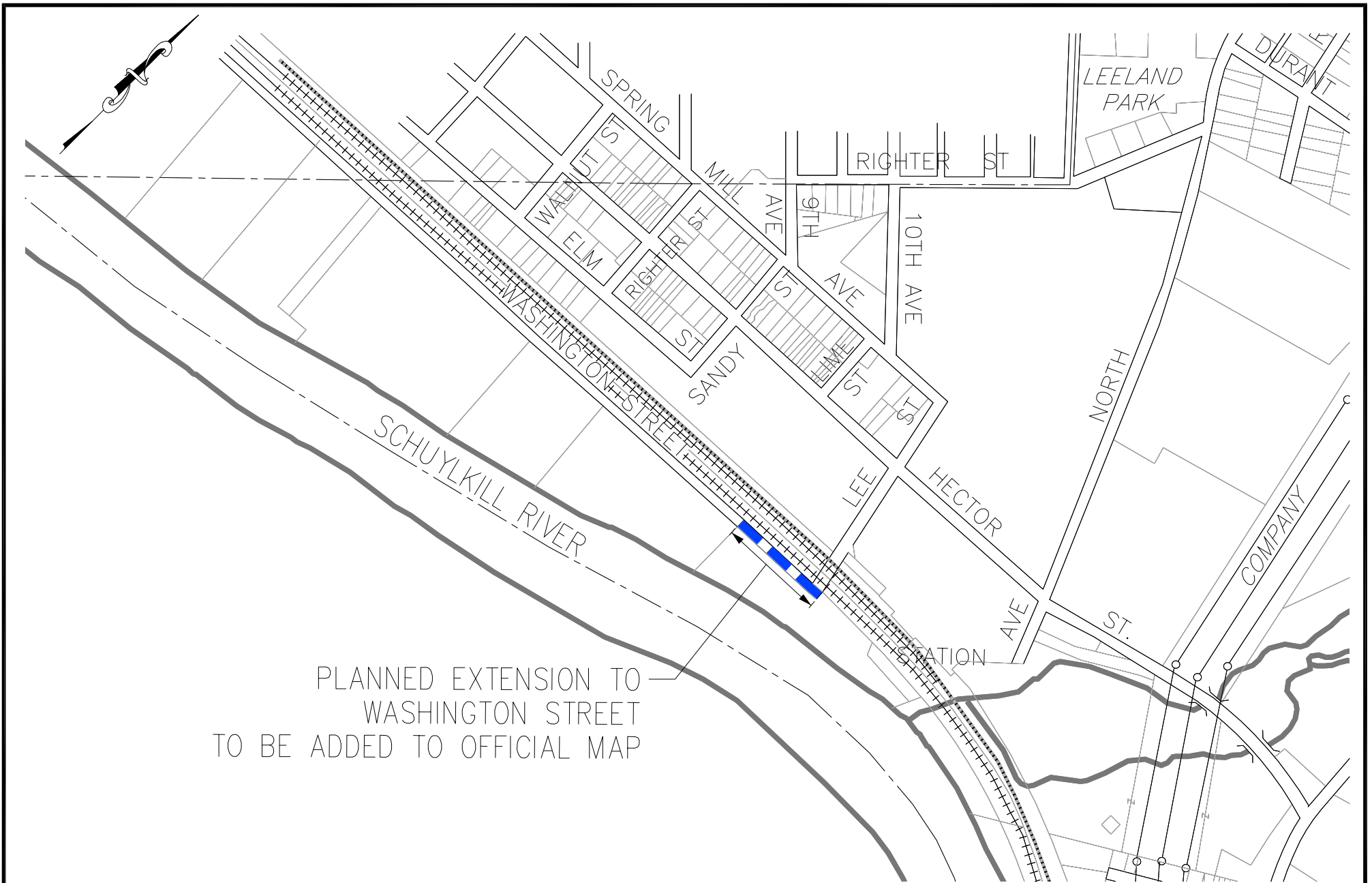
ENACTED and **ORDAINED** this _____ day of _____, 2023.

ATTEST:

**BOARD OF SUPERVISORS OF
WHITEMARSH TOWNSHIP**

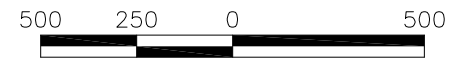
Richard L. Mellor, Jr., Secretary

By: Fran McCusker, Chair



PLANNED EXTENSION TO
WASHINGTON STREET
TO BE ADDED TO OFFICIAL MAP

EXHIBIT A



SCALE	DATE	DRAWN BY	FILE NO.
1"=500'	1/24/2023	KLH	9991015

MEMORANDUM

TO: WHITEMARSH TOWNSHIP PLANNING COMMISSION

**FR: DAVE SANDER, ESQUIRE
KAILIE MELCHIOR, ESQUIRE**

DT: JULY 24, 2023

RE: APPEAL RIGHTS FROM ADOPTION OF OFFICIAL MAP AMENDMENT

We have researched the appeal process from the enactment of an amendment to the Township's official map. Any person can file an appeal based on a *procedural* defect (e.g., failure to properly advertise an ordinance or post a property with notice) within 30 days following the second publication of the notice for the ordinance as outlined in Section 108 of the MPC. If not filed within 30 days, the appeal would be dismissed.

With regard to the ability to challenge an official map amendment on *substantive* grounds, Section 916.1 of the MPC states in applicable part, "A landowner who, on substantive grounds, desires to challenge the validity of an ordinance or **map** or any provision thereof *which prohibits or restricts the use or development of land in which he has an interest* may submit a challenge either: (1) to the zoning hearing board under Section 909.1(a)(1) ["substantive validity challenges"]; or (2) to the governing body under section 909.1(b)(4) ["curative amendments"], together with a request for a curative amendment under Section 609.1."

Please note that the cited MPC provision includes the word "map" in bold above, thus it includes the right to challenge the adoption of an amendment to the official map, and not just the adoption of an amendment to the zoning ordinance or SALDO. Also note that the ability to challenge an official map amendment is limited to a landowner whose right to use or develop land has been prohibited or restricted, as italicized above.

Please let us know if you have any follow-up questions.

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

KENNETH E. LAWRENCE, JR., CHAIR
JAMILA H. WINDER, 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
WWW.MONTGOMERYCOUNTYPA.GOV
SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

July 28, 2023

Mr. Charles L. Guttenplan, AICP
Director of Planning & Zoning Officer
Whitemarsh Township
616 Germantown Pike
Lafayette Hill, Pennsylvania 19444

Re: MCPC #23-0122-001
Plan Name: Ordinance to Amend the Whitemarsh Township Official Map- Washington Street
Whitemarsh Township

Dear Mr. Guttenplan:

We have reviewed the above-referenced Official Map amendment in accordance with Section 408 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on June 19, 2023. We forward this letter as a report of our review.

BACKGROUND

The township has submitted for review an ordinance that proposes to amend the Official Map pursuant to Article IV, Section 403 of the Pennsylvania Municipalities Planning Code (MPC). The amendment proposes the extension of Washington Street southeastward from its current ending at 901 Washington Street (RiverPlace townhouse development) to the intersection of Lee Street at the SEPTA Regional Rail crossing. The ordinance amendment is accompanied by Exhibit 'A' which shows the extension is approximately 360-380 ft. to the southeast, between the SEPTA Regional Rail corridor and office warehouse complex at 1001 Washington Street.

Washington Street is currently an unimproved, narrow gravel road that ends at 901 Washington Street and is currently under development. The extension is within 1001 Washington Street, N/L 101 Washington Street Inc., Tax Parcel #65-00-12673-00-6, which is the David's Bridal office complex with a 2-level parking structure. The street's unimproved condition and the single access point from Conshohocken is a significant impediment on first responders seeking access.

RECOMMENDATION

We support the amendment of the township's Official Map and applaud the initiative to implement the long-standing goal of connecting Washington Street to Lee Street, thereby eliminating the existing dead-end street. The intersection with Lee Street would create a long sought-after connection with the neighboring street

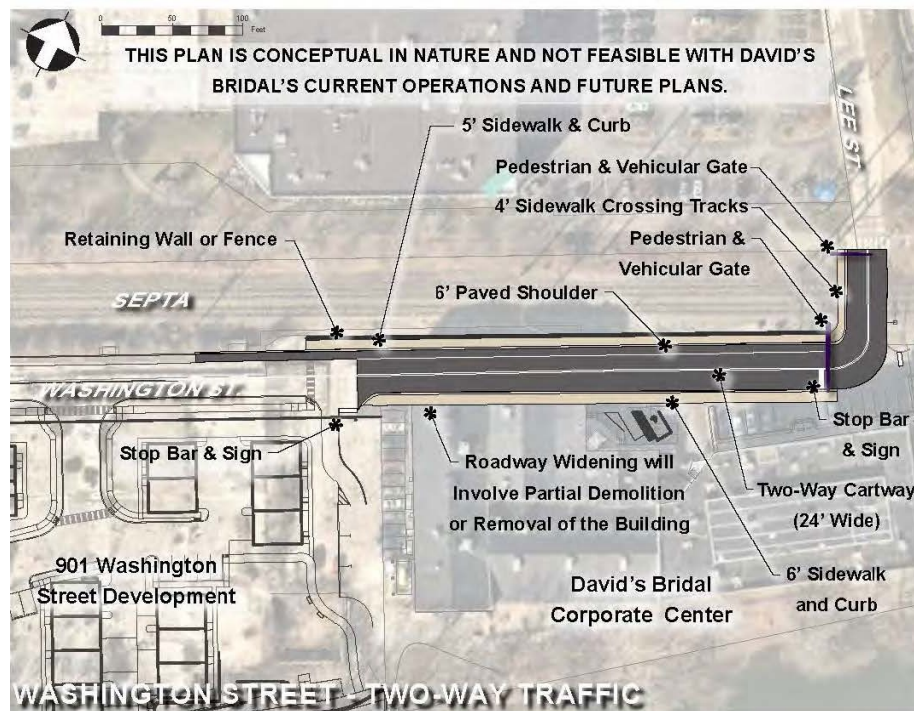


network and provide a second means of access for the redevelopment of under-utilized riverfront properties. It will provide first-responders with an alternative means to access Schuylkill Riverfront properties for emergency response. Given the ever increasing occurrence of significant flooding events and the growing residential developments along both the township's and Conshohocken's riverfront, a second means of access is critically important.

REVIEW COMMENTS

1. Spring Mill Multi-Modal and Land Use Plan

The proposed amendment addresses a long-standing missing link in the establishment of an interconnected street network in the Spring Mill area. Numerous planning studies have recommended creating a secondary access connection for Washington Street. The recently completed *Spring Mill Multi-Modal and Land Use Plan, 2022*, recommended two conceptual alternatives for the connection to Lee Street. The 'Two-way Traffic Alternative', shown below was recommended as a long-term goal of the study. It would permit the township to make the riverfront a destination and improve public access and connections to the waterfront. We support the amendment as a necessary step toward achieving the goal of connecting to Lee Street. While this is an important step, the township may wish to consider a further extension of the Official Map southeastward to Station Avenue. This would provide additional opportunities to realize the township's vision establishing recreational access to the Schuylkill Riverfront.



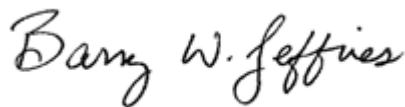
Spring Mill Multi-Modal Study- Two Way Option

CONCLUSION

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

Please be aware that the MCPC #23-0122-001 has been set aside for the applicant' plan. Should the governing body approve the ordinance and official map, the township must present these documents for recording with The Recorder of Deeds in accordance with Section 402 of Act 247. Prior to recording, these documents must be presented to our office for seal and signature, with the MCPC number indicated.

Sincerely,

A handwritten signature in black ink that reads "Barry W. Jeffries". The signature is written in a cursive style and is contained within a thin black rectangular border.

Barry W Jeffries, ASLA, Senior Design Planner

bjeffrie@montcopa.org - 610-278-3444

c: Krista Heinrich, P.E., Township Engineer
David Sander, Esq., Township Solicitor
Aaron Kostyk, Chair, Municipal Planning Commission

Attachment A

ATTACHMENT A

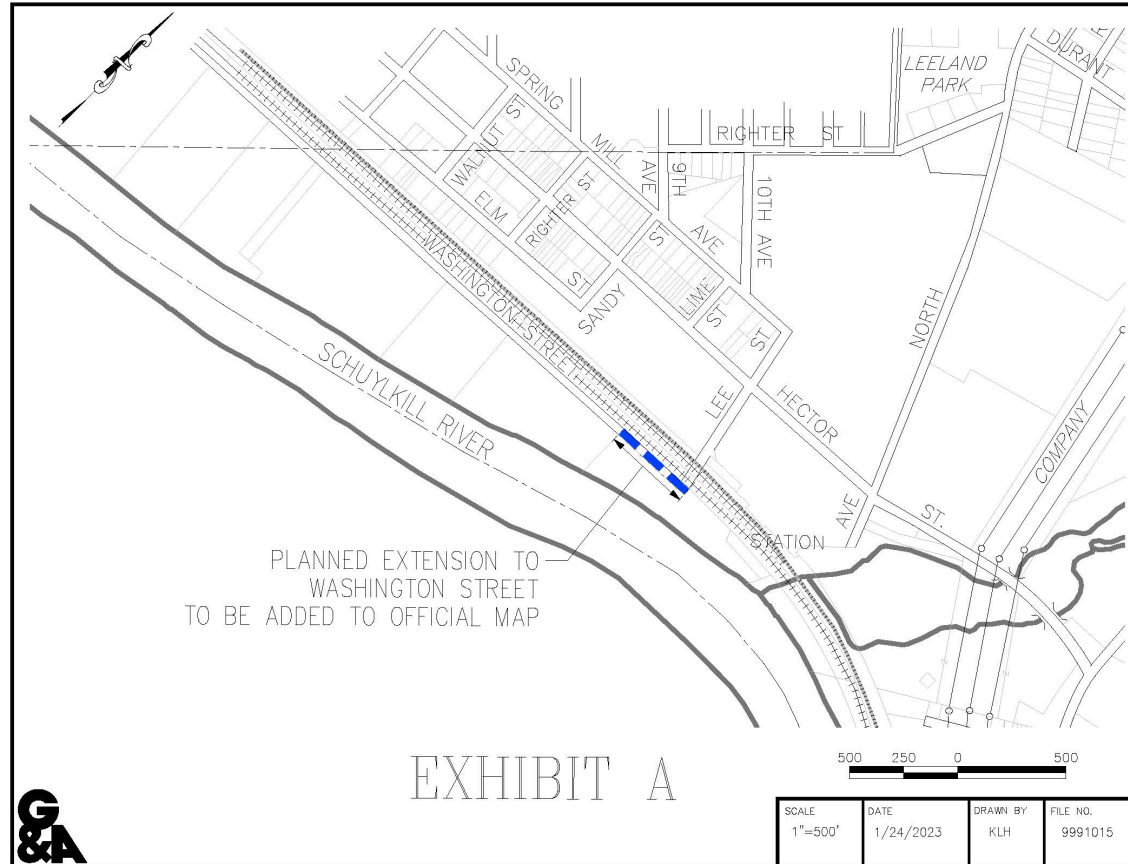


EXHIBIT A





BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR

Yaniv Aronson

BOROUGH COUNCIL

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

Stephanie Cecco
Borough Manager

August 1, 2023

Mr. Charles Guttenplan, AICP
Director of Planning & Zoning/ Zoning Officer
Whitemarsh Township
616 Germantown Pike
Lafayette Hill, PA 19444-1821

Dear Mr. Guttenplan,

The Borough of Conshohocken is in receipt of Whitemarsh Township's proposed Official Map Amendment showing the extension of Washington Street out to Lee Street, that if implemented, would allow for Washington Street to be a through street, ending the existing dead-end configuration.

Borough Council has reviewed the proposed map amendment. The Borough of Conshohocken is in full support of this proposed official map amendment especially since Washington Street leads into the Borough. We appreciate Whitemarsh Township's attention to and consideration of this very important matter especially since the map amendment will have a direct impact on both of our municipalities from an emergency management perspective.

Should you need any additional information regarding the Borough's support of this initiative, please do not hesitate to reach out.

Thank you again to the Whitemarsh Township Board of Supervisors and Planning Commission for considering the adoption of this amendment.

Sincerely,

Stephanie Cecco
Borough Manager

CC: Colleen Leonard, Borough Council President
Tina Sokolowski, Borough Council Vice President
Michael E. Peters, Esq., Borough Solicitor
Richard L. Mellor, Jr., Township Manager
Sean Kilkenny, Esq., Township Solicitor



Whitemarsh TOWNSHIP

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

BOARD of SUPERVISORS

Fran McCusker – Chair
Jacy Toll – Vice Chair
Vincent Manuele
Laura Boyle Nester
Patrice Turenne

Richard L. Mellor, Jr.
Township Manager



August 28, 2023

Jeanne M. Ottinger, Esq., Director
Law Library of Montgomery County
Court House--PO Box 311
Norristown, PA 19404

Re: Amendment to Chapter 71, Map, Official (Ordinance #238 as amended); An Ordinance to Amend the Official Map to Add a Portion of Washington Street to Connect to Lee Street

Dear Ms. Ottinger:

Enclosed with this letter is a true and correct copy of a proposed ordinance with attached exhibits as follows:
Ordinance amending Chapter 71, Map, Official, by amending the Township's Official Map by adding a portion of Washington Street to connect to Lee Street.

An attestation is provided for the Ordinance, as is a check for the required fee of \$25.00.

This Ordinance will be advertised for public hearing by the Whitemarsh Township Board of Supervisors at 7 PM on September 14, 2023 at the Township Administration Building (616 Germantown Pike; Lafayette Hill PA 19444). Please keep the enclosed ordinance on file for public inspection and copying through said date.

By signature of yourself or authorized personnel, please indicate the receipt of the Ordinance below and return it to the individual hand-delivering this or e-mail it to me at cguttenplan@whitemarshtwp.org.

If you have any questions, please feel free to be in touch with me by e-mail (cguttenplan@whitemarshtwp.org) or by phone at 484-594-2625.

Thank you.

Sincerely,

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

Encls.: Proposed Ordinance; Attestation; Check for \$25.00

cc: Richard L. Mellor, Jr., Township Manager
Sean P. Kilkenny, Esq., Township Solicitor

Authorized Law Library Personnel Confirming Receipt of proposed Ordinance Amending Chapter 71:

Margaret Wrigley
Printed Name

Margaret Wrigley
Signature

8/29/2023
Date