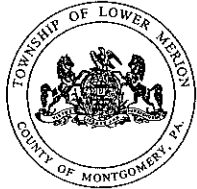


**TOWNSHIP  
OF  
LOWER MERION**

MONTGOMERY COUNTY



DEPARTMENT OF BUILDING AND PLANNING

75 E. Lancaster Ave.  
Ardmore, PA 19003-2376  
Telephone: (610) 645-6200  
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March 28, 2011

Mr. Fred Fromhold  
Fromhold Jaffe & Adams  
789 E. Lancaster Avenue  
Villanova, PA 19085

**RE: 401 City Avenue, 480 N. Latches Lane, 35 & 39 Berwick Rd, St. Joseph's University, Merion, Ward 12, SD#3608**

Dear Mr. Fromhold:

On March 23, 2011, the Lower Merion Township Board of Commissioners approved a Preliminary Land Development Plan prepared by Momenee & Associates, Inc. dated June 20, 2008, last revised February 18, 2011 showing the demolition of the detached garage at 35 Berwick Road, demolition of a portion of the carriage house behind Gabriel Hall, demolition of a maintenance building and demolition of the squash court building. The plan shows the installation of an NCAA regulation baseball field, softball field and field hockey field and slight reconfiguration of existing parking areas and internal pedestrian pathways. The plan also shows 78 parking spaces to be held in reserve. The following conditions shall be complied with **prior** to recording the Final Plan by means of plan revision, completion or financial guarantee, unless specifically exempted.

Zoning:

1. The applicant shall comply with the following conditions. To the extent that the same or more restrictive conditions are imposed by an enforceable opinion and order of the Zoning Hearing Board, that Board is hereby ceded jurisdiction to modify the same. (B, P)

A. PA Systems

- (i). Use of a PA System on the property is limited to varsity games and varsity tournaments in which Saint Joseph's University teams are participants.
- (ii). Speakers will be located where shown on the plans and amended plans. (PGP)
- (iii). Speakers will be calibrated to a maximum of 74 dB in the bleachers or such other lower level as may prove in the future to be necessary to insure that the additive effect of the crowd noise and the use of the PA system does not result in a violation of Lower Merion Township noise regulations at the Maguire Campus property line. (PCO)
- (iv). A continuous sound attenuation wall shall be installed immediately to the rear of the bleachers on the baseball field. The wall will begin at grade and extend a minimum of four feet higher than the highest seat of the bleachers. (PGP)

B. Ball netting

- (i). Ball netting shall be placed to protect the public rights of way from errant balls. Ball netting shall remain in place only during the baseball seasons where there is the potential for errant balls to enter the public rights of way.
- (ii). A landscape plan for the netting and the supporting poles shall be approved by the Board of Commissioners and the Township staff and shall be maintained at all times. (PFRP)

C. Landscaping.

All landscaping for the proposed improvements shall be as substantial and as expeditiously-established as possible to provide an effective buffer. (PRFP)

D. Parking.

The Latches Hall parking lot will be made available for spectator parking for all varsity games on the Maguire Campus and for all other events on the Maguire Campus for which the PA system is used. The applicant will provide signs and traffic personnel to direct spectators and attendees at these events to the appropriate off-street parking areas.

2. The Township and the applicant shall enter into an agreement to preserve the existing nonconforming impervious surface condition prior to the completion of construction. The nonconforming impervious surface condition shall be reserved for a period of five years. If the reserved impervious surface is not installed during the term of the 5 year agreement, the applicant shall have the right to install the stone lot shown on the plan to continue to preserve the current nonconforming impervious surface condition. The Township Solicitor shall approve the agreement. (B,P,TS)(PRFP)

Operational Issues:

3. Trash cans shall be provided at the gate at Berwick Road and near the dug outs. (P)(PCO)
4. The Merion Community Coalition in concert with the Merion Civic Association has formed a committee to meet regularly with the applicant to address issues related to construction, operations and ongoing use of the Maguire Campus and the applicant agrees to participate with the committee. Student and event parking on neighboring streets shall be addressed as an initial priority. (B,P)

Historic Resources:

5. The applicant shall consider adding the following buildings to the Historic Resource Inventory as Class II resources: (P)
  - Gabriel Hall (470 N. Latches Lane, formerly Wetherill House);
  - Henry Quinn Hall (394 N. Latches Lane, formerly the Barnes House);
  - Paris Dining Hall (440 N. Latches Lane, formerly the Old Gymnasium);
  - Fine Arts West (424 N. Latches Lane, formerly The John Gilmore Steam Plant and Carriage House);
  - Raynham Hall (480 N. Latches Lane, formerly Rorer House); and
  - 35 & 39 Berwick Road.

Noise:

6. A post-development sound study shall be performed and shall include noise from the proposed public address systems and noise associated with use of the athletic fields that is regulated by the Township Code. Adjustments shall be made as required in order to comply with the Township Code. (B)(PER)
7. The applicant shall add sound attenuation to or near the batting cage structure to decrease noise levels. Noise attenuation material shall be approved by Township staff. (B,P)(PRFP, PCO)

Landscaping, Screening & Fencing:

8. All landscaping conditions shall be subject to the approval of Township staff. (P)
9. The landscape material to be installed along City Avenue shall be selected so as to minimize obstructing the viewshed of the Campus Commons building. (P)(PRFP)
10. If either of the homes at 35 or 39 Berwick Road are demolished, then a 20 foot wide landscaped buffer shall be installed along the western property line. (P)
11. If the garage associated with 39 Berwick Road is demolished then a 20 foot wide landscaped buffer shall be installed in place of the garage. (P)
12. The applicant shall work with staff to install new street trees planted 30 feet on center between the fence and the curb along the entire length of Berwick Road where appropriate. (P)(PRFP)
13. The width of the landscaped area behind the existing estate fence along Berwick Road shall be increased where feasible. (P)(PRFP)
14. The center tree of the three evergreen trees proposed to screen the poles of the ball stop system shall be increased in height to 12-14 feet. (P)(PRFP)
15. The proposed shrubs along N. Latches Lane shall be shifted further back from the street beyond the proposed street trees where practical. (P)(PRFP)
16. The applicant shall work with staff to provide additional landscaping along the eastern portion of N. Latches Lane to close the gaps of missing street trees and provide additional shrubs to screen the parking lot adjacent to Duperreault Hall. (P) (PRFP)
17. Where feasible and not resulting in impacts to existing trees, a three foot high berm shall be installed at the southern end of the field hockey field. Proposed landscaping shall be planted on this berm where feasible. (P,TA) (PRFP)
18. The applicant shall work with staff to finalize the actual plant species. (P)(PRFP)
19. The applicant shall work with staff to explore realigning the pervious paved sidewalk and the stormwater line between inlet 20 and 22 and adjusting the grading plan in the area of the press box to preserve more of the mature shade trees in this area. (P,TE,TA) (PRFP)
20. The applicant shall relocate the softball field bleachers behind home plate between the dugouts. (P) (PRFP)

21. The applicant shall install a 6 foot black vinyl chain link fence along the western property line in place of the proposed 6 foot board on board fencing. (P) (PRFP)
22. The planting mix in the proposed rain gardens shall be revised to include more warm season grasses and shrubs. At least 60-70% of the plant material should consist of shrubs and grasses. The applicant shall work with the EAC to finalize the plant material for the rain gardens. (P)(PRFP)
23. A minimum of 50% of all proposed trees and shrubs shall consist of native species with the exception of evergreen trees and shrubs. (P) (PRFP)
24. If the 50-inch oak along N. Latches Lane must be removed for any reason then the existing buffer shall be continued in the general vicinity of the dripline of the oak tree as directed by Township staff. (P,TA)
25. Vines shall either be removed from existing trees to remain or at a minimum shall be cut at ten feet above ground level and painted with an herbicide. The applicant shall also prune dead wood from existing trees. (P) (PER)
26. The applicant shall work with the Township Arborist and Township Planning staff to selectively remove dead trees along Berwick Road and N. Latches Lane. (P,TA)(PER)
27. The applicant shall submit a maintenance plan to ensure that the landscaping provided is properly maintained. (P) (PRFP)
28. The existing chain link fence along N. Latches Lane shall be removed and replaced with a minimum 4 foot high estate fence within three years of granting a Certificate of Occupancy for use of the fields. (P)
29. At such time as the existing twelve (12') foot high chain link fence along City Avenue is replaced, it shall be replaced with an estate fence consistent with the existing fencing on City Avenue. Safety netting may be installed adjacent to the City Avenue fields up to twelve (12') feet high. (P)
30. A revised Landscape Plan complying with Natural Features Code Sections 101-9, 101-5B, Zoning Code Section 155-167.7 and conditions herein shall be prepared and sealed by a Registered Landscape Architect and submitted with the Final Plan. Township staff shall approve the plan. (P) (PRFP)
31. Wooded lot calculations shall be approved by the Township Arborist. The total number of trees removed since the applicant purchased the property and including the proposed construction shall be clearly indicated. (P, TA) (PRFP)
32. Trees in the right-of-way shall be trimmed as directed by the Township Arborist. (TA) (PER)
33. The applicant shall obtain approval from the Shade Tree Commission to remove any existing street trees. If trees are permitted to be removed, the species of any replacement trees shall be as directed by the Shade Tree Commission. (P) (PGP)
34. The applicant shall not remove the two stone pillars along N. Latches Lane as part of this project. (P)

Stormwater Management:

35. The stormwater facility under the softball field shall be redesigned/reconfigured or an additional system shall be added such that the post development five (5) year peak rate of runoff is controlled to the predevelopment two (2) year peak rate considering all disturbed areas for the baseball and softball field phases of the development. The recharge stone beneath the baseball field shall not be used to calculate rate control improvements. The final design shall be approved by the Township Engineer's office. (TE) (PGP)
36. The proposed cross section of the artificial turf fields shall be revised to clearly note a level bottom of the recharge stone. (TE) (PGP)
37. Seepage beds shall not receive runoff without the prior approval from the Township Engineer until the entire drainage area contributory to the infiltration BMP has achieved final stabilization. (TE) (PGP)
38. All seepage beds and artificial turf field systems shall contain an observation port that reaches the bottom of the system that will be used during scheduled maintenance to ensure the seepage beds and fields are functioning properly. (TE) (PGP)
39. A description of how the stormwater management facilities, including the rain gardens and vegetated swales, will be operated and maintained shall be submitted by the design engineer. The frequency of inspection and the contact information for the party responsible for the operation and maintenance of the facility shall be listed. The plan shall be presented in recordable form as a covenant running with the land and shall be approved by the Township Solicitor prior to recording. (TE) (PRFP)
40. An NPDES Permit shall be obtained from the Montgomery County Soil Conservation District prior to issuance of any permit. (TE) (PGP)
41. Outlet structures that utilize flat orifice plates shall be modeled in the calculations as horizontal orifices and not as stand pipes. (TE) (PGP)
42. Minimum spacing requirements as required by the manufacturer for all Corrugated Metal Pipe (CMP) seepage beds shall be documented and submitted to the Township Engineer for review. (TE) (PGP)
43. Calculations and qualifications shall be provided for the temporary diversion berms. (TE) (PGP)
44. All temporary diversion berms shall discharge to a rock filter or similar energy dissipater/sediment filter. (TE) (PGP)
45. The emergency spillway for the sediment basin shall be designed using the 100-year flow that reaches the basin. (TE) (PGP)
46. The drainage area to Rain Garden 1 shall be verified for accuracy and the design adjusted accordingly. (TE) (PGP)
47. Clarification shall be submitted in the revised analysis as to whether the sediment basin size calculations account for the five one (1") inch orifices used for the sediment basin (as shown on the Erosion Control Detail Sheet) since these orifices are not included in the stormwater outlet structure sheet of the stormwater report. (TE) (PGP)

48. Cover requirements for the 1" x 12" perforated drain shall be evaluated and information/documentation provided from the manufacturer. (TE) (PGP)
49. Additional spot elevations and drainage arrows shall be shown surrounding the press box area in order to fully evaluate the drainage patterns contributing to the proposed stormwater management facilities. (TE) (PGP)
50. Continuous profiles for each reach of pipe of fifteen (15") inch or greater shall be plotted along with the location of the hydraulic gradient and the hydraulic information pertinent to each reach within the system. (TE) (PGP)
51. For the pipe sizing calculations of the pipe between structures SB-7 and SB-6, overflow from the seepage bed shall be included to determine the required capacity within the line. The pipe sizes shall be adjusted accordingly. (TE) (PGP)
52. Some of the runoff from the loop drive near Gabriel Hall shall be conveyed in a minimum eight (8") inch diameter pipe to the proposed roof runoff collection system via new inlet(s) if determined to be feasible. (TE) (PGP)
53. Cleanouts shall be placed at all changes in direction in the storm sewer. All pipes of fifteen (15") inch diameter and greater shall use a structure at the change in direction. (TE) (PGP)
54. The elevation and orifice size shall agree between the plan and analysis for the Softball Storm System No. 1 outlet structure information on Plan Sheet No. 24. (TE) (PGP)
55. Each outlet structure shall have its own unique identifier number in the stormwater report which shall correspond to the number shown on the plans. (TE) (PGP)
56. The outlet structure details on the plans shall be verified to match the outlet structure information in the stormwater report. (TE) (PGP)
57. An overflow pipe for Rain Garden No. 1 shall be provided. (TE) (PGP)
58. The stabilization measures for all temporary swales shall be indicated on the plans. (TE) (PGP)
59. All inlets in non-paved areas shall be shown to be graded in a twelve (12") inch sump condition in order to increase the efficiency of runoff collection. Spot elevations shall be added to the plan to clarify grading. If an inlet is close to any play area, the sump elevation shall be adjusted to prevent a tripping hazard. Spot elevations are required to be shown in the vicinity of several yard drains and 2' x 2' inlets in the NW quadrant of the project. The Township Engineer shall be consulted to discuss the grading around these inlets. (TE) (PGP)
60. A front view of the orifice plates shall be provided for the proposed control structures. (TE) (PGP)

Traffic and Circulation:

61. A "No Outlet" sign shall be placed at the corner of Berwick Road and City Avenue. (TE) (PGP, PCO)

62. The applicant shall upgrade the controller equipment at the signalized intersections along City Avenue if needed to facilitate the installation of the hand/man countdown timers. These upgrades shall be approved by the City of Philadelphia and Penn Dot. The applicant shall contact the Township Engineer's office to discuss the intersections and the upgrades requested. (TE) (PCO)
63. The applicant shall obtain approval from Penn Dot to install removable bollards in the right-of-way of City Avenue. The applicant shall indemnify the Township for the placement of the bollards if required by the Township Solicitor. (TE) (PRFP)
64. If required by the Fire Marshal, a reinforced emergency access drive shall be installed from the Merion Campus to the Maguire Campus as directed by the Fire Marshal. (FD) (PRFP)
65. All emergency access drives, including the width and construction materials, shall be approved by the Fire Marshal. (FD) (PGP)
66. The Fire Marshal shall approve the location of any No Parking By Order of Fire Marshal signage. (FD) (PGP)

Lighting:

67. An outdoor lighting plan for any new lighting, including sign lighting not previously approved, sealed by a responsible design professional that includes illuminance patterns shall be submitted to and approved by the Director of the Building and Planning Department prior to issuance of any permits. Lighting shall be designed to shield the source of illumination and to prevent glare on adjacent properties. The location, luminaire type, wattage, means of control and pole height shall be indicated. (B) (PRFP)

Utilities:

68. The storm sewer downgrade of the development shall be shown within 200 feet of the property line. Accurate size/location information shall be obtained/verified to the extent practical and placed on the plan. (TE) (PGP)
69. Additional information concerning size, material, and depth of cover is required for existing utility service locations. The Township Engineer's office shall be contacted to determine specific areas where information shall be added to the plans. (TE) (PGP)
70. The location of the existing sanitary laterals shall be shown for all building/structures. Vent and trap locations shall be shown. Any interference with the proposed construction shall be fully evaluated. (TE) (PGP)
71. The colors shown on the legend for utilities shall match those used on the plan. (TE) (PGP)

Construction Details:

72. A during construction traffic plan shall be submitted and shall include proposed construction entrances and shall be subject to the approval of the Township Engineer. (TE) (PGP)
73. All construction vehicles, including contractor's vehicles, shall park on-site during the construction phase of the project. No staging of materials or delivery vehicles shall be permitted on the street. (B,TE)

74. If Berwick Road is used for construction vehicle access to the campus, the applicant shall repave the road and repair any damage to the culvert, bridge or stormwater conveyance system caused by construction at the completion of construction as directed by the Township Engineer. (TE) (PER)
75. Water shall be used during the demolition process to minimize the migration of dust. (B,TE)
76. Additional detail is required in the sequence of construction activities. There is no clear indication of which area in the project will be worked simultaneously with other areas. Anticipated start and completion dates for each sub-phase of the construction shall be provided. A copy of any schedule provided by the contractor(s) shall be submitted to the Township Engineer to assist in coordinating permit plan review and inspections. (TE) (PGP)
77. The driveway paving thicknesses shall conform to Lower Merion Township Standard details for asphalt paving thickness. The detail shall be revised accordingly. (TE) (PGP)
78. Since a topsoil stockpile for the baseball field is located over a proposed rain garden, proper treatment of the area must be followed to ensure the permeability of the soil in the area is not impacted. (TE) (PGP)
79. The porous asphalt pedestrian paving detail shall be revised to indicate AASHTO No. 3 stone to be considered porous. (TE) (PGP)
80. A site specific detail of the retaining wall near the field hockey field shall be provided. Top and bottom of wall elevations shall be provided at various points. Calculations shall be provided for wall heights exceeding four (4') feet. (TE) (PGP)
81. A certification by a civil engineer of the condition of existing retaining walls within the project area to remain shall be provided. The applicant shall implement any recommended improvements/repairs as part of this application. (TE) (PGP)
82. A sidewalk closure permit and a plan for detouring pedestrians around the construction may be required. Construction fencing shall be provided as required to protect pedestrians. (TE, PW) (PGP)
83. A permit from the Public Works Department shall be obtained for any work in the Township right-of-way. A Penn Dot Highway Occupancy Permit shall be obtained for any work performed in the right-of-way City Avenue. The Township shall be copied on correspondence with Penn Dot or the City of Philadelphia. (TE, PW) (PGP)

Standard Plan Items:

84. An itemized tabulation of the existing and proposed impervious areas shall be shown on the plans. The tabulation shall be clarified to indicate porous materials that are installed and if or if not counted toward the impervious allowable. The final total shall be clearly represented. (B,P,TE) (PGP)

Standard Conditions of Approval:

85. Revisions to the plan shall address the Township Engineer's February 25, 2011 review letter. (TE) (PRFP,PGP)



86. If required by the Fire Department, all buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communications systems at the exterior of the building. (FD) (PCO)
87. A deed of consolidation shall be recorded concurrently with the Final Plan. (P) (PRFP)
88. The applicant shall utilize the services of an architectural salvage or deconstruction company, to preserve or recycle building materials on the existing structures, including but not limited to stone, brick, and wood. Architectural details such as windows and interior and exterior details including but not limited to fixtures and any wood, glass and metalwork of quality and good condition shall be salvaged. The applicant shall provide documentation to Planning staff indicating how this condition will be met. (P) (PBP)
89. Any changes to the approved plans shall require the submission of an as-built plan prior to the issuance of a Certificate of Occupancy. Building and Planning staff can waive this requirement if the changes are determined to be insignificant. (B, P) (PCO)
90. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting on the property. The address numbers shall be a minimum of four (4) inches (102mm) high with a minimum stroke width of 0.5 inch (12.7mm). (B) (PCO)
91. A copy of the revised plan shall be submitted with any changes highlighted. A letter shall also be provided with the revised plan indicating how each requested revision has been addressed in the re-submission. (P)
92. The Final Plan, complying with all applicable conditions of approval, shall be filed with the Department of Building and Planning within twelve (12) months from the date of approval by the Board of Commissioners. (P)
93. The owner shall make payment of fees and expenses of the Township's professional consultants who perform services on behalf of the Township with respect to these plans and the work contemplated thereunder and will establish and maintain with the Township those escrows for the payment of such fees required by Township Code. Owner agrees that any statement from the Township for such fees which remain unpaid for a period of 30 days may be recorded against the property as a municipal lien.
94. The owner shall make payment of the Township Engineer's and/or Clerk of the Works' inspection fees within 30 days of presentation. A penalty of 1.5% per month will be due for late payments from the date of presentation. If any shares are not paid within 60 days of presentation, the Township may elect to suspend any outstanding permits until all pending charges are settled.
95. The property owner(s) shall comply with all applicable federal, state, county, local and Lower Merion Township ordinances and laws regardless of specific mention herein.

In addition, the Board approved the following waiver:

- A partial waiver of Subdivision and Land Development Code Section, 135-22, to construct the field hockey field prior to recording the Final Plan.

Please have a Final Plan prepared which should be either 15"x 18", 18"x 30" or 24"x 36" in size to include three (3) Mylar and six (6) paper prints incorporating the required certifications, engineering data and

Fred Fromhold

3/28/11

Page 10

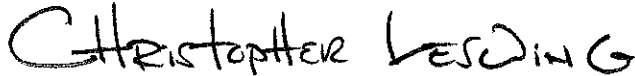
conditions of approval - as well as the date by which all public improvements will be done. Please see the enclosed memo concerning financial guarantees.

Upon receipt of the Final Plan and satisfactory financial guarantee, the Township Engineer and Secretary shall sign the Final Plan as required for recording purposes, and you shall be notified to pick up the plan for recording. Prior to recording, the plan must be certified by the Montgomery County Planning Commission.

The Subdivision and Land Development Ordinance requires that each subdivision or development plan be recorded in the office of the Montgomery County Recorder of Deeds within 90 days after final approval. You are also advised that in addition to the stated Conditions of Approval you must comply with all other applicable Township ordinances and other laws governing your project.

Please acknowledge your acceptance of the Conditions of Approval by signing and returning this letter within 30 days.

Very truly yours,



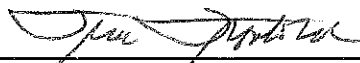
Christopher Leswing, AICP, PP  
Assistant Director, Planning

cc: Bob Duncan, Director of Building & Planning  
Kevin Bowers, Pennoni Associates, Inc.  
Momenee & Associates, Inc.

I hereby acknowledge and accept receipt of the Conditions of Approval for SD# 3608 at 401 City Avenue, 480 N. Latches Lane, 35 and 39 Berwick Road, Saint Joseph's University, Merion, Ward 12.

3/31/11

Date



Fred Fromhold