



TOWNSHIP OF ABINGTON

ADMINISTRATIVE CODE AND LAND USE COMMITTEE

Ben Sanchez, Chair
Ken Brodsky, Vice-Chair
Carol Gillespie
Tom Hecker
Mike Thompson

A G E N D A February 28, 2018 7:00 P.M.

1. CALL TO ORDER

2. CONSIDER APPROVAL OF MINUTES

- a. Motion to approve the minutes of the January 31, 2018 Administrative Code and Land Use Committee Meeting.

3. PRESENTATION

4. UNFINISHED BUSINESS

5. NEW BUSINESS

- a. ADMINISTRATIVE CODE AND LAND USE COMMITTEE COMMISSIONER BEN SANCHEZ, CHAIR

ACL-01-030818 Consider approving the Land Development Application submitted by ABH Builders, Inc. for the Vacant Property located at 1043 Easton Road, Abington, PA 19001.

ACL-02-030818 Consider a motion to establish a policy where Township permit or fees of any kind are not waived except for political subdivisions of the Commonwealth to be effective six months from the enactment of the Resolution setting forth this policy.

ACL-03-030818 Consider a motion to adopt Resolution 18-016 of the Township of Abington authorizing the approval of letter amendment E to the reimbursement agreement with the Pennsylvania Department of Transportation to amend the final design costs in accordance with Supplement E to the Engineering Agreement with the Project Engineer, Pennoni Associates, Inc., for the road reconstruction project located along or near state route 2034 (Edge Hill Road), Section MGI R/W, and/or state route 2036 (Tyson Avenue), Section MGI R/W, Federal Project number X064193-L240, Pennsylvania Department of Transportation Project MPMS 57865.

ACL-04-030818 Consider whether or not to appeal the decision of the Zoning Hearing Board rendered on February 20, 2018 for application number #17-07: The Application of Baederwood Residential Partners, LP.

6. PUBLIC COMMENT

7. ADJOURNMENT



ADMINISTRATIVE CODE AND LAND USE COMMITTEE

AGENDA ITEM

March 8, 2018

DATE

ACL-01-030818

AGENDA ITEM NUMBER

Engineering & Code

DEPARTMENT

FISCAL IMPACT

Cost > \$10,000.

Yes

No

PUBLIC BID REQUIRED

Cost > \$20,100

Yes

No

AGENDA ITEM:

Approval of the Application Submitted by Mr. Arthur B. Herling & ABH Builders, Inc.

EXECUTIVE SUMMARY:

The property owner is Joseph & Ellen Staerk and the proposed developer is ABH Builders, Inc. The developer proposes to improve the vacant parcel with a two story four unit apartment structure. The plan calls for on-site storm water management, an on-site parking lot for eight vehicles and additional plantings with the required buffers.

The Abington Township Planning Commission meeting on this application will not be held until Tuesday, February 27, 2018. The Engineering & Code Committee Meeting will not be held until Wednesday, February 28, 2018. MCPC review comments are attached. Abington Township Staff Review comments should be addressed prior to the Planning Commission Meeting and I would expect a favorable review & recommendation for the reviewing committees.

PREVIOUS BOARD ACTIONS:

The Planning Commission of the Township of Abington reviewed this proposal on February 27, 2018.

RECOMMENDED BOARD ACTION:

Motion to approve the Land Development Application submitted by ABH Builders, Inc. for the vacant property located 1043 Easton Road, Abington, Pa. 19001

**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

JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

February 23, 2017

Mr. Mark A. Penecale, Zoning Officer
Abington Township
1176 Old York Road
Abington, Pennsylvania 19001-3713

Re: 18-0015-001
Easton Road Tax Block 195 Unit 15
(4 Dwelling Units on 0.44 acres)
Situate: Edge Hill Road (N), Easton Road (E)
Abington Township

Dear Mr. Penecale:

We have reviewed the above-referenced land development in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on January 19, 2018. We forward this letter as a report of our review.

BACKGROUND

Arthur Herling, the applicant, has submitted a plan for a land development of four multifamily units in a two-story building. The applicant has submitted a preliminary and final plan. The proposed development is served by public sewer and water.

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 Township may wish to consider prior to final plan approval. Our comments are as follows:



REVIEW COMMENTS**SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (SALDO)**

- A. Public Improvements. Based on the material submitted, it appears the applicant has submitted a minor land development plan. The SALDO describes a minor plan as one which proposes no public improvements. However, this application requires a sidewalk be constructed, which is a public improvement.
- (1) Landscaping Plan [§146-11.H]. At a minimum, we suggest that the applicant submit a landscaping plan. This would show which vegetation is proposed as plantings and which is proposed for removal. Among other features, this would show the woodland area, proposed street trees, parking lot landscaping and buffer areas.
- B. Sidewalk. We strongly recommend that a sidewalk be constructed, consistent with §146-27.A. The site is part of the Main Street-Village Center zoning district, the intent of which is to “place a premium on pedestrian accessibility...” in and near the village of Roslyn [§1003.D]. The site is located just a couple blocks from Roslyn Regional Rail station; this development should be transit-supportive by constructing a sidewalk.
- (1) The building must be directly connected to the street [§2504.C], and must have a sidewalk constructed along the full extent of its front façade.
- (2) The sidewalk is required to have a decorative verge [§2504.E].

ZONING

- A. Will the building meet the design requirements of §1007? (front door, roof, window area and building design features?) [§146-11.L]. Where will the trash be located?
- B. Parking. The applicant is required to provide 5.3 parking spaces, but proposes 11. We recommend reducing the number of proposed parking spaces in order to reduce disturbance of vegetation and slopes [see attached illustration]. We also suggest the applicant pursue shared parking, which may be used to reduce the required side yard through the bonus mechanism [§1007.O]. An island is required to separate inbound from outbound traffic at parking lot entrances [Fig. 10.20].
- C. Tree Preservation and Vegetation.
- (1) The applicant is required to preserve trees 6” or greater when at least 500 s.f. of new impervious coverage is added [§1603.A, §2401.A]. Do such trees exist on-site? We recommend preserving as much of the existing woodland as possible. How much will be preserved?
- (2) Existing vegetation must be shown [§1605.A]

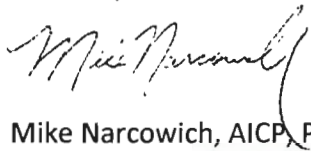
CONCLUSION

We wish to reiterate that MCPC generally supports the applicant's proposal, but we believe that our suggested revisions will better achieve the Township's planning objectives for multifamily 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.

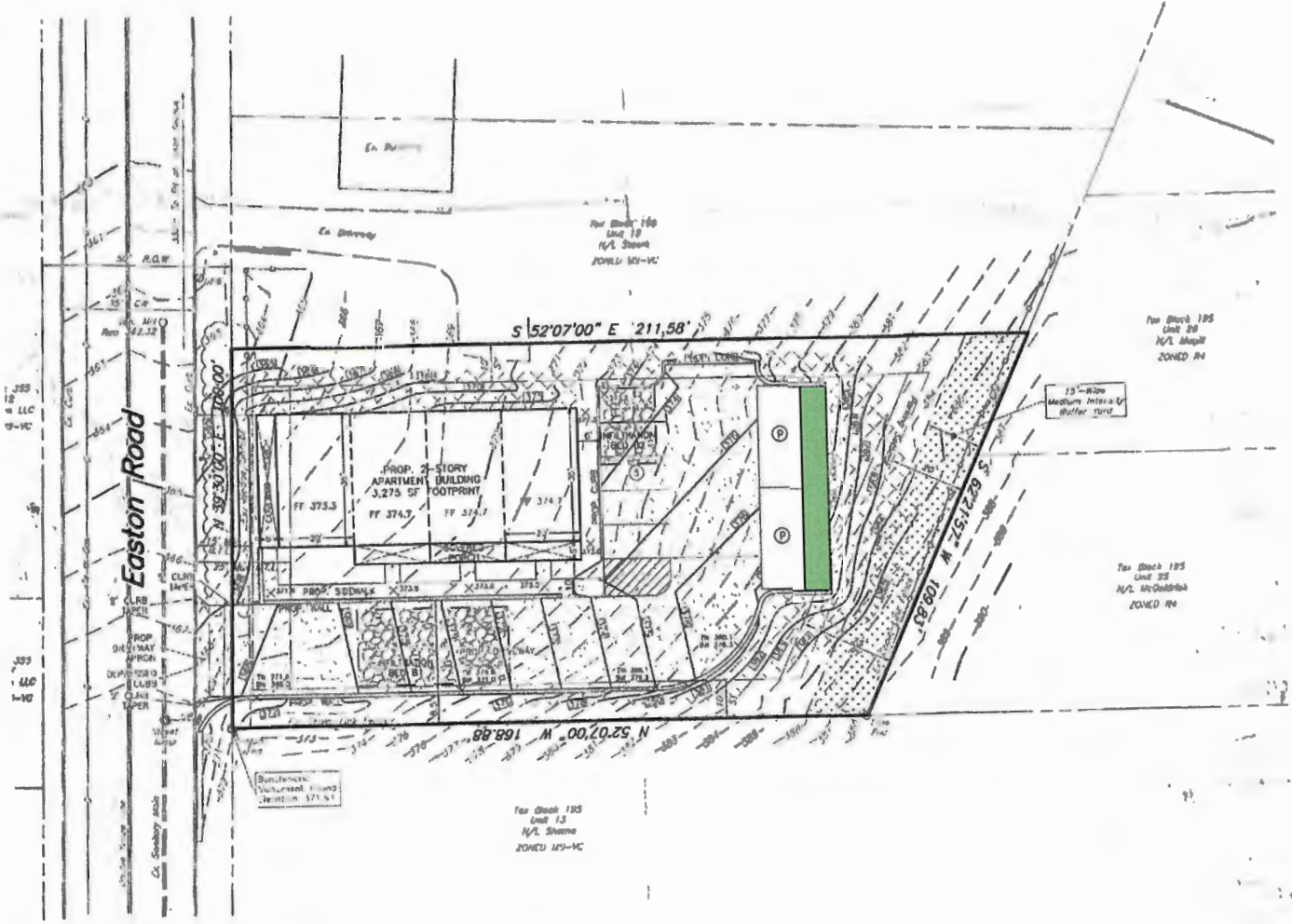
Sincerely,



Mike Narcowich, AICP, Principal Planner II
610.278.5238 - mnarcowi@montcopa.org

c: Arthur Herling, Applicant
Nicholas T. Rose, P.E., ProTract Engineering, Inc., Applicant's Representative
Richard J. Manfredi, Township Manager
Michael E. Powers, P.E., Township Engineer
Michael P. Clarke, Esq., Rudolph Clarke, LLC, Township Solicitor

Attachments: Applicant's Plan
Aerial Image



Reducing the number of parking spaces from 11 to 7 would reduce disturbance of vegetation and steep slopes.



Easton Road Tax Block 195 Unit 15
180015001

Montgomery
County
Planning
Commission

100
50
0
50
100
200 Feet



Montgomery County Courthouse - Planning Commission
PO Box 311 • Norristown PA 19380-0311
P: 610.278.3722 • F: 610.278.3841
www.montcopa.org/pla.html
Year: 2015 aerial photography provided by the
Delaware Valley Regional Planning Commission



ADMINISTRATIVE CODE AND LAND DEVELOPMENT

AGENDA ITEM

February 23, 2018

DATE

Administration

DEPARTMENT

ACL-02-030818

AGENDA ITEM NUMBER

FISCAL IMPACT

Cost > \$10,000.

Yes

No

PUBLIC BID REQUIRED

Cost > \$20,100

Yes

No

AGENDA ITEM:

EXECUTIVE SUMMARY:

PREVIOUS BOARD ACTIONS:

RECOMMENDED BOARD ACTION:

Motion to establish a policy where Township permit or fees of any kind are not waived except for political subdivisions of the Commonwealth to be effective six months from the enactment of the Resolution setting forth this policy.



ADMINISTRATIVE CODE AND LAND DEVELOPMENT

AGENDA ITEM

March 8, 2018

ACL-03-030818

DATE

AGENDA ITEM NUMBER

Administration

DEPARTMENT

FISCAL IMPACT

Cost > \$10,000.

Yes

No

PUBLIC BID REQUIRED

Cost > \$20,100

Yes

No

AGENDA ITEM:

RESOLUTION 2018- 016

EXECUTIVE SUMMARY:

PREVIOUS BOARD ACTIONS:

RECOMMENDED BOARD ACTION:

Motion to adopt Resolution 18-016 of the Township of Abington authorizing the approval of letter amendment E to the reimbursement agreement with the Pennsylvania Department of Transportation to amend the final design costs in accordance with Supplement E to the Engineering Agreement with the Project Engineer, Pennoni Associates, Inc., for the road reconstruction project located along or near state route 2034 (Edge Hill Road), Section MGI R/W, and/or state route 2036 (Tyson Avenue), Section MGI R/W, Federal Project number X064193-L240, Pennsylvania Department of Transportation Project MPMS 57865.

RESOLUTION 2018- 016

**RESOLUTION OF THE TOWNSHIP OF ABINGTON
AUTHORIZING THE APPROVAL OF LETTER OF AMENDMENT E TO THE
REIMBURSEMENT AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF
TRANSPORTATION TO AMEND THE FINAL DESIGN COSTS IN ACCORDANCE
WITH SUPPLEMENT E TO THE ENGINEERING AGREEMENT WITH THE
PROJECT ENGINEER, PENNONI ASSOCIATES, INC., FOR THE ROAD
RECONSTRUCTION PROJECT LOCATED ALONG OR NEAR STATE ROUTE 2034
(EDGE HILL ROAD), SECTION MG1 R/W, AND/OR STATE ROUTE 2036 (TYSON
AVENUE), SECTION MG1 R/W, FEDERAL PROJECT NUMBER X064193-L240,
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION PROJECT MPMS 57865**

WHEREAS, the Township of Abington, Montgomery County, Pennsylvania, is a township of the first class, organized and operating in accordance with the laws of the Commonwealth of Pennsylvania (the “Township”); and

WHEREAS, the Township, in the exercise of its lawful powers, intends to make certain roadway and other public improvements along or near State Route 2034 (Edge Hill Road), Section MG1 R/W, and/or State Route 2036 (Tyson Avenue), Section MG1 R/W, for the Edge Hill Road and Tyson Avenue Reconstruction Project, Federal Project Number X064193-L240, Pennsylvania Department of Transportation (the “Department”) Project MPMS 57865 (the “Project”); and

WHEREAS, the Department and the Township, under date of January 7, 2005, entered into an agreement designated in the Department’s files as Agreement No. 064132 (the “Original Agreement”), in which the Department and the Township agreed to participate in the federally-funded Project; and

WHEREAS, the Department and the Township, under date of September 25, 2007, supplemented the Original Agreement with Supplemental Agreement No. 064132-A (“Supplemental Agreement A”), to provide for additional preliminary engineering design services and the federal-aid funding for those services; and

WHEREAS, the Department and the Township, under date of March 18, 2010, supplemented the Original Agreement with Supplemental Agreement No. 064132-B (“Supplemental Agreement B”), to provide for additional final design services and the federal-aid funding for those services; and

WHEREAS, the Department and the Township, under date of June 12, 2015, supplemented the Original Agreement with Supplemental Agreement No. 064132-C (“Supplemental Agreement C”), to amend the project costs estimate contained in Exhibit “AAA” of Supplemental Agreement B to reflect the current Project costs and the federal-aid funding available for those costs and to update the contract provisions contained in the Original Agreement; and

WHEREAS, the Department and the Township, under date of April 10, 2016 (countersigned by the Department on May 18, 2016), amended the Original Agreement with Letter of Amendment, designated Amendment D and Agreement No. 064132-D (“Letter of Amendment D”), to increase the final design costs for the Project from \$2,082,019.95 to \$2,675,102.38 and to amend the total Project costs from \$4,593,962.68 to \$5,200,135.38 in order to coincide with the amendment of the final design costs for the Project as agreed to by the Township and the Project Engineer, Pennoni Associates, Inc. (“Pennoni”) in Supplement D to the Engineering Agreement for the Project under date of May 9, 2016; and

WHEREAS, the Township and Pennoni agreed, pursuant to Supplement E to the Engineering Agreement for the Project under date of October 4, 2017, to amend the final design costs for the Project from \$2,675,102.38 to \$2,819,961.11 and to amend the total Project costs from \$5,200,135.38 to \$5,344,994.11; and

WHEREAS, the Department and the Township are required, pursuant to Paragraph 11 of Supplemental Agreement C, to enter into a Letter of Amendment to amend the Original Agreement when, among other things, the cost of a phase of the Project has increased; and

WHEREAS, the Department has indicated its willingness to amend the Original Agreement with Letter of Amendment, designated Amendment E and Agreement No. 064132-E (“Letter of Amendment E”), to increase the final design costs for the Project from \$2,675,102.38 to \$2,819,916.11 and to amend the total Project costs from \$5,200,135.38 to \$5,344,994.11 and has requested that the Township sign Letter of Amendment E, which is attached hereto as Exhibit A and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED that, the Township hereby approves Letter of Amendment E.

FURTHER RESOLVED, that the proper officers of the Township, along with the Township Manager and Solicitor of the Township, are authorized and directed to take all steps necessary to carry out the purposes of this Resolution including, but not limited to, the signing of Letter of Amendment E which is attached hereto as Exhibit A; the completion, signing or other disposition of any other requisite forms; the satisfaction of any other requirements of the Pennsylvania Department of Transportation for the Project; and

FURTHER RESOLVED, this Resolution shall be effective immediately upon its adoption.

ADOPTED at a regular meeting of the Board of Commissioners of the Township of Abington this ____ day of _____, 2018.

TOWNSHIP OF ABINGTON

Wayne C. Luker, President
Board of Commissioners

ATTEST:

Richard J. Manfredi, Secretary



ADMINISTRATIVE CODE AND LAND DEVELOPMENT

AGENDA ITEM

March 8, 2018

DATE

Administration

DEPARTMENT

ACL-04-030818

AGENDA ITEM NUMBER

FISCAL IMPACT

Cost > \$10,000.

Yes

No

PUBLIC BID REQUIRED

Cost > \$20,100

Yes

No

AGENDA ITEM:

Consider whether or not to appeal the decision of the Zoning Hearing Board rendered on February 20, 2018 for application number #17-07: The Application of Baederwood Residential Partners, LP.

EXECUTIVE SUMMARY:

See attached supporting documents related to the application number 17-07

PREVIOUS BOARD ACTIONS:

RECOMMENDED BOARD ACTION:

No recommendation, will await forthcoming deliberation by the Board of Commissioners. (Agenda item introduced by Mr. Sanchez, Committee Chair)



Township of Abington
 Zoning Hearing Board
 1176 Old York Road
 Abington, Pennsylvania, 19001

Gertrude M. Hackney, Esq. Zoning Hearing Board Chairperson
 John DiPrimio, Zoning Hearing Vice Chairperson
 Michael O'Connor, Zoning Hearing Board Member
 Barbara M. Wertheimer, Zoning Hearing Board Member

Bruce J. Eckel, Zoning Hearing Board Solicitor

DECISION

17-07: This is the amended application of **Baederwood Residential Partners, LP**, applicants for the property known as Baederwood Shopping Center, located at 1575 thru 1631 The Fairway, Jenkintown, Pa. The applicants have submitted a revised application and have requested dimensional variances to reduce the size of the on-site parking stalls to 9 feet in width, allow the four existing ingress/egress points to remain as constructed, eliminate the requirement for sidewalks, the verge wall and street trees along the access drives, allow the existing parking lot light standards to remain as installed, allow the existing landscaping and fence to serve as the required screening of the loading areas abutting adjoining properties and allow the existing buffering to serve as the required landscape buffer and verge wall along the frontage of the site. Dimensional variances have been requested from Section 902.1.A, Section 504.6.H, Section 504.8.B, Section 504.8.C.d,f, Section 504.8.E.2 and Section 504.8.G of the Zoning Ordinance of the Township of Abington. The property is zoned within the {BC} Business Center Noble District of Ward #7 of the Township of Abington.

First Hearing Date: October 17, 2017
 Second Hearing Date: December 19, 2017
 Facts & Finding Due Date: January 12, 2018

You are hereby notified that your application has been DENIED/APPROVED/APPROVED WITH THE FOLLOWING CONDITIONS, by decision rendered on February 20, 2018.

BOARD SIGNATURES

Vote

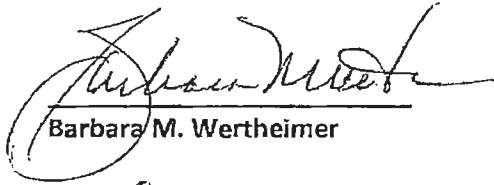
CONDITION(S)

Gertrude H. Hackney, Esq. Chairperson

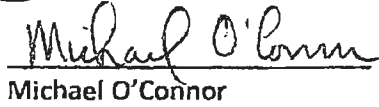
Aye:
 Nay:

John DiPrimio, Vice Chairperson

Aye:
 Nay:


Barbara M. Wertheimer

Aye:
Nay:


Michael O'Connor

Aye:
Nay:

Dated: February 20, 2018

Date of Mailing: 2/21, 2018

There is a 30-day period after the date of this decision for an aggrieved person to file an appeal in court to contest an approval or denial by the Zoning Hearing Board. Applicants that take action on a Zoning Hearing Board approval during the 30-day appeal period, do so at their own risk.

All applicable application and/or permits must be secured from the Township of Abington within six months of the date of this decision or this decision becomes null and void.

Township of Abington
Zoning Hearing Board Meeting
February 20, 2018
7:00 p.m.

Call to Order:

Pledge of Allegiance:

Roll Call: Gertrude M. Hackney, Esq., Zoning Hearing Board, Chairperson
John DiPrimio, Zoning Hearing Board Member, Vice Chairperson
Barbara M. Wertheimer, Esq., Zoning Hearing Board, Secretary
Michael O'Connor, Zoning Hearing Board Member
Jose Casalina, Zoning Hearing Board Member
Bruce J. Eckel, Esq., Zoning Hearing Board Solicitor

Order & Opinion:

Case #17-07 - Baederwood Limited Partners, LP, 1575 thru 1631 The Fairway, Jenkintown, Pa.

Application: 18-01: This is the application of Abington Friends School, applicant for the property located at 575 Washington Lane, Jenkintown, Pa. 19046. The applicants have submitted an application for variances from Section 201 (Definitions), Section 902, Figure 9.4 and Section 905.G (Setbacks) and Section 2601.H (Lighting Standards) of the Zoning Ordinance of the Township of Abington. The applicant seeks approval to replace the existing multipurpose playing field with a new playing surface, track, fencing, netting and lighting. The applicant has requested dimensional variances to allow for the fencing, netting and light fixtures to be installed within the required setback area. Dimensional relief has also been requested to allow for light standards of up to 70 feet in height to be installed within the front yard setback area and two additional poles of 80 feet in height to be installed between the proposed multipurpose field and the existing buildings on the site. The property is zoned within the Community Service District of Ward #7 of the Township of Abington.

Adjournment:

Note: The next regularly scheduled meeting of the Zoning Hearing Board will be held on Tuesday, March 20, 2018 with a 7:00 p.m. start time.

**Township of Abington
Zoning Hearing Board
Public Notice**

Notice is hereby given that the Zoning Hearing Board of the Township of Abington will hold a meeting as required by the Township's Zoning Ordinance at the Abington Township Administration Building, 1176 Old York Road, Abington, Pennsylvania, on:

Tuesday, October 17, 2017 at 7:00 p.m., at which time a public hearing will commence on the following application:

17-07: This is the application of **Baederwood Residential Partners, LP**, applicants for the property known as Baederwood Shopping Center, located at 1575 thru 1631 The Fairway, Jenkintown, Pa. The applicants have submitted a revised application and have requested dimensional variances to reduce the size of the on-site parking stalls to 9 feet in width, allow the four existing ingress/egress points to remain as constructed, eliminate the requirement for sidewalks, the verge wall and street trees along the access drives, allow the existing parking lot light standards to remain as installed, allow the existing landscaping and fence to serve as the required screening of the loading areas abutting adjoining properties and allow the existing buffering to serve as the required landscape buffer and verge wall along the frontage of the site. Dimensional variances have been requested from Section 902.1.A, Section 504.6.H, Section 504.8.B, Section 504.8.C and Section 504.8.G of the Zoning Ordinance of the Township of Abington. The property is zoned within the {BC} Business Center Noble District of Ward #7 of the Township of Abington.

Thursday, October 19, 2017 at 7:00 p.m., at which time a public hearing will commence on the following application:

17-11: This is the application of **SD Property, LLC**, applicants for the property known as Unit #72, Parcel #300022540002, located at the northwestern corner of the intersection of Hamilton & Franklin Avenues, Willow Grove, Pa. The applicant has requested dimensional variances from Section 1002, Dimensional Chart #10.19 of the Zoning Ordinance of the Township of Abington. The applicant seeks approval to construct a twin dwelling unit on a lot of 3,125 square feet and with a lot frontage of 25 feet. The required minimum lot area is 7,500 square feet and the minimum lot width is 50 feet. The applicant proposes to develop this property in conjunction with the vacant parcel known as Unit #73 that shares a property line. The property is zoned within the Main Street Low {MS-L} District of Ward #5 of the Township of Abington.

17-12: This is the application of **SD Property, LLC**, applicants for the property known as Unit #73, Parcel #300022544007, located one lot north of the northwestern corner of the intersection of Hamilton & Franklin Avenues, Willow

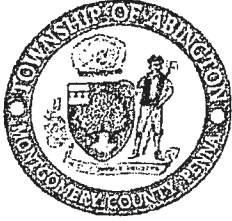
Maria Wyrsta

From: Mark Penecale
Sent: Wednesday, February 21, 2018 8:36 AM
To: dubiesque@aol.com; John DiPrimio; Trudy HAckney; mfoconnor1122@comcast.net; Jose Casalina
Cc: beckellaw@gmail.com; Maria Wyrsta
Subject: Case #17-07
Attachments: doc20180221081601.pdf

Dear ZHB Members,

Attached is the approval letter and the ZHB sign off sheet from your approval of the Barderwood Limited Partners, LP application. Please let me know if you have any questions.

*Mark A. Penecale
Planning & Zoning Officer
Township of Abington
267-536-1017*



Township of Abington

Wayne C. Luker, *President*
Steven N. Kline, *Vice President*
Richard J. Manfredi, *Manager*
Jay W. Blumenthal, *Treasurer*

February 21, 2018

Marc B. Kaplin, Esq.
Kaplin Stewart Meloff Reiter & Stein, Pa.
Union Meeting Corporate Center
910 Harvest Drive, P. O. Box 3037
Blue Bell, Pa. 19422-0765

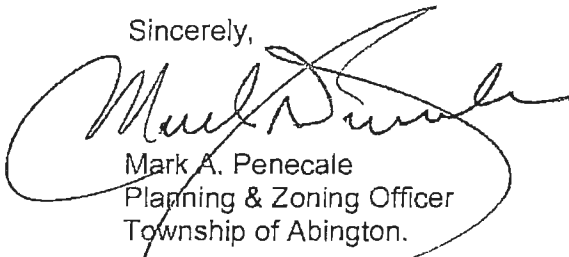
Re: Application #17-07: The Application of Baederwood Residential Partners, LP

Dear Mr. Kaplin,

I am pleased to inform you that at the stated meeting of the Zoning Hearing Board of the Township of Abington the application you presented for Baederwood Residential Partners, L.P. for the property known as Baederwood Shopping Center and the vacant 8 acre parcel was approved without condition.

I have on file the Conditional Use application you submitted for the same project on February 2, 2016. Please feel free to revise the plans to reflect the Zoning Hearing Board approval and submit the revised plan to the Engineering & Code Office of the Township of Abington. If there are any questions that you may have, please feel free to contact me at 267-536-1017.

Sincerely,



Mark A. Penecale
Planning & Zoning Officer
Township of Abington.

Cc: Ben Sanchez; Commissioner Ward #7
Zoning Hearing Board Member
Bruce E. Eckel, Esq.
Engineering & Code Department Staff