

The stated meeting of the Administrative Code and Land Use Committee of the Board of Commissioners of the Township of Abington was held on Wednesday, April 4, 2018 at the Township Administration Building, Abington, PA., with Commissioner Sanchez presiding.

CALL TO ORDER: 7:14 p.m.

ROLL CALL: Present: Commissioners SANCHEZ, BRODSKY, GILLESPIE, HECKER, THOMPSON (7:20 p.m.)

Township Manager MANFREDI
Assistant Township Manager WEHMEYER
Township Solicitor CLARKE
Director of Engineering & Code MONTGOMERY
Planning & Zoning Official PENECALE

Also Present: Commissioners LUKER, KLINE, SPIEGELMAN, BOWMAN, SCHREIBER, DiPLACIDO, MYERS, ROTHMAN, ZAPPONE, VAHEY

APPROVAL OF MINUTES:

Commissioner Sanchez made a MOTION, seconded by Commissioner Gillespie to approve the minutes of the February 28, 2018 Administrative Code and Land Use Committee Meeting.

MOTION was ADOPTED 4-0.

PRESENTATION: None.

UNFINISHED BUSINESS:

Items ACL-01-040418:

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

Commissioner Sanchez called on the applicant to present the plan.

Arthur B. Herling, ABH Builders, Inc, 775 Penllyn-Blue Bell Pike, Blue Bell, PA., 19422, said after meeting with Township staff, he made minor revisions to the plan including a landscape plan with proposed trees for planting and added sidewalk along frontage of property on Easton Road, and based on the staff review the letter, the plan is compliant.

Commissioner Sanchez clarified that the plan is now zoning compliant. Is that correct?

Mr. Penecale replied yes.

Commissioner Gillespie asked will there be a buffer for properties behind this proposed building?

Mr. Herling replied in addition to trees there is proposed privacy fence around the entire property.

Commissioner Sanchez questioned whether the applicant reviewed comments from the Township's Planning Commission.

Mr. Herling replied yes, and he will comply.

Commissioner Spiegelman said he just received an email from a neighbor who lives behind this property who expressed concerns in which he forwarded to Manager Manfredi and Mr. Penecale.

Commissioner Kline clarified that sidewalks will be added to the property. Is that correct? Also, it is hard to read the plans and was the landscape plan reviewed for required buffering to adjacent properties?

Mr. Herling replied yes.

Ms. Amy Montgomery, Director of Engineering & Code, replied landscape plan has been reviewed and it complies.

Commissioner Vahey commented that he needs to see that those changes have been incorporated into the plan prior to voting on it next week.

Manager Manfredi added that he thought there was supposed to be a power point presentation showing all details of the plan for review by the Board of Commissioners and the public.

Commissioner Kline also suggested that the applicant have his civil engineer present at the Board meeting next week.

Mr. Herling agreed to enlarge the site plan at next week's Board meeting.

Commissioner Sanchez made a MOTION, seconded by Commissioner Hecker to pass this item onto the full Board without recommendation.

Commissioner Sanchez asked for any public comments on this application.

Lora Lehmann, 1431 Bryant Lane, asked for a single page to be posted with links for residents.

MOTION was ADOPTED 5-0.

NEW BUSINESS:

Item ACL-02-040418:

Consider approving the Land Development application by Abington Friends School.

Commissioner Sanchez called on the applicants representing Abington Friends School.

David Haas, Attorney with Duane Morris LLP, 30 South 17th Street, Philadelphia, PA., 19103, representing the applicant, introduced Rich Nourie, Head of Abington Friends School and Michael Rufo, President, Anchor Management Group, 1000 Conshohocken Road, Suite 201, Conshohocken, PA, 19428.

Mr. Nourie said he is Head of Abington Friends School located in Jenkintown and one of the oldest schools in the country. Our campus is in constant use by not only our school program, but many community groups and we also share our outdoor campus with the community. We began this project by holding four community meetings with the neighborhood to share our plans and to address any concerns or questions and we also had a number of meetings with Township staff.

We also met with Jenkintown Borough officials in which Jenkintown Borough Council is in support of this project and the plan received approval by the Township's Zoning Hearing Board.

A power point presentation of the project was provided that included Master Facilities Plan of 2001; gym athletics upgrades; proposed 2018 improvements; expand building for the gym and turf field and track; proposed building floor plan; rendering of the building; proposed facilities/amenities and lighting standards.

Mr. Rufo said there will be Township Public Works grant projects in the area of the school such as stormwater and sidewalk improvements; nature trail/alternate transportation; road upgrade at triangle property; however, our site is below the watershed that causes the water issue. On campus is infiltration and storage that will relieve the water issue on their site. Also presented was the field-house stormwater management solution and track & field stormwater management solution.

Review of Township staff comments on the project was addressed and we will comply; however, one of the comments was that the track was too close to Greenwood Avenue. It is a regulation track and there is no other place to put it and the track cannot be any smaller otherwise it would not fulfill the school's needs.

Also addressed by the applicant were comments made by County Planner of the MCPC and the applicant will comply. Lighting technology and advancements are proposed in which the applicant received zoning relief for.

Commissioner Sanchez clarified there was a condition imposed by the ZHB that lights will be turned off by 9 p.m.

Mr. Rufo replied yes, that was accepted.

Commissioner Kline questioned whether the lights will only be on every day or only when the fields are being used.

Mr. Rufo replied the lights have a computer-based program that is controlled and the lights will be on a schedule-basis and will rarely be on until 9 p.m.

Commissioner Hecker asked about landscaping buffer and trees.

Mr. Nourie replied our neighbors appreciate being able to see into our campus, so rather than a barrier they prefer to enjoy the view of the property. We had planted a significant riparian buffer with reps of TTF Watershed and we would like to meet requirements for planting, but do it in such a way that does not create a wall. Also, there is a safety factor with a barrier for someone to hide behind.

Commissioner Thompson questioned whether this is a LEED project.

Mr. Rufo replied it is not a LEED project as it too expensive, although we are committed to sustainability as an ongoing operation of the school, but we are not going to spend the money to go through the LEED process.

Commissioner Sanchez clarified that the applicant will comply with conditions imposed by Township's Planning Commission minus the condition regarding the netting. Is that correct?

Mr. Rufo replied yes, except for the condition about moving the track and safety netting being installed along entire length of playing field.

Mr. Penecale said from a landscaping standpoint; Township staff took into consideration riparian buffer work done by the applicant, and as part of this project, there is the trails program with the Township that will require an eight-foot-wide walkway and any trees planted this year or next would need to be removed.

Commissioner Sanchez made a MOTION, seconded by Commissioner Hecker to approve the land development application by Abington Friends School to include conditions imposed by Township's Planning Commission except for Condition #1 about the track and Condition #4 about safety netting.

Commissioner Sanchez asked for any public comments.

Michael Okin, 1234 Fairacres Road, commented that his backyard faces the school and he expressed concern about the height of the light poles, so they are not an "eyesore."

Mr. Rufo replied this is a recreational lighting pole and the base of the pole is a 17-inch pole and the top is six inches and the poles were lowered to 70-feet, which is the recommended minimum.

MOTION was ADOPTED 5-0.

Item ACL-03-041218:

Consider a motion to authorize the Township Manager and Township Solicitor to develop a revised draft ordinance that amends the appropriate ordinances to regulate noise and reduce the hours of operation for activities that interfere with resident's ability to enjoy the use of their property.

Commissioner Sanchez said in regards to noise ordinances of the Township; over the years it has been scattered within different segments of the code and the current ordinance prohibits loud noise between the hours of 9 p.m. and 7:00 a.m. regardless of the cause with exceptions of emergency work. He asked the Solicitor's Office to clean it up and possibly move the morning hours back on the weekends as well as eliminate the acreage size for deliveries and trash collection in commercial areas that was carried over to residential areas. He asked for feedback from the Board so that a draft ordinance can be advertised in the future.

Ms. Gallagher said proposed revisions included that no deliveries or trash collection shall occur between the hours of 9:00 p.m. and 7:00 a.m. on weekdays and 9:00 p.m. and 9:00 a.m. on weekends and holidays. Also a special use permit procedure was added to proposed revisions for loud events in which the application would be submitted to the Township for review by police and fire personnel.

Commissioner Gillespie commented that on the weekend 9:00 a.m. is too late.

Commissioner Thompson asked will pushing back the morning hours affect sanitation and will notice of special exception be circulated throughout the neighborhood.

Ms. Gallagher replied this will only apply to certain zoning districts and she will need to see which ones will be affected. This is intended for commercial trash collection. We can add a provision that the applicant should notify neighbors affected by noise and it does require review by police and fire personnel.

Commissioner Vahey said revised noise ordinance needs to be clear about what hours during the week in which they can make noise.

Commissioner Gillespie asked would this include a gathering at your home.

Commissioner Sanchez replied yes, it would apply to a loud party.

Commissioner Zappone said proposed is to move the weekend morning hour back to 9:00 a.m., what about landscaper contractors, who begin work at 7:00 a.m., are we going to penalize them because half their day is gone by then and it would not be fair to them.

Commissioner Thompson questioned whether we could extend the hours for landscape contractors.

Ms. Gallagher replied yes.

Commissioner Schreiber commented that current ordinance mentions snow blowers, and if it snows the night before, residents need to get to work before 9 a.m. and it is not always an emergency, but they may need to clean their driveway and sidewalk before work, so she is not in favor of changing the hour to 9 a.m.

Commissioner DiPlacido commented that we have a lot of block parties in our neighborhood that run late and an application is submitted to the police. Would a secondary application need to be filed?

Ms. Gallagher replied we can incorporate the forms to be one single form.

Commissioner Myers commented that 9 a.m. is too late for trash collection on the weekends as there are a lot of complexes that have private trash removal service and residents like their trash picked up at 7 a.m. because it is done before the day really begins. Also, commercial businesses want the trash collected early so it does not affect traffic in their parking lots.

Manager Manfredi said all comments on proposed draft ordinance will be incorporated into another revision for further discussion at a future date by the Board.

Commissioner Brodsky suggested in drafting this ordinance, the Solicitor needs to consider the interests of residents, commercial business owners as well as contractors to reach a fair and reasonable balance.

Commissioner Spiegelman suggested getting input from residents about this matter.

Commissioner Sanchez asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, asked that new regulations address a facility holding noisy events on the weekends as well as solicitors knocking on doors at 9 p.m.

Item ACL-04-041218:

Consider a motion to establish a process and assignment of responsibility for reviewing, revising and updating the Township's Subdivision and Land Development Ordinance.

Commissioner Sanchez called on Commissioner Kline.

Commissioner Kline said we finalized the Zoning Ordinance last year and along with that there were a list of recommendations to the SALDO, which is the next step in updating the code. It is time to begin revising the SALDO and consider the recommendations and model ordinances of the MCPC. He asked for direction by the Board to work with Township staff on putting that together as well as zoning revisions that need to be addressed that have come to our attention over the past eight or nine months.

Commissioner Sanchez asked about a subcommittee being formed.

Commissioner Kline replied this would not require a large group as it was for the rewriting of the zoning ordinance because this will be more technical in nature. He will rely on Township staff and as well as the County Planner to put it together including some Commissioners who may want to work on it.

Manager Manfredi suggested that he will put together a scope and duty of timelines in consultation with Commissioner Kline for the next meeting so that the process goes through the Manager's Office and reviewed by Township Solicitor and that the full Board will have all of the information.

Consensus by Administrative Code and Land Use Committee was in favor of the Township Manager to put together a scope and duty of timelines in consultation with Commissioner Kline.

Commissioner Sanchez asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, commented that she feels there is a need to put more measures into the land development ordinance and expressed concern about the process.

PUBLIC COMMENT:

Commissioner Sanchez asked for any general comments relating to Administrative Code and Land Use.

Lora Lehmann, 1431 Bryant Lane, asked about the firewall ordinance.

Commissioner Thompson apologized for being late to tonight's meeting.

Commissioner Bowman endorsed Commissioner Kline's idea that the Township's SALDO should be revised and updated.

ADJOURNMENT: 8:33 p.m.

Respectfully submitted,

Richard J. Manfredi, Township Manager/Secretary

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