



December 10, 2018

MEMO

To: Lucy Strackhouse, Chair – Abington Township Planning Commission

From: Abington Township Environmental Advisory Council

RE: Action PC3 - Proposed Zoning Text Amendment: BET Investment LP (Request to change zoning designation from CS and R3 to AO and to add additional use category to AO district) Rev: 11.03.18

Dear Chairperson Strackhouse:

The members of the Abington Township Environmental Advisory Council (EAC) have carefully reviewed the above referenced zoning text amendment and recommend that the proposed text amendment be disapproved in its current format. We recommend that the existing C-S and R-3 zoning be retained. Our conclusions are based on concerns noted below. We have limited our review to aspects of the proposed text amendment that relate to our role as advisors to the commissioners on environmental matters. Therefore, our comments are focused primarily on certain dimensional aspects of buffer zones, impervious cover and green space as well as the related sustainability aspects of the built environment and its requisite environmental, social and economic interconnections and opportunities.

Comments on recommendation:

Dimensional Requirements:

The text amendment proposes a series of dimensional standards similar to those of the E-10 life care facility use, which is currently permitted in both the CS and R-3 zones as a conditional use. Similarly, E-10 Zoning stipulates 24 units/acre or 120 units for 5 acres. However; the proposed text amendment proposes a minimum of five acres and includes a table of bonus features which allow some of these standards to be adjusted. These include increases to allowable density and impervious cover and a reduction in minimum required open space. In addition, it should be noted that the recent Montgomery Planning Commission letter, states that the area is 4.64 acres, which is not the required 5 acre minimum outlined in this text amendment.

Based on what is currently permitted in the two zones, we recommend that side and rear yards be no less 50 ft when adjacent to residential zoned property. This is the minimum currently required for Life Care Facility use in the R-3 zone. These areas provide needed transitional zones between low to medium residential uses and higher density uses.

The EAC opposes bonus provisions that allow increased impervious cover. Furthermore, we do not agree that creating improved outdoor landscaped areas should result in lowering the required percentage of green space.

The Zoning Text Amendment states the intention to “encourage higher quality environments, green technology and sustainable design features” by “providing bonuses for an increase in density and/or impervious coverage.” The proposed density bonuses fail to accomplish these environmental green principles in a verifiable and sustainable manner for many reasons, as outlined below. The following comments on several of the proposed features qualifying for density bonuses will enable the Planning Commission and the BOC to realistically evaluate these proposed feature standards. Our suggestions for higher thresholds of environmental improvement and the social and economic aspects of sustainability in the built environment are included

1. 75 is the base rating to achieve a one-year Energy Star-certification. For new construction, this is not at all remarkable and is to be expected rather than rewarded. For example, the Empire State Building constructed in 1930, has an Energy Star rating of 86. If such a bonus were granted, an Energy Star rating can only be measured post construction through Energy Star Portfolio Manager Benchmarking. If this minimal certification threshold is not continuously achieved or even if raised to a more realistic positive environmental rating of 90 to consider a bonus, the Township has no recourse except penalties if that rating is not annually achieved as the added density cannot be rescinded post construction.
2. Likewise, the 10% alternative energy facility feature is not remarkable and such an outcome could be achieved through minimal REC purchases. For energy efficiency impact and greenhouse gas reduction, we recommend that developers follow the Township’s recent commitment to 100% renewable electric by rewarding development demonstrating purchasing 100% renewable energy for at least three years or installing technology with a 50% renewable energy commitment.
3. The Township’s current 50% green roof bonus feature is certainly verifiable and demonstrably contributes to storm water management, but this is not mentioned in this text amendment.
4. The Township’s Comprehensive Plan recommends that “All new building in the Township should be LEED certified at a minimum, and incentives be given so this status can be achieved” as well as “Mandatory use of LEED certification for new buildings” to reduce stormwater run-off. The Nationwide database of local green building incentives lists 20 different municipal “Density Bonuses and Variances” that mostly focus on LEED certification. While this is a reasonable reference, additional or more recent green building standards such as WELL, Passive House, or Living Building should also be considered which would benefit not only the environment but the developers’ energy maintenance costs and customer satisfaction, e.g. a net zero energy building through increased insulation, indoor environmental comfort or renewable energy would be especially valued by an older adult population.
5. Use of Green Advantage contractors and personnel to protect existing land and trees.
6. The “Improved Public Space” of “no less than 2,000 sf, open to non-residents” may present additional traffic which needs to be taken into consideration. Who will this space be open to, residents’ visitors and/or the general public? Consideration for proposed improved public space should be at least as large as the additional sf bonus. Asking for 3 DU/AC for 2000 sf translates into approximately into a range of 7500 sf for 15 studios to 12000 sf for 3 BR units does not appear justifiable.

7. In sum, consideration for higher density requests should guarantee verifiable and long-term environmental benefits.

The EAC stands ready to serve the Planning Commission, Zoning Hearing Board, Economic Development Committee, the BOC and any other Township committee/commission as well as current and potential developers, neighborhood civic organizations and community institutions to improve or protect the environment and local sustainability. Hopefully, this will be achieved through reasonable amounts of time to accommodate scheduling and transparency for all stakeholders. Therefore, we currently recommend that the proposed text amendment be disapproved in its current format and that the existing C-S and R-3 zoning be retained until additional focus is collaborated upon by all interested parties, perhaps through a design charette. Thank you for your time and consideration.

Respectfully submitted,
Jennifer Sherwood, Chair
Susan Myerov, Vice-Chair
Jim Webb, Secretary
Michele Kaczalek, Treasurer
Cakky Braun-Evans
Karin Mc-Garry Rosen
John Sorrentino

cc: Mark Penecale
Richard Manfredi
Board of Commissioners