

The stated meeting of the Planning Commission of the Township of Abington was held on Tuesday, December 11, 2018 at the Township Administration Building, Abington, PA., with Chairperson Lucy Strackhouse presiding.

**CALL TO ORDER:** 7:32 p.m.

**ROLL CALL:** Present: GAUTHIER, COOPER, BAKER, RUSSEL (7:45 p.m.), BOFF, STRACKHOUSE  
Excused: ROBINSON, ROSEN, DiCELLO

Also Present: Township Manager MANFREDI  
Township Solicitor CLARKE  
Director of Engineering MONTGOMERY  
Planning & Zoning Official PENECALE  
Office Manager WYRSTA  
County Planner OLZAK  
Commissioners KLINE, SPIEGELMAN,  
MYERS, BRODSKY, SANCHEZ,  
THOMPSON

## **PLEDGE OF ALLEGIANCE**

Agenda Item PC1 – Application of Harrise Yaron & Jennifer Parke owners of 936 Moredon Road and Ayinke-Hipps-Feit & Seth Feit owners of 979 Dale Road:

Ms. Strackhouse read agenda Item PC1 into the record and asked the applicant to present their plan.

Ms. Jennifer Wunder, Attorney with Fox Rothschild representing the applicants, said we are seeking approval of a lot line change based on the transfer of approximately 6,000 sq. ft. from property at 936 Moredon Road to 979 Dale Road along with waiver requests in regards to this plan.

Mr. Nick Rose, Engineer, Protract Engineering representing the applicant, add that the waivers requested are from Section 146-11.A – Property Identification Plan; Section 146 B – Existing Features Plan; Section 146.11.H – Landscaping and Shade Tree Plan; Section 146.11.L. – Architectural Plan; Section 146-24.D – Right-of-Way Width; Section 146.27 – Curb, Gutter and Sidewalks; Section 146-38 - Street Lighting and Section 146-30 – Lots.

Ms. Strackhouse asked for any comments from members of the Planning Commission.

Ms. Gauthier asked about the jogged lot line.

Mr. Rose replied the solid line is the proposed lot line that goes around the tennis courts because the zoning ordinance requires a 10-ft setback from the tennis court, so the tennis court will remain on the Moredon Road property, but the land adjacent to it goes through Dale Road property.

Ms. Gauthier asked will the flagstone walkways remain on the Dale Road property?

Mr. Rose replied yes.

Ms. Gauthier asked about the two stone circular walls on the new property line.

Mr. Rose replied they are just decorative items of stone and not structural and would not be difficult to remove.

Ms. Gauthier asked about a previous note on the plan.

Mr. Rose replied yes, that is for sidewalks and there is extensive language about future installation of sidewalks that will be put on the plan prior to the applicant going before the Board.

Ms. Gauthier said that should be a condition of recommendation of approval.

Ms. Strackhouse asked for any public comments. There were none.

Ms. Gauthier made a MOTION, seconded by Mr. Boff to recommend approval of the application of Harrise Yaron & Jennifer Parke owners of 936 Moredon Road and Ayinke-Hipps-Feit & Seth Feit owners of 979 Dale Road subject to the condition that the note about sidewalks should be on the plan and also to recommend approval of the waivers requested as listed by the applicant.

MOTION was ADOPTED 5-0. (Mr. Russell was not in attendance at this time).

Agenda Item PC2 – Application of Mediplex Property Group, LLC for properties located at 1863 & 1865 Guernsey Avenue, 1854 & 1856 Eckard Avenue and 1137, 1141, 1145 & 1151 Old York Road, Abington, PA:

Ms. Strackhouse read agenda Item PC2 into the record and asked the applicant to present their plan.

Mr. Marcel Groen, Attorney with Fox Rothschild representing the applicant, said the applicant appeared before the Planning Commission last month and there were comments and suggestions made that were addressed by the applicant.

Mr. Robert Linn, Principal Architect of Linn Architects, 1140 N. Provident Road, Media, PA. 19063, representing the applicant, added that there was request to soften the radius of the curb cuts on both of the flanking streets, which was done; there was request to change the radius and curb cut between Old York Road and adjacent streets; there was request to designate two patient drop-off spaces in front of the site and designate a loading space in which were done. There was also a request to save a portion of the stone wall on Old York Road as shown on the plan and we can save 70 linear feet of that stone wall, but not the portion directly at the intersection of Guernsey because of a curb section and stormwater inlet work and there was a question about a landscaped verge of three feet between edge of the curb and the sidewalk.

Mr. Russell entered the meeting at 7:45 p.m.

Ms. Gauthier noted that the MCPC recommended the verge per Township ordinance.

Ms. Strackhouse said she also prefers the verge to soften the hardscape.

Mr. Linn replied we will comply. Also, parking spaces were reduced from 101 to 97 and we are still over the required ratio.

Mr. Christopher Williams, Traffic Engineer, McMahon Associates, said we worked with Township's Traffic Engineer on the revisions.

Ms. Strackhouse said in regards to Township Traffic Engineer's review letter dated December 3, 2018; is there any details about ADA-compliant ramps for all new ramps along Old York Road and proposed driveways?

Mr. Williams replied not yet. Next step will be to design improvements within PennDOT right-of-way and we agree to provide that information to the Township as a condition.

Ms. Strackhouse continued that the applicant needs to provide a "No Left Turn" sign opposite proposed Eckard Avenue driveway and ensure that this sign as well as proposed "One Way" sign are not placed within the existing sidewalk; while there is existing "No Parking Here To Corner" sign located midway between the proposed Guernsey Avenue driveway location and Old York Road, it is recommended that this sign be removed and replaced with two (2) evenly-spaced "No Parking" signs to prohibit parking within the entire distance.

Mr. Williams replied we will comply with all items listed in that letter dated December 3, 2018 and there was a previous letter by Township traffic engineer that the applicant has complied with.

Mr. Greg Richardson, Traffic Engineer with Traffic Planning and Design, Inc., representing the Township, indicated that as long as the applicant addresses all comments in the memo dated December 3, 2018, he is satisfied at this time.

Mr. Linn noted that the “pork-chop” was added as shown on the plan.

Ms. Gauthier asked about the relocation of the bus stop.

Mr. Linn replied we will ask SEPTA about it as part of this application.

Mr. Brian Olzak, County Planner, MCPC, said that in principal the MCPC agrees with the relocation of the bus stop; however, there is a formalized request process for SEPTA, which it be assessed and then a decision will be made.

Ms. Strackhouse asked about items listed in MCPC review letter regarding street furniture, bike racks and planters, and also about historic preservation of structures.

Mr. Linn replied there is a plaza in front of the building with bench seating, but there is no specific bike rack. Also, accessibility to those historic buildings are problematic; however, in regards to anything of architectural value that can be salvaged from the buildings, if a rep from Township or County would like to go through the buildings to identify any components, they are welcome to do so.

Ms. Strackhouse said we would also like to document the buildings with photos and measurements.

Mr. Linn agreed.

Ms. Strackhouse asked for any public comments.

Lisa Brown, 1812 Eckard Avenue, asked about traffic calming on Eckard such as speed humps or lowering the speed limit. Also, she expressed concern about the parking lot being used for overflow parking for the hospital after business hours or on the weekends.

Mr. Groen replied that is up to the Township; however, the applicant offered to help pay for traffic calming measures. Also, there are no plans for that lot to be used for overflow parking.

Manager Manfredi said this is a subject of interest to the ward Commissioner and it has been discussed in staff meetings. Township is interested in seeing speed tables at that location and it will be discussed at the December 13<sup>th</sup> Board meeting.

Joe Rozak, 1927 Susquehanna Road, expressed concern about drop-off area for patients and delivery trucks pulling upfront on Old York Road that should be addressed.

Mr. Linn indicated the door on the front of the building is an exit-only and no one can gain access such as a delivery driver and there is a designated delivery parking space in proximity to the doorway in the parking field.

Holly Perry, 1847 Guernsey Avenue, commented that the traffic situation on Guernsey will only continue to get worse. In regards to making the turn from Old York onto Guernsey is “more than a 90 degree turn” and she does not see that addressed. Also, she expressed concern about egress from the building onto Guernsey where traffic can go either west or east and that is a difficult situation and suggested that traffic must go to Old York Road and turn right. She also suggested fixing that “more than 90 degree turn.”

Mr. Groen replied we are proposing to stripe Old York Road going onto Guernsey, which would clearly mark egress/ingress.

Mr. Williams added that to further accommodate two lanes of traffic, it is recommend striping a double yellow line to keep traffic within its lane and this radius will become a 15 ft. radius that will soften that corner making it easier for traffic exiting onto Guernsey to make a right turn heading northbound on Old York Road.

Mr. Richardson said if the road is widened it tends to increase speed.

Tim McCain, 1821 Eckard Avenue, expressed concern about the parking lot being used at all hours when the office is closed and traffic will be cutting down the street. It would be the preference of the neighbors for signs to be posted marked as “Private Property and No Parking.”

Mr. Groen replied we will look into a “Private Property” sign.

Mr. Brian Olzak, County Planner, MCPC, said this revised plan does not include designated internal walkway to the sidewalk up to the island.

Mr. Adam Powell, Linn Architects, added that we can stripe a 4 ft. wide pedestrian pathway on the outbound side that would run down to the sidewalk.

Ms. Gauthier asked for the waivers requested.

Mr. Groen stated the following waiver requests:

Waiver from Section 146-9 A.1 – Stages - to allow one stage submission (preliminary/final) due to overall size/scope of project and the fact this is a lot consolidation of nine parcels into one unified property reducing the overall impact to the property.

Waiver from Section 146-B. 2 – partial waiver from major category to allow one stage submission (preliminary/final) due to overall size/scope of project and the fact that this is a lot consolidation of nine parcels into one unified property reducing the overall impact to the property.

Waiver from Section 146-11A.4 – to limit identification of the surrounding property information within 400 ft. of the subject property to the adjoining and adjacent property owners due to the limited size and scope of the project.

Waiver from Section 146-11.A 10 – to limit identification of surrounding zoning information within 400 ft. of the subject property to the adjoining and adjacent property owners due to the limited size and scope of the project.

Waiver from Section 146-11.B. 3 - to limit identification of surrounding property information within 400 ft. of the subject property to adjoining and adjacent property owners due to limited size and scope of the project.

Waiver from Section 146-11 B.7 – to limit the location and identification of surrounding utility information within 400 ft. of the subject property to the adjoining and adjacent utilities due to the limited size and scope of the project.

Waiver from Section 146.43 C.3.a - Erosion and Sediment Control – to allow landscape/lawn areas to be graded at slope in excess of 15% (1' vertical to 6.66' horizontal), which is required due to existing topography features of the site. The proposed grading is decreasing and/or maintaining existing slopes at 25% (1' vertical to 4' horizontal).

Also, waivers requested by applicant are to provide a Phasing Plan and Recreational Facilities Plan.

Ms. Gauthier made a MOTION, seconded by Mr. Russell to recommend approval of the Mediplex Property Group, LLC application subject to the following conditions: that a request is made by the applicant to SEPTA to relocate the bus stop to the front of the small common area; continued pursuit of traffic calming measures on both Guernsey and Eckard Avenues; that a crosswalk be added from rear staff parking lot to the building; installation of a 4 ft. wide pedestrian pathway on the outbound side that runs down to the sidewalk; and installation of a verge; and also to grant waivers requested by the applicant as stated.

MOTION was ADOPTED 6-0.

Agenda Item PC3 – Application of Baederwood Residential Partners, L.P. for development of site known as Baederwood Shopping Center located at 1575 & 1631 The Fairway, Jenkintown, PA:

Ms. Strackhouse read agenda Item PC3 into the record and asked the applicant to present their plan.

Mr. Marc Kaplan, Attorney with Kaplan/Stewart representing the applicant, said Baederwood Residential Partners is the owner of the rear eight acres of the Baederwood Shopping Center adjacent to The Fairway. Front portion of the center was developed many years ago as the Baederwood Shopping Center and the rear eight acres are undeveloped and the applicant has been proposing for an extended period of time to develop it with a proposed apartment building.

Baederwood Residential Partners submitted its conditional use application to the Township on February 4, 2016 when the Fairway Transit District zoning was in place. Despite the fact that the Township has changed the zoning of the site, the conditional use application is grandfathered-in under the FTD Ordinance and that ordinance represents the governing zoning regulations for this application.

The applicant provided a binder of exhibits to the Planning Commission that was the same binder presented to the Board of Commissioners on November 19, 2018 during the applicant's conditional use hearing.

Based on the original conditional use application filed in February 2016; Mr. Penecale determined that in order to develop the rear eight acres of the site, certain legal existing nonconformities within the existing shopping center would either have to be brought into conformity with the requirements of the FTD Ordinance or the applicant would need to obtain a variance from those requirements.

The applicant believes that the existing nonconformities are protected under Pennsylvania Law so we filed an appeal of Mr. Penecale's determination with the Zoning Hearing Board, and the ZHB affirmed Mr. Penecale's determination, so we then filed an appeal in the Court of Common Pleas. We also filed a second application with the ZHB, which following Mr. Penecale's direction on original determination, sought variances to allow the existing nonconforming conditions to remain on the property in connection with the proposed development of the rear eight acres.

After we filed that application for variances to permit the continuation of all of the nonconformities, we reviewed those nonconformities within the shopping center to see if there was any way to bring some of those nonconformities into compliance with FTD Ordinance without jeopardizing the number of the parking spaces within the shopping center because we do not have the authority to reduce the parking spaces as a result of the tenant leases.

We were able to bring some of the existing nonconforming items into compliance with the FTD Ordinance, and then filed an amended application with the ZHB to request a variance to allow the existing nonconforming dimensional requirements that we could not modify, to remain.

The ZHB granted those variances and the decision is marked as Exhibit A-4. As a result of the granting of the variances, we filed the amended conditional use application that forms the basis of this application that incorporates the variances that were granted and incorporated changes we had agreed to make to some of those nonconforming dimensional requirements.

In addition, the Township took an appeal of the approval by the ZHB of the applicant's variances because the Township has concerns about design of the existing accesses to the shopping center and the applicant met with Township's traffic consultant to discuss those concerns to try to address it. As a result of those discussions, the applicant proposes to make certain modifications to the existing accesses and those modifications are reflected in a concept plan that will be presented tonight.

A number of changes were made along the entrances; however, the applicant does not own the shopping center. There are cross-easement agreements with the owner of the shopping center and changes we propose to make within the shopping center require approval by the owner. Most of the changes have been signed off by the owner of the shopping center; however, there is one change that has not received approval and we may need to work that out in land development process.

This full presentation was made to the Board of Commissioners of November 19, 2018 and this will be a similar presentation before the Planning Commission tonight.

Mr. Christos Dinoulis, Project Manager, with Bohler Engineering, 1515 Market Street, Suite 920, Philadelphia, PA., representing the applicant, presented existing conditions plan of The Fairway and Baederwood Shopping Center along with existing parking field. West side has existing access that is a right in/out and the second access is full movement with traffic having the ability to come in traveling east on The Fairway making a left in, and traffic traveling east on The Fairway can make a left in and the easternmost access is a full movement access. The plan also showed the residential development area, the Noble Town Center and Rydal Park development.

Amended conditional use plan was presented that showed amended parking stall size; pedestrian circulation conductivity through the development of sidewalks and crosswalks through and up to the residential component; modifications to the rear parking field with sidewalks and crosswalks and crosswalks between buildings; sidewalk from The Fairway to the bank and additional sidewalks and crosswalks to the retail component.

Within the parking lot are 10% landscaping and 20% coverage from those trees within that parking field, so there are landscaped islands at each end-cap. Also, there are benches, trash receptacles and planters that have been placed along The Fairway as well as along frontage of retail buildings that extend up to main access drive up to residential component.

Main access to residential component is the westernmost access along The Fairway was presented showing the grade at 14% going up the hill. At the top of hill is public open space area and then access to structured parking going westward is the main access to the building and another access into the first level of apartments with amenity space. Further up the driveway is another access point into the second level garage and additional access along backside of the building.

Mr. Matthew Hammond, P.E. Traffic Planning Design, Inc., 1025 Andrew Drive, Suite 110, West Chester, PA, 19380, representing the applicant, said there concerns by the Township related to existing access serving the Baederwood Shopping Center, and after discussion with Township's traffic consultant, the main issues are pedestrian enhancements and that a stretch of The Fairway experiences a high number of crashes as there are multiple points of access serving multiple properties.

We came up with a concept plan of changes revolving around signaling the westernmost access point allowing all movements that would help serve the existing shopping center and proposed apartment complex to the rear. We also looked at making changes to the driveways along The Fairway right-in/out at the easternmost driveway and making the west-central driveway being a right-in/out with a left in so that the car dealer is not negatively affected.

Also, a traffic impact study has been prepared and was submitted to Township's traffic consultant for review, and as a result of that review, applicant received an email outlining concerns and requested some of the items to be refined such as moving the signal to the western central driveway to better serve the shopping center; increasing the length of the throat of the driveway; also there are two existing mid-block crosswalks along The Fairway that are unregulated and we were asked to provide flashing beacons to improve pedestrian safety in that area.

Changes made were that instead of relocating traffic signal at the westernmost driveway to the central driveway, we continued to provide a traffic signal at that location, but proposing a second traffic signal at the eastern central driveway that will serve Whole Foods area of the shopping center. We also created a longer throat and all of the internal connections from the parking area can no longer access that driveway creating a four-way intersection providing better traffic flow. We continue to maintain right-in/out driveway adding in a median allowing a left into the car dealership and right-in/out driveway on the eastern side closing the existing median off. We did not want to propose a traffic signal at the eastern side of the site due to proximity of residential development adjacent to the property.

The second signal will help alleviate some of the traffic associated with the shopping center and eliminate the mid-block crossings along The Fairway and bring those crossings to a signalized intersection with crosswalks making it much safer. We also provided for pedestrian accommodations on the entire frontage with ADA ramps on all driveways that connect to pedestrian circulation system.

Mr. Kaplan added that the west central entrance is a full access intersection and there are only one half of those parking spaces there now so it is a straight run back to Panera Bread. The owner of the shopping center has approved the reconfigured west access with a traffic light closing it off and making the eastern right-in/out only and the second signalized intersection. However, as it stands now, we do not have permission to close off the median.

Mr. Hammond continued that the concept plan has been revised and we prepared a revised traffic impact study outlining the changes of the concept plan that was submitted to Township's traffic consultant and then that submission was discussed in a meeting held in September 2018.

Mr. Kaplan said presented to the Board of Commissioners on November 19<sup>th</sup> was amended conditional use plan along with the demonstration by Mr. Hammond. In order to resolve the controversy, we are proposing that the Planning Commission approve amended conditional use plan, and as a condition, we would agree to the changes just explained by Mr. Hammond albeit without committing at this point to changing the west central access.

Mr. Penecale asked for the date on the amended conditional use plan.

Mr. Kaplan replied it is overall site plan revision Number 2, dated November 13, 2018 – last revised.

Mr. Charles Chappell, Architect with Minno Wasko Architects and Planners, 80 Lambert Lane, Suite 105, Lambertville, NJ, 08530, representing the applicant, presented a rendering of the building with two levels of parking and five levels of residential above with direct access to the parking levels along the main entrance and internal access to second level into the garage. First level of residential is where the amenities space is located and also presented were building materials and elevations facing the shopping center.

Mr. Kaplan said this is conditional use plan, and if approved by the Board of Commissioners, the applicant will come back before the Planning Commission with detailed plans of the development site.

Ms. Strackhouse said in the main parking lot there is a cut-thru to Noble Plaza, will that remain open, and if so, will there be a pedestrian crosswalk?

Mr. Hammond replied yes, and there will be pedestrian crosswalks in this area.

Ms. Strackhouse asked about emergency access for fire trucks.

Mr. Kaplan replied we want a second emergency access, but we cannot force the owner of the shopping center to do that, so with the Township's help, we hope to negotiate a simple breakaway chain if needed.

Ms. Strackhouse asked about pedestrian access there?

Mr. Hammond replied no.

Ms. Strackhouse asked about any other emergency exits for fire trucks going into the development at the top of the hill.

Mr. Hammond replied no.

Ms. Strackhouse asked for any comments from members of the Planning Commission.

Mr. Russell questioned whether proposed two traffic signals will be interconnected.

Mr. Hammond replied yes, as part of the application process to PennDOT for permits is to have those traffic signals coordinated with traffic signals at Rt. 611 and The Fairway.

Mr. Russell questioned whether there will be walls or fences along the edge of apartment building to adjacent property.

Mr. Dinoulis replied there is a retaining wall that extends as shown on the plan, but to make the connection more work needs to be done on the other property.

Mr. Baker asked is there any issues with sight lines because the building is close to the intersection.

Mr. Hammond replied that is something that will be reviewed during land development process.

Mr. Baker clarified that fire trucks can make all turns. Is that correct?

Mr. Dinoulis replied that is correct, emergency vehicles can make full movements.

Mr. Kaplan added this building will have a sprinkler system with internal water supply.

Ms. Gauthier said regarding the second easternmost traffic signal of the shopping center on The Fairway; is there concern about not having a "throat" coming out of that shopping center?

Mr. Hammond replied yes, there was discussion about potentially increasing the stacking isle.

Mr. Kaplan said but that is controlled by Whole Foods who controls their parking lot.

Ms. Gauthier said regarding internal driveway being 14% grade going up towards the apartments; is that the highest point?

Mr. Hammond replied yes it is the highest, but it levels out to 8%.

Ms. Gauthier questioned whether there was discussion with the owner in regards to emergency access-way.

Mr. Kaplan replied yes, there were a number of discussions with the owner who indicated the possibility of doing more improvements.

Mr. Cooper asked about apartment unit size and demographics.

Mr. Fred Snow with Brandolini Companies, 1301 Lancaster Avenue, Berwyn, PA, 19312, replied in the range of 950 sq. ft. for one and two bedroom apartments. Demographics will be a mix, an open market.

Mr. Cooper questioned whether there will be ancillary uses inside the building that would be open to the public.

Mr. Snow replied no.

Mr. Olzak asked about the open space and how it is meant be accessible to the public.

Mr. Dinoulis replied that level of detail for open space has not been flushed out yet, but will be identified during land development.

Herb McMahon, 1046 Huntingdon Road, commented that “Ward 7 is under siege,” as there is the BET project and this one, and any traffic studies do not include all traffic from BET project and Rydal Waters. Also, regarding the single ingress/egress, “if there is a fire, they better hope there is not also snow/ice with a 14% grade.” He also feels observations made by the Planning Commission about emergency access are right on target and he cannot believe there will be no access in the back. If the building was “shrunk” down they might be able to accommodate some space for emergency vehicles. He also expressed concern about the intersection of Susquehanna and Rydal Road was not part of the traffic study; public safety and stormwater runoff.

Cakky Evans, Lindsay Lane, questioned whether this plan is on Township website for members of the EAC to review. She questioned whether “green” sustainable parking lots and lighting in the parking lot could be incorporated.

Amanda Detweiler, 1116 Penmore Place, commented that the light at Susquehanna is important, and since Rydal Waters is adding open space and walking trails, would there be any consideration to linking the apartment building. She asked about how commuters will crossover the Noble Train Station and will there be an impact study to Highland School from affects of the apartment building. Also will there be a committee who monitors façade materials of the building.

Lora Lehmann, 1431 Bryant Lane, asked for a “page” on this project and she is opposed to it. She asked for a room for community meetings, and she agreed with everything said by Mr. McMahon.

Ms. Gauthier said per the zoning ordinance for conditional use that says, “Artificial light shall be directed away from adjacent properties,” was that addressed? Also, she asked about public water/sewer and trash containers. She also questioned whether the zoning ordinance conditional use regulations for noise have been addressed.

Mr. Kaplan replied yes to all Ms. Gauthier’s questions. In regards to noise, this is a permitted residential use in this area and this was reviewed by the Zoning Officer for compliance.

Ms. Gauthier made a MOTION to recommend that the conditional use be denied based on the fact that there is not a secondary access provided for vehicles.

Mr. Cooper made a MOTION to **not make a recommendation at all** due to the fact that it is the first time that the Planning Commission has seen this, and if approved by the Board of Commissioners, it will come back for land development process where the issues will be addressed.

Ms. Gauthier withdrew her MOTION on the floor and then seconded the MOTION made by Mr. Cooper.

MOTION was ADOPTED 4-2. Ms Gauthier and Mr. Russell opposed.

Solicitor Clarke noted that this matter will be before the Board of Commissioners in January without recommendation by the Planning Commission.

Agenda Item PC 4- BET Investments, Inc. for zoning text amendment and zoning map amendment for properties located at 1059, 1067 and 1073 Old York Road and 1062 Huntingdon Road, Abington, PA:

Ms. Strackhouse read agenda Item PC4 into the record and asked the applicant to highlight any changes to the text amendment that is being presented this evening.

Ms. Jennifer Wunder, Attorney with Fox Rothschild, LLP, 10 Sentry Parkway, Suite 200, Blue Bell, PA, 19422, representing the applicant, introduced Michael Markman, President of BET along with John Kennedy, Land Planner, and said the applicant is requesting recommendation of approval for proposed zoning text amendment to the zoning ordinance to create an H-12 Senior Apartment use in the A/O Zoning District and the second amendment is to the zoning map to rezone the properties to the A/O District.

If the Board of Commissioners is inclined to approve these two amendments, the applicant will then file a conditional use application for proposed project.

Mr. Michael Markman gave a power point presentation of the Abington Terrace project including renderings, elevations of proposed buildings, vehicular trip generation/peak hour trip generation comparison and fiscal impact analysis as well as proposed zoning map amendment of the site in which a copy was provided to the Planning Commission.

Mr. John Kennedy, Principal, Kennedy & Associates, PO Box 175, Mainland, PA, 19451, provided a summary of the revisions made to proposed H-12 Senior Apartment Units text amendment since it was presented at the August Planning Commission meeting. Revisions are in response to comments received by Abington Township Planning Commission, the MCPC and Township staff as noted in a memo dated December 7, 2018 in which a copy was provided to the Planning Commission.

Revisions were as follows; the H-12 use is now permitted by conditional use; two additional development standards were added; a 300' uninterrupted frontage requirement and not more than one dwelling last used as a single family dwelling; maximum impervious coverage was decreased to 65% (from 70%) and the minimum green area was increased to 35% (from 30%); maximum front yard setback of 25' was added for the frontage of Old York Road. Maximum building length was shortened to 380 degrees and in addition two design elements were added to break up the façade: first, a requirement for a five-foot offset for every 100 feet of length, and secondly, for facades of 300 feet or greater must have a large break that forms a courtyard of at least 400 sq. ft. that must be landscaped. The bonus section was completely revised as noted in the summary. The building and grounds management clause was expanded. Language was added to clarify the potential location of parking spaces and the size of tandem spaces. Reference was added to update the Comprehensive Use Matrix Table.

Mr. Markman continued that there will be no school children added to the School District from this project; compared building height of this project with surrounding buildings in the Township; project will decrease traffic generation; setbacks are consistent with other zoning districts along Old York Road to be no more than 25 feet away from the road; the buildings will be as close to the road as possible and farther away from the neighborhood in the rear; stormwater management system will be designed according to Township and State regulations and building design will be contemporary farmhouse with gable roofs to compliment existing architecture adjacent to the site.

Ms. Strackhouse asked for comments from members of the Planning Commission.

Mr. Russell questioned whether the applicant received the MCPC review letter dated December 6, 2018.

Ms. Wunder replied yes, consisting mainly of design comments that can be addressed during land development process.

Mr. Penecale asked for the purpose of including residential property within the zoning change. Why couldn't it have stayed residentially exempt?

Mr. Markman replied as condition of approval, we will deed restrict that property to be open space, but we wanted to include it in calculations required for approval.

Ms. Strackhouse questioned whether letters from residents who are in favor or opposed to the project are available for the public to read.

Mr. Penecale replied letters received both in favor or opposition is available by a "Right To Know" request as that is Township policy. They are not posted on Township website.

Ms. Strackhouse asked for any public comments.

Kim Seese, 1431 Woodland Road, said she has written to the Planning Commission as well as the Board of Commissioners in regards to being opposed to the entire project and expressing concern about proposed zoning changes in which she read her letter into the record.

Mr. Schorsh, 1579 Warner Road, said this H-12 Apartment use will be a significant increase in concentration of residents and this intense development will increase traffic and cause sewer issues and more water runoff, and he sees no reason to “denigrate our Township to suit the developer.” He also expressed concern that if this gets developed, it will set precedent for other developers. He will be meeting with his real estate attorney to discuss legal options in terms of filing a possible injunction or lawsuit and also he urged that the December 18<sup>th</sup> meeting be put off until a more convenient time after the holidays.

Marilyn Schorsh, 1579 Warner Road, agreed with everything said by the two previous speakers. She expressed concern that the “far-reaching zoning being proposed will negatively effect our entire Township and that it will open the Township to lawsuits and decrease property values for citizens.” She also expressed concern about a glut of rental housing on the market that may sit empty causing a problem for the Township. Also, she asked for a delay in holding the meeting on the 18<sup>th</sup>.

Rebecca Fellerman, 1074 Wynnwood Avenue, said she is a licensed architect in Pennsylvania specializing in historic preservation and sustainable design. She read a letter into the record expressing concern about “revisions to Abington zoning code that will open the door for more projects that will negatively impact Abington.”

Heidi Kleiman, 1785 Brook Road, said the neighbors feel “there is a target on our little section.” She expressed concern about decrease in property values that will be the “erosion of her community, so whatever needs to be done, should be done to maintain it.”

Dr. Van Hellerslia, 1047 Huntingdon Road, agreed with everything that has been shared tonight. Our zoning ordinance was just approved in 2017 and it is clear there was intent by the authors to protect our neighborhoods over development, and “it was written for such a time as this.” Our population density within this five mile radius will be increased by 55% and how is that justified when there is only a two percent projected increase in population from 2010 to 2040 per Montgomery County statistics. She asked that the Planning Commission vote against the text amendment and vote against the zoning map amendment.

Cakky Evans, Member of the EAC, clarified that the Planning Commission received the letter from the EAC in which they indicated that they did, and she asked for that letter to be posted on Township website. Included in the letter was a “recommendation to keep the existing zoning as is and that the proposed density bonuses fail in terms of the way the text amendment is written.” She questioned whether the plan complies with recommendations made by the MCPC regarding building length.

Mr. Brian Olzak, County Planner, MCPC, replied in the most recent ordinance there is a requirement for a “break in the façade over a certain length,” which was discussed as part of a compromise.

Mr. Penecale added that Mr. Kennedy testified this evening that the applicant revised the ordinance not to limit the building length, but to build in offsets to break up the overall façade run.

Joe Rozak, 1927 Susquehanna Road, commented that he heard again that one of the selling points for this project is the intake of approximately \$700,000 and that is a lot of money, “but in terms of Abington, that is one percent of its budget for next year. “Once that building goes up, you can’t take it down and once that space is used up, it will be gone, so keep it. Planning took wisdom and it should be followed.”

Richard Veith, 1719 Edge Hill Road, commented that this building is totally inappropriate for this site as this is the “heart” of the historic center of Abington. “Changing the zoning and trading it for something else is stealing from the community.”

Herb McMahan, 1046 Huntingdon Road, asked for a “no” vote, and his major concern is the text amendment. He does not see any compelling reason to allow this text amendment and he feels that “his zoning rights are under attack so that BET and Mr. Markman can make more money as this is driven by greed.” Also, he feels this is “spot zoning” as it would be hard-pressed to put it anywhere else.

Christine Dardaris, 1065 Huntingdon Road commented that she agrees with everything that her neighbors have said tonight and she asked for a “no” vote.

Lora Lehmann, 1431 Bryant Lane, commented that she agrees with everything that has been said tonight and expressed concern about the traffic from this project.

Sue Savan, member of the Abington Presbyterian Church, expressed her concern that her parents are buried in the historic cemetery and she is strongly opposed. She also agrees with everything that has been said tonight, and “this is not only concerning but heartbreaking to herself and her family.”

Amanda Detweiler, 1116 Penmore Place, said she agrees with everything that has been said about the changes to the text amendment. She asked about an independent traffic study and about the zoning of the pocket park being changed to open space and that information should be presented at some point.

Diane Marsh, 1779 Brook Road, said this will be a huge impact on the longstanding neighborhood and the YMCA is historic in nature, and she expressed concern about the density and height of the building.

Bernadette Wilkinson, 1245 Bockius Avenue, said she is speaking as a resident and taxpayer of 22 years and she agrees with everything that has been said tonight as she will also be affected. Also, there are a lot of people that are here against this and there are more people who do not want this project as there are many signs posted all over the community. She hopes this will not be allowed as it will be a “snowball” effect.

Ms. Strackhouse said she is not in favor of the current text amendment as proposed by BET Investments, Inc. for the project at the YMCA site. The redevelopment of the YMCA property will profoundly affect the character of the streetscape, quality of life in the surrounding neighborhood and development in the Township. Further, she shares everyone’s frustration that we need to go through these zoning text amendments and this is the third one in the last few years, but unfortunately, it is permitted by the MPC, so these will continue to happen.

Mr. Russell said he is not offended by changes to zoning because “zoning is not perfect no matter how you slice it.” It has been an exhaustive process that we have been involved in and we are appointed volunteers looking out for the interests of the residents. His opinion has not changed in that this is a good project for Abington as a whole and there has been revisions made through the process since March.

Ms. Gauthier said her opinion is that basically this is an amendment to the zoning text to add this new use H-12 for Senior Apartment Housing in the A/O District, and as the text is written, she is not in favor of it.

Mr. Russell made a MOTION to recommend approval of the proposed zoning text amendment and proposed zoning map amendment by BET Investments Inc. There was no second on the motion, so motion failed.

Ms. Gauthier made a MOTION to recommend opposing both the proposed zoning text amendment and proposed zoning map amendment by BET Investments, Inc., seconded by Mr. Boff.

MOTION was ADOPTED 5-1. Mr. Russell opposed.

Planning Commission Meeting

December 11, 2018

**ADJOURNMENT:** 11:18 p.m.

Respectfully submitted,

Liz Vile, Recording Secretary