



**January 22, 2019**

**MEMO**

To: Lucy Strackhouse, Chair – Abington Township Planning Commission

From: Abington Township Environmental Advisory Council

RE: Action PC2 - Proposed Zoning Text and Map Amendment: BET Investment LP (Request to change zoning designation from CS and R3 to AO and to add additional use category H-12 Senior Apartment Units as a Conditional Use within the AO district) Rev: 1.09.2019

Dear Chairperson Strackhouse:

The members of the Abington Township Environmental Advisory Council (EAC) have carefully reviewed the revised version of the above referenced zoning text amendment and recommend that the proposed text amendment be disapproved in its current format, because of density bonus issues and applicability to other potential H-12 development. Our conclusions are based on concerns detailed below. This letter supplements our original review letter dated December 10, 2018. We do recognize that the updated zoning amendment increases minimum side and rear yard buffer widths to 50 feet and proposes modest reductions in building coverage, impervious cover percentages and green area minimums. We also note that the H-12 use designation has been modified to be permitted only as a conditional use in the AO zone. We also note that the overall project density had been reduced to 20 units per acre with maximum of 26 units per acre based on bonuses. The comments below are focused primarily on responding to changes made to the bonus section in response to several concerns raised in our previous letter related to impervious cover, green space and sustainability features

**Comments on revised bonus provisions:**

While the EAC commends the Zoning Text Amendment’s density bonus intention to “encourage higher quality environments, green technology and sustainable design features”, the EAC maintains its position that the proposed density bonuses fail to sufficiently accomplish environmental improvements in a verifiable and sustainable manner and are not fully consistent with the township’s current Zoning Ordinance density bonuses. We continue to be opposed to impervious cover bonuses. It is our hope that the following comments/recommendations on several of the proposed features qualifying for density and or impervious cover bonuses will enable the Planning Commission and the Board of Commissioners (BOC) to realistically evaluate these proposed feature standards.

As this text amendment could potentially apply in other areas, we have added some additional recommended criteria that could be applicable to potential future development and maintain the principles of smart growth planning. Moreover, the EAC is proposing replacing or expanding some of the proposed bonus features in order to uphold the text amendment’s premise that density bonuses “encourage higher quality environments, green technology and sustainable design features.”

BET Bonus Feature	BET Bonus Feature Standard	EAC Proposed Bonus Feature	EAC Proposed Bonus Feature Standard
Enhanced Building Materials	The use of decorative masonry for more than 40% of non-glazed sections of all proposed building facades. Decorative materials shall be contextual, based on: materials, color and texture of the surrounding buildings and structures. The use of ordinary concrete blocks (i.e., non-decorative) shall not qualify.	Materials and Resources, Land Protection and Construction Waste Management	Locally sourced materials within a 500-mile radius, no VOCs, and <a href="#">Green Advantage</a> contractors
Improved Public Space	The creation and maintenance of an improved public space. The minimum size of the improved space shall be no less than 2,000 sf. and shall be open to non-residents.	Improved Public Space	The creation and maintenance of an improved public open space per criteria in Section 1105 C. The minimum size of the improved space shall be no less than 2,000 square feet.
Common Open Space	The creation of an improved outdoor landscaped area, or urban garden (as per the regulations at Section 1105.C.7), open to all residents of the development. For each 5,000 sf. Provided, an additional 2% of impervious coverage and 2% reduction in green space shall be permitted, up to a maximum of 6% additional impervious.	Common Open Space	Replace impervious cover bonus with appropriate density bonus – <b>See note #1</b>
Structured Parking	A minimum of 60% of the required total parking is located in structured parking below grade or above ground structured parking wrapped by occupied space.	Structured Parking	Add - Fuel Efficient Vehicle Preferential parking
Decorative Streetscape	The installation of enhanced paving and street furniture such as decorative lighting, benches, trash containers and other items. The proposed streetscape shall be generally	Building Envelope	Walls, roof, and floors meet the insulating values required by ASHRAE 189.1-2014.

BET Bonus Feature	BET Bonus Feature Standard	EAC Proposed Bonus Feature	EAC Proposed Bonus Feature Standard
	in accordance with the MS regulations of Article XXV with the conceptual design approved by the Board of Commissioners as part of the conditional use hearing.		
Alternative Energy Sources	Install a solar, wind or other renewable power-generation facility that is designed to provide at least 10% of the expected annual energy use for the building. The facility shall be designed and installed under the direction of a professional with demonstrated expertise in the design and construction of such facilities; with such facilities being permitted to be installed within a building setback if located in an open-air surface parking lot approved as part of the conditional use hearing.	Impact on Energy and Atmosphere	Install a solar, wind or other renewable power-generation or geothermal facility that is designed to provide at least 50% of the expected annual energy use for the building. The facility shall be designed and installed under the direction of a professional with demonstrated expertise in the design and construction of such facilities; with such facilities being permitted to be installed within a building setback if located in an open-air surface parking lot approved as part of the conditional use hearing.  <b>See Note #2</b>
Green Roof	Install a green roof covering at least 25% of the total roof area. The facility shall be designed and installed under the direction of a professional with demonstrated expertise in the design and construction of such facilities.	Green Stormwater Infrastructure (GSI)	Install a vegetated green roof (VGR) covering at least <b>50%</b> of the total roof area. Install other GSI as appropriate to both slow and infiltrate stormwater runoff. VGR coverage may be reduced to 25% if 100% solar thermal is achieved for the project. These enhancements shall be designed and installed under the direction of a professional with demonstrated expertise in the design and construction of such facilities.  <b>See Note #3</b>
		Water Efficiency	Outdoor water use reduction through native species only landscaping; Indoor water use reduction through WaterSense products for bathrooms and kitchens.
Energy Efficient Buildings & Construction	Building designs, materials, systems and construction techniques that produce an Energy Star score of at least 85 and employ recycling efforts	Energy Efficient Buildings & Construction	100% renewable electricity for at least three years or installing technology with a 50% renewable energy commitment. These enhancements shall be designed and installed under the direction of a professional with

BET Bonus Feature	BET Bonus Feature Standard	EAC Proposed Bonus Feature	EAC Proposed Bonus Feature Standard
	with respect to the demolition of any buildings.		demonstrated expertise in the design and construction of such facilities. Use of Energy Star rated appliances.  <b>See Note #4</b>
Community / Historic Heritage Preservation	Completion of improvements to preserve an on-site or off-site community historic or cultural asset, along with an educational program related to such improvements (such as, by way of example, a self-guided walking tour of an improved historical facility), as approved by the Board of Commissioners as part of the conditional use hearing.	Historic Heritage Preservation and Building Reuse	Preservation of historic building façade/core/materials as per accepted historic preservation practices or as recommended by historic review committee, or preservation of an existing building façade/core/materials as recommended by an acceptable green building guideline AND  Completion of improvements to preserve an on-site or off-site community historic or cultural asset, along with an educational program related to such improvements as approved by Board of Commissioners as part of conditional use hearing.
Off-site Traffic Improvements	The provision of or contribution to off-site traffic and/or pedestrian improvements as approved by the Board of Commissioners as part of the conditional use hearing.		

Additional Notes:

**#1 - Common Open Space**

As defined in Article II of the zoning ordinance, this would be an area interconnected and designed for use and enjoyment of residents of the development. At present, there are no minimum requirements for open space within the AO district, so this could be a laudable addition to the project, and perhaps acceptable as a density bonus. However, the bonus associated with this feature is a 2% increase in impervious cover for every 5,000 s.f. of common open space provided up to a maximum of 6%. Based on the proposed text amendment, the impervious cover maximum could be increased to 66%. The EAC maintains its opposition to allowing increased impervious cover as a development bonus. This is inconsistent with one of the basic purposes of the township’s current stormwater management ordinance, which is to minimize impervious cover. The township is highly developed and increases in impervious cover (especially in redevelopment areas) can result in further detrimental impacts on water quality and volume in our local creeks. Although we acknowledge that stormwater discharges from the development of this site would be subject to the

standards of the Township's Stormwater Management Ordinance, allowing increased impervious cover<sup>1</sup> would counter the positive benefit of increased open space.

**#2. Alternative Energy Sources.** While we applaud Energy Star benchmarking, a rating can only be measured post construction through Energy Star Portfolio Manager Benchmarking. Therefore, 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. Moreover, the 10% alternative energy facility feature is not remarkable and such an outcome could be achieved through minimal REC purchases. We have also included solar thermal and geothermal recognition.

### **#3. Green Stormwater Infrastructure**

The addition of a green roof as part of the bonus features is a positive addition, although the criterion is below the threshold standard noted in Section 1108 of the BC District. The EAC recommends that this type of bonus be equal to the standard in Section 1108 of 50%. The EAC also recommends that other Green Stormwater Infrastructure measures (e.g. Rain Gardens, Bio Swales) be considered as part of the bonus features included with this and in other districts, as these measures help slow and infiltrate stormwater runoff from the property.

### **#4 – Energy Efficient Buildings & Construction:**

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. We recommend greater consideration of density bonuses for any project that seeks certification through one of the above-mentioned rating systems. We anticipate expounding upon this further as alluded to in the last paragraph of this letter.

As noted in our original letter, 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, citizens, neighborhood civic organizations and community institutions to improve or protect the environment and local sustainability. We would be happy to further elaborate on the recommendations noted above, as they do not comment on the specific density unit/acre. Moreover, our recommended bonus features are not to be interpreted as cast in stone but as an indication that more effort is required and we very much desire to work on collaborative solutions. This further serves to reiterate our earlier recommendation about organizing a design charette to continue constructive dialogue related to the redevelopment of this site.

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<sup>1</sup> If increased impervious cover is to be considered as a bonus, we highly recommend that it be tied to increased recharge volume criteria (that is the volume of water infiltrated on site) above that which is required in our stormwater ordinance.

Lastly, Abington Township through its 2016 STAR Certification was recently designated as a [U.S. Green Building Council LEED City](#). If the Township aspires to recertify through assessing our economic, social, and environmental quality of life, greater emphasis on “higher quality environments, green technology and sustainable design features” as called for in the proposed text amendment, in the granting of density requests, must guarantee verifiable, meaningful and long-term benefits. The EAC would be pleased to continue advising the township as a national leader in sustainability. Thank you for your time and consideration.

Respectfully submitted,

Jim Webb, EAC Chairman (Acting)

cc: Mark Penecale  
Richard Manfredi  
Board of Commissioners  
EAC Members