

**WHITPAIN TOWNSHIP**  
**BOARD OF SUPERVISORS' AGENDA #06-2019**  
**March 19, 2019**  
**8:00 PM**

1. Salute to the Flag.
2. Mission Moment                      Elise Baker
3. As advertised, the Board to consider enactment of Ordinance No. 371, an Ordinance amending Chapter 83 (Disturbing the Peace), Section 83-1 (Definition; Disturbing the Peace Prohibited) of the Township Code to change the definition of disturbing the peace to modify the required quiet hours based on the day of the week and for holidays.
4. Consent Agenda:
  - a. Motion to approve the minutes of the Board of Supervisors' meeting of March 5, 2019.
  - b. Motion to approve the January 2019 Treasurer's Report.
  - c. Motion to adopt Resolution No. 1279 to approve plan titled "Preliminary/Final Approval – Minor Subdivision Plan for 624-628 Cathcart Road", Sheets 1 of 2 through 2 of 2, prepared by Richard C. Mast Associates, P.C., plans dated December 10, 2018 and last revised March 13, 2019 in accordance with Section 509 (b) of the Pennsylvania Municipalities Planning Code conditioned upon compliance with the recommendations contained in the motion from the Township Planning Commission and the resolution of items in the review letter from the Township Engineer dated January 25, 2019.
  - d. Motion to award the contract for the Traffic Signal & Pedestrian Improvement Project to Wyoming Electric & Signal Co. of Wyoming, PA in the low bid amount of \$508,298.55. Improvements will be at the following intersections: Township Line Road and Walton/Norristown Roads, Norristown Road and Narcissa Road/Stenton Avenue, Skippack Pike and Penllyn Pike, Narcissa Road pedestrian flasher and Union Meeting Road pedestrian flasher. This award is contingent upon the review of the bid documents by the Township Engineer and the Township Traffic Engineer.

- e. Supervisors to consider a request from Montgomery County Community College (MCCC) for a waiver from the requirement of preparing a land development plan to construct a new concrete pad for the installation of a new generator near the south wing of the Science Center building at MCCC. The location address is 340 DeKalb Pike. The waiver from land development is conditioned upon the review and approval of the site plan by the Township Engineer.
  - f. Motion to authorize the final release of all remaining funds from the escrow fund for the 1710 DeKalb Pike land development project located at 1710 DeKalb Pike (LD-01-16). A maintenance bond to guarantee the public improvements has been posted for a period of 18 months.
  - g. Motion to approve and authorize the Chairman and Secretary to sign on behalf of the Township a Deed (fee simple) between the Pennsylvania Department of Transportation and Whitpain Township for the acquisition of right-of-way (7,695 SF) along Swede Road (SR 3008) and Township Line Road (SR 3001). This acquisition is related to the SR 202 Section 610 roadway improvement project.
  - h. Motion to authorize the Chairman and Secretary to sign the Second Amendment to Grant No. C000063930 (Wissahickon Creek Flood Mitigation Project) amending the scope of work from nine stages to three stages.
5. Does the Board of Supervisors wish to comment on any of the following Zoning Hearing Board cases scheduled to be heard March 21<sup>st</sup>?

**NO. 2183-19: 1002 SKIPPACK, LLC** requests the following determinations and relief by the Whitpain Township Zoning Hearing Board pursuant to Article XXIV, Section 160-224 related to Discretion of the Zoning Hearing Board and Article XXIV, Section 160-225 related to Extension of Non-Conforming Use with respect to its plan to convert an existing restaurant into an operating funeral home and other improvements to its property located at 1002 Skippack Pike, Blue Bell, PA in the Township's R1-R2 Residential District: (a) that the Township Code permits a change from one nonconforming use (a restaurant) to another nonconforming use of the same class (a funeral home); (b) that the construction of the proposed patio along the Skippack Pike front of the property is a permitted extension of a nonconforming dimension or, in the alternative, a variance from Article VII, Section 160-32 related to Front Yards to permit the patio to encroach into the front yard when the Ordinance prohibits same; and (c) that the rear and side yard dimensions are proper for a corner lot or, in the alternative variances from Article VII, Sections 160-19 and 160-36 related to Side Yards to permit the proposed protective canopy over the building side entrance to encroach into the side yard along Valley Rd. when the Ordinance

prohibits same; and (d) that the new parking configuration complies with Article XXVII, Sections 160-192.B.2.1 related to Required Off-Street Parking Facilities, Article XXVII, Section 160-194 related to Reduction of Facilities and Article XXVII, Section 160-198 related to Green Areas within Parking and Loading Areas or, in the alternative, variances from the aforesaid Code sections to permit construction of the new parking configuration. Applicants requested relief, if granted, will allow Applicant to convert a restaurant facility into a funeral home and operate same on its property with a front yard patio, a protective canopy overhang on its side/rear yard and a new parking configuration.

**NO. 2184-19: D'ARGENTO LAGO, LLC** requests variances from Article XIV, Sections 160-85.1.B(1) relating to Special Regulations for Lot Size Reduction as Conditional Use to permit Applicant to construct residential units on its property located at 1150 Wentz Rd., Blue Bell, PA in the Township's R-7 Residential District. Applicant's requested relief, if granted, will permit Applicant to construct 3 residential units per developable acre on the property when the Ordinance permits a maximum of 2.5 units per developable acre.

**NO. 2185-19: ERIC AND DAWN FARNO** requests variances from Article VII, Sections 160-31 relating to Lot Area and Width and Article VII, Section 160-34 relating to Side Yards for One Family Detached Dwellings and Article XXVIII, Section 160-203 relating to Residential Projections into Side Yards to allow Applicants to construct a 20' by 24' two story addition to their residence located at 11 Whippain Dr., Ambler, PA in the Township's R-2 Residential District. Applicants' requested relief, if granted, will permit the two story addition to be built resulting in a side yard of 15 feet when the Ordinance requires a minimum of 25 feet, an aggregate side yard width of 44 feet when the Ordinance requires a minimum of 60 feet and a lot width to 80 feet when the Ordinance requires a minimum of 100 feet.

**NO. 2186-19: FAMILY DINING, INC.** requests variances from Article XIX, Sections 160-119.J relating to Use Regulations and Article XXVI, Section 160-191.D relating to Schedule of Sign Regulations to allow Applicant to install two menu board and two ordering station signs at its restaurant facility located at 1780 Swede Rd., Blue Bell, PA in the Township's C-Commercial District. Applicant's requested relief, if granted, will allow Applicant to install the new signs when the Ordinance prohibits same.

6. Public Comment
7. Old Business/New Business/Closing Comments (Supervisors).