

**WHITPAIN TOWNSHIP**  
**BOARD OF SUPERVISORS' AGENDA #08-2022**  
**April 19, 2022**  
**6 PM**

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1. Salute to the Flag.
2. Consent Agenda:
  - a. Motion to approve the minutes of the Board of Supervisors' meetings of March 15 and April 5, 2022.
  - b. Motion to approve the March Voucher List totaling \$526,538.61, check sequence #75450 through #75662.
  - c. Motion to approve the Treasurer's Report of February 2022.
  - d. Confirming motion to approve a Water Shut-Off Agreement between Whitpain Township and PA American Water Company authorizing the shut-off of the water supply to any premises to which it provides water service in which the rentals, rates and charges for sewage treatment service supplied by the Township are unpaid.
  - e. Motion to pass Resolution No. 1492 authorizing the submission of a FY2023 Community Projects Funding Request through the office of Congresswoman Madeleine Dean to provide funding for the Ambler Alley Storm Sewer Project.
  - f. Motion to authorize Spotts, Stevens and McCoy of Reading, PA to proceed with engineering design services associated with the Ambler Alley Storm Sewer Project in accordance with their proposal dated April 8, 2022 at a cost not to exceed \$17,700.00. The proposal for Professional Engineering Services includes a topographical survey, storm sewer design and preparation of bid documents for the project

- g. Motion to pass Resolution No. 1493 accepting the Deed of Dedication for certain right-of-way along Stenton Avenue in connection with the completion and dedication of the 209-229-249 Stenton Avenue subdivision project.
- h. Motion to advertise Ordinance No. 395, an Ordinance amending the Code of the Township of Whitpain at Part II [General Legislation], Chapter 83 [Disturbing the Peace], by amending and restating Article I [Nuisance Disturbance by Noise], amending and restating Sections 83-3 and 83-4 as Article II [Loitering], restating Article II [Commercial Generator Noise] as Article III and creating Article IV [Nuisance Disturbance by Lighting] to provide for standards and penalties related to disturbances of the peace.
- i. Supervisors to approve a request for a waiver from the requirement of preparing a land development plan from

- Ballenrose Management, Inc. to install a concrete block open air storage facility for golf course materials and associated grading improvements at Blue Bell Country Club (area adjacent to Fairway Drive) located at 1800 Tournament Drive; and
- Normandy Development, L.P. to reconstruct and expand the existing carriage house and associated improvements at Normandy Farm Hotel and Conference Center located at 1401 Morris Road.

The waivers from land development are conditioned upon the review and approval of the site plans by the Township Engineer.

- j. Motion to authorize the Chair and Secretary to sign on behalf of the Township a Deed In Lieu of Condemnation between
  - James D. Watson and Zora C. Watson and Whitpain Township for Right of Way along Pulaski Drive located adjacent to 1690 Pulaski Drive (TMP #66-00-05737-00-2).
  - William Forbes and Whitpain Township for Right of Way along Pulaski Drive located adjacent to 1689 Pulaski Drive (TMP #66-00-05605-00-8).
  - John F. Morris, Jr. and Olga Morris and Whitpain Township for Right of Way along Pulaski Drive located adjacent to 1701 Pulaski Drive (TMP #66-00-05608-00-5)

These Deeds are required for the Pulaski Drive Bridge Replacement project.

- k. Motion to authorize the Chair and Secretary to sign on behalf of the Township a Temporary Construction Easement Agreement (TCE) between
- James D. Watson and Zora C. Watson and Whitpain Township for a Temporary Construction Easement at 1690 Pulaski Drive (TMP #66-00- 05737-00-2).
  - William Forbes and Whitpain Township for a Temporary Construction Easement at 1689 Pulaski Drive (TMP #66-00-05605-00-8).
  - John F. Morris, Jr. and Olga Morris and Whitpain Township for a Temporary Construction Easement at 1701 Pulaski Drive (TMP #66-00-05608-00-5).
  - Erin A. Flannery and Joseph D. Flannery, Jr. and Whitpain Township for a Temporary Construction Easement at 1525 Clearview Avenue (TMP #66-00-01051-00-8).

These TCEs are required for the Pulaski Drive Bridge Replacement project.

- l. Motion to award the contract for the Pulaski Drive Bridge Replacement Project to Lobar Site Development Corporation of Dillsburg, PA in the bid amount of \$1,384,859.00 subject to the review of the bid documents by the Township Engineer and Township Solicitor.
- m. Motion to authorize Metz Engineers to proceed with professional engineering and surveying services related to Road Vacation and Utility Easements for a portion of McDivitt Drive in Whitpain Township in accordance with their proposal dated March 10, 2022 at a cost not to exceed \$2,976.00.
- n. Confirming motion to release \$342,097.26 (Release #1) from the escrow fund for the 1950 Skippack Pike self-storage land development located at 1950 Skippack Pike.
- o. Motion to authorize the final release of all remaining funds from the escrow fund for the AVE Blue Bell land development project located at 1600 Union Meeting Road (LD-04-16). The final release is contingent on the issuance of the NPDES Notice of Termination for the land development project.

- p. Motion to authorize the final release of all remaining funds from the escrow fund for the 209, 229 and 249 Stenton Avenue subdivision project located at 209-249 Stenton Avenue (S-03-17). The final release is contingent on the execution of the required right of way Deeds of Dedication for the subdivision project.
3. Motion to pass Resolution No. 1494 expressing support for term limits for Township Officials.
4. Motion to pass Resolution No. 1495 establishing a policy for review of professional services on a cyclical basis and establishing a procedure for the issuance, submission and review of Requests for Proposals (RFPs).
5. Motion to authorize the Chair and Secretary to sign on behalf of the Township a Sanitary Sewer Easement Agreement in relation to an existing and proposed Sanitary Sewer Easement between Montgomery County, Montgomery County Community College and Whitpain Township to establish a 50-foot wide Sanitary Sewer Easement at 340 DeKalb Pike (TMP #66-00-01849-00-2). This relocated sanitary sewer easement is required as part of the Montgomery County Community College Hospitality Institute land development project (LD-2-21).
6. Motion to consider Resolution No. 1496 to approve plan titled “Preliminary/Final Subdivision & Land Development Plans for 720-730 Penllyn-Blue Bell Pike” located at 720-730 Penllyn-Blue Bell Pike, Sheets 1 of 18 through 18 of 18, prepared by Landcore Engineering Consultants, P.C., plans dated August 9, 2021 and last revised February 22, 2022, in accordance with Section 509(b) of the Pennsylvania Municipalities Planning Code conditioned upon execution of a Development Agreement, posting of financial security, planning module approval, receipt of all necessary permits from the Pennsylvania Department of Environmental Protection and the Montgomery County Assets and Infrastructure Department, compliance with the recommendations contained in the motion from the Township Planning Commission and the resolution of items in the review letters from the Township Engineer dated August 23, 2021 and November 17, 2021.
7. Motion to consider Resolution No. 1497 to approve plan titled “Preliminary Subdivision Plans for Beach Estates Subdivision, 1086 Penllyn-Blue Bell Pike” located at 1086 Penllyn-Blue Bell Pike, Sheets 1 of 17 through 17 of 17, prepared by Robert E. Blue Consulting Engineers, P.C., plans dated August 4, 2020 and last revised February 17, 2022, 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 letters from the Township Engineer dated August 25, 2020, October 19, 2021 and March 7, 2022.

8. Motion to consider Resolution no. 1498 to approve an Extension of Waiver of Land Development for Parking Lot Modifications at the Whitpain Tavern located at 1529 DeKalb Pike, Plan Sheets 1 of 5 through 5 of 5, prepared by Chambers Associates, plans dated December 16, 2020, and last revised July 19, 2021, conditioned upon posting of an escrow for the removal of the temporary improvements after an extension period of six months and compliance with all applicable Township requirements.
9. Does the Board of Supervisors wish to take any action on the following Zoning Hearing Board cases scheduled for April 28, 2022?

**NO. 2312-22 – MADISON CAPITAL GROUP MANAGEMENT, LLC** - requests a variance from Article XIX, Section 160-119 related to Use Regulations with respect to its property located at 953 Penllyn Blue Bell Pike, Blue Bell, PA, in the Township's C-Commercial District. Applicant's requested relief, if granted, will allow Applicant to construct a three story, 38' 11" high, 100,950 square foot storage facility on its property when the Ordinance prohibits same.

**NO. 2313-22 – SIMRAN PROPERTIES** - request variances from Article XXVII, Section 160-192.B.2.q related to Required Off-Street Parking Facilities, Article XII, Section 159.B related to Off-Street Parking and Article XXVIII, Section 160-214.C.1 related to Green Area Regulations with respect to its property located at 646 Skippack Pike, Blue Bell, PA, in the Township's C-Commercial District. Applicants' requested relief, if granted, will allow Applicants to continue using: (1) 12 existing parking spaces at the site when the Ordinance requires a minimum of 25 spaces; and (2) said parking spaces are 6 feet from the property line when the ordinance requires 15 feet; and (3) a reduction of the green area to 30.2% when the Ordinance requires a minimum of 35%.

**2314-22 – HERMAN L. AND MILAGROS M. EASON** - request variances from Article VII, Section 160-36 related to Rear Yards and Article XXVIII, Section 160-204 related to Residential Rear Yard Intrusions with respect to their property located at 1509 Vernon Rd., Blue Bell, PA, in the Township's R-2 Residential District. Applicant's requested relief, if granted, will allow Applicant to construct a new addition onto their existing residence which will project into the rear yard when the Ordinance prohibits same and will reduce the minimum yard width to 36 feet when the Ordinance requires a minimum of 50 feet.

**NO. 2315-22: PATELLIE, LLC** requests the following relief from the Whitpain Township Zoning Hearing Board: (1) a variance from Article XXIX, Section 160-225 related to Expansion of Non-Conforming Use; (2) a variance from Article XXXI, Section 160-241 related to Expiration of Special Exceptions and Variances; and (3) a modification of Whitpain Township Zoning Hearing Board

Decisions No. 781-1990, 1691-2006 and 2219-2019. Applicant's requested relief, if granted, will: (a) permit the Applicant to construct a 772 square foot addition and one deck to the right of the Main Entrance having 639 square feet on its property located at 1529 Dekalb Pike, Blue Bell, PA in the Township's C-1 Commercial District which will: (a) expand the non-conforming use of the property when the Ordinance prohibits same; and (b) will extend the expiration date of the variances to eighteen months when the Variance expiration date in the Ordinance is six months.

10. Public Comment.

11. Old Business/New Business/Closing Comments (Supervisors).