

WORK SESSION

March 19, 2019

A work session of the Whitpain Township Board of Supervisors was held on Tuesday, March 19, 2019 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA at 7:30 p.m. for the purpose of reviewing the agenda of the March 19, 2019 Supervisors' meeting. Supervisors Frederick R. Conner, Adam D. Zucker, Anthony F. Greco, Kenneth F. Wollman, and Michele Minnick (via telephone) were present. Also present were Township Solicitor Frank R. Bartle, Esq., Township Special Legal Counsel Scott M. Badami, Esq., Township Manager Roman M. Pronczak, P.E., Township Engineer James E. Blanch, P.E., Assistant Township Manager David J. Mrochko, Police Chief Kenneth Lawson, Director of Code Enforcement Michael McAndrew, Director of Finance Christine M. Bauman, Parks and Recreation Director Kurt W. Baker, Director of Public Works Thomas Farzetta and IT Director Nicole M. Leininger. One member of the public was present.

The Supervisors began the work session by reviewing the agenda for the meeting and discussing the Mission Moment, proposed Ordinance No. 371, approval of the Consent Agenda including minutes of March 5th, the January Treasurer's Report, Resolution #1279, award of contract, one waiver request, release of funds and authorization to sign documents. The Board also reviewed the March Zoning Hearing Board cases.

After reviewing the agenda, Mr. Pronczak continued the meeting by informing Supervisors that the schedule has been slightly altered for the Whitpain Recreation Association's (WRA) annual baseball opening day festivities and parade on April 6, 2019. Participants will now gather at 8:45 a.m. at Centre Square Fire Company and the parade will start promptly at 9:15 a.m. As part of the day, the WRA will honor emergency responders including the Whitpain Police Department, Centre Square Fire Company, and Second Alarmers Rescue Squad.

The next topic discussed was the annual Earth Day Celebration which will be held at Prophecy Creek Park on the morning of Thursday, April 11. The event is being held two weeks earlier than normal because Wissahickon School District has scheduled mandatory testing and spring break. Supervisors Conner, Zucker, and Wollman plan to attend the annual event.

The next topic discussed concerned the grand reopening of the 1895 Schoolhouse on Sunday, April 14 from 1:00 p.m. to 4:00 p.m. The Township-owned building is occupied and run by the Wissahickon Valley Historical Society. The Historical Society sent invitations to Supervisor for this event.

The meeting continued with news that the Annual Tree Giveaway is set for Sunday, April 28 at 8:00 a.m. in Prophecy Creek Park. Once again this year the Shade Tree Commission will ensure that only native species are distributed to residents.

Mr. Pronczak continued the meeting by discussing the dedication of the gazebo at Wentz Run Park in the memory of former Township Manager Phyllis Lieberman. The ceremony will be held on Saturday, May 4 at 10:00 a.m. Light refreshments will be served to attendees.

The meeting continued with an announcement that WRA will host a soccer tournament on May 18 and 19 at Centre Square Park.

The final topic discussed concerned the creation of a committee to examine at-risk properties in the Township. Examples of these properties include historic buildings and larger properties that are under development pressure. After a brief discussion of possible representatives for this committee, Mr. Conner suggested that the membership of the committee could be decided at a later date.

At 7:42 p.m., the work session was adjourned and Supervisors met in executive session to discuss matters of litigation and a personnel matter. When the executive session ended at 8:00 p.m., Supervisors left for the public meeting.


David J. Mrochko
Whitpain Township Assistant Manager

#06-2019
March 19, 2019

The regular meeting of the Whitpain Township Board of Supervisors was held Tuesday, March 19, 2019 at the Township Administration Building, 960 Wentz Road, Blue Bell, PA. Chairman Frederick R. Conner, Jr., along with Supervisors Adam D. Zucker, Anthony F. Greco, and Kenneth W. Wollman were present. Supervisor Michele Minnick was absent. Township Manager Roman M. Pronczak, P.E., Assistant Township Manager David J. Mrochko, Solicitor Frank R. Bartle, Esq., Special Counsel Scott M. Badami, Esq., Police Chief Kenneth Lawson, Township Engineer James E. Blanch, P.E., Finance Director Christine M. Bauman, Code Enforcement Officer Michael E. McAndrew, Public Works Director Thomas Farzetta, Parks and Recreation Director Kurt W. Baker, IT Director Nicole M. Leininger and Recording Secretary Virginia Papale were also present. Fire Marshal David M. Camarda was absent. There were 50 members of the public at the meeting.

Following the Pledge of Allegiance, the meeting was called to order at 8 p.m. by Chairman Conner who welcomed everyone.

Chairman Conner talked about the customary Mission Moment and what the mission, vision and shared values represent. Tonight's Mission Moment is presented by Supervisor Wollman who highlighted the accomplishments of resident Elise Baker.

The Bakers, a military family, moved to Blue Bell in 2015. Mr. Wollman acknowledged the Board members, staff and members of the community who served our country. Shortly after relocating, Elise began coaching girls softball, and in seeking to do something more competitive, she and a friend founded Ambler/Whitpain eXpress softball for girls ages 8 to 18. As a result of her efforts, Elise became only the fourth woman of 59 inductees to be honored by the Montgomery County Coaches Hall of Fame by being inducted into the Community Coaches Honor Roll in November of 2018. Mr. Wollman thanked her for making a positive impact in the community. He then read a Proclamation and presented it to Elise, who thanked the Board for her recognition and support. She also noted that it is a combination of the players, families and coaches who are all part of the success.

As advertised, the Board considered 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. Chairman Conner asked Assistant Township Manager David Mrochko to summarize the changes.

Mr. Mrochko explained that the current quiet hours begin at 11 p.m., with the proposed new quiet hours running from Sunday through Thursday at 9 p.m., and Friday and Saturday remaining at 11 p.m. Additionally, 11 p.m. will also be in effect for New Year's Eve, the eve of Memorial Day and Memorial Day, the eve of July 4th and July 4th, the eve of Labor Day and Labor Day. We heard from a number of residents that our current quiet hours are too late. We reached out to other municipalities, and 11 p.m. is later than the surrounding communities. Chairman Conner added that the Operations Committee reviewed the requested changes. Vice-Chairman Zucker said it was looked over many times and revised,

noting that residents should be permitted to celebrate happy occasions. With this proposed Ordinance, we achieve a good balance with quiet weekdays. The proposed modifications have been well thought out.

A motion was made by Mr. Greco, duly seconded by Mr. Wollman to enact Ordinance No. 371. Chairman Conner called for any discussion. There was none and the motion was approved unanimously.

A motion was made by Mr. Greco, duly seconded by Mr. Zucker to approve the Consent Agenda as follows:

- a. Minutes of the Board of Supervisors' meeting of March 5, 2019.
- b. January 2019 Treasurer's Report.
- c. 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 PA 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. 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. Waiver to Montgomery County Community College (MCCC), 340 DeKalb Pike, 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, conditioned upon the review and approval of the site plan by the Township Engineer.
- f. 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. Authorize the Chairman and Secretary to sign on behalf of the Township a Fee Simple Deed between the PA Department of Transportation and Whitpain Township for the acquisition of right-of-way (7,695 sq. ft.) along Swede Road (SR 3008) and Township Line Road (SR 3001). This acquisition is related to the SR202 Section 610 roadway improvement project.
- h. 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.

Chairman Conner called for any comments or questions after noting there may be additional funds available for the flood mitigation project. Mr. Pronczak complimented the Engineering Department for securing over \$380,000 in grant funds related to the traffic signal improvements. There were no further comments and the motion carried.

The Board took no action on the following Zoning Hearing Board cases scheduled to be heard March 21, 2019:

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. 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 Whitpain 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.

Chairman Conner asked if there was any public comment related to these applications.

Residents Mrs. Fariello of 903 Valley Road, Mr. Zhao of 1041 Skippack Pike and Mrs. Gallagher of 930 Valley Road spoke of their struggle with Application #2183-19, due to health and cultural hardships of living near a funeral home, and the possible degrading of residential values. Chairman Conner and Vice-Chairman Zucker thanked the residents for their comments and urged them to attend the Zoning Hearing Board meeting on March 21st to make their thoughts clear. Chairman Conner noted that the Board of Supervisors and the Planning Commission normally remain neutral and leave the decision in the hands of the Zoning Hearing Board.

Chairman Conner turned the meeting over to Vice-Chairman Zucker who asked for further public comment. There was none. He asked if any member of the Board wished to discuss old or new business. There was no discussion.

There being no additional comments, Vice-Chairman Zucker announced that the Board met in executive session prior to the public meeting to discuss a personnel issue, the active litigation of 813 Stonybrook Drive and potential litigation of Mermaid. He then made a motion to adjourn the meeting at 8:50 p.m.; it was seconded by Chairman Conner.

Respectfully submitted,



Anthony F. Greco
Secretary

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