

## WORK SESSION

April 2, 2019

A work session of the Whitpain Township Board of Supervisors was held on Tuesday, April 2, 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 April 2, 2019 Supervisors' meeting. Supervisors Frederick R. Conner, Adam D. Zucker, Anthony F. Greco, Kenneth F. Wollman, and Michele Minnick were present. Also present were Township Solicitor Frank R. Bartle, Esq., Township Manager Roman M. Pronczak, Assistant Township Manager David J. Mrochko, Police Chief Kenneth Lawson, Director of Code Enforcement Michael McAndrew, Director of Finance Christine M. Bauman, Fire Marshal David M. Camarda, 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 and approval of the Consent Agenda including minutes of March 19<sup>th</sup>, March Voucher List, February Treasurer's Report, one waiver, release of escrow funds, award of contract, agreements for floodplain boundaries and payment authorization. The Board also reviewed the April Zoning Hearing Board cases.

After reviewing the agenda, Mr. Pronczak continued the meeting by reviewing the schedule for Whitpain Recreation Association's (WRA) annual baseball opening day festivities and parade on April 6, 2019. Participants will 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.

Mr. Pronczak continued the meeting by reminding Supervisors of several upcoming events, including:

- Earth Day - Thursday, April 11, 2019 - 9:15 a.m. - 11:15 a.m. - Prophecy Creek Park
- Wine and Spirits Store grand opening and ribbon cutting – April 11, 4:00 p.m.
- Coffee With A Cop (And A Firefighter And EMT) - April 12, 10:00 a.m. to noon Starbucks.
- Wissahickon Valley Historical Society - Grand Reopening - 1895 Public School - Sunday, April 14, from 1:00 p.m. - 4:00 p.m.
- Traffic Task Force - Public Meeting – Tentative April 25 – 7:00 p.m.
- Annual Tree Give Away – Prophecy Creek Park – Sunday, April 28 at 8:00 a.m.
- Phyllis Lieberman - Gazebo Dedication – Saturday, May 4 at 10:00 a.m.
- WRA Soccer Tournament – May 18<sup>th</sup> and 19<sup>th</sup>

At 7:53 p.m., the work session meeting was adjourned and Supervisors met in executive session to discuss matters of litigation. When the executive session ended at 8:00 p.m., the Supervisors left for the public meeting. When the public meeting ended, the work

session meeting resumed at 8:41 p.m. and Supervisors discussed a request from BET Investments to offer an informal presentation on the Yarway property at a Board of Supervisors meeting. Since the requested BET public presentation would require a rezoning by the Board of Supervisors, the Board of Supervisors indicated they were not inclined to consider a rezoning and there was no need for a presentation.

The meeting continued with Mr. Pronczak discussing two possible dates for the annual Business Breakfast, May 9 or May 16. Supervisors indicated that either date was acceptable. Mr. Pronczak mentioned that the event will be held at Cedarbrook Country Club this year and that staff will continue to reserve various venues throughout the Township to hold this annual event.

The last topic discussed at the work session meeting concerned a request from the Pennsylvania Department of Transportation (PennDOT) to use Township roadways during a future overnight closure as part of the 202 Widening Project. PennDOT plans to close Township Line Road (bordering East Norriton) between DeKalb Pike and Arch Street Road at some point in the coming years. During this closure, traffic would be detoured onto Township roads. Supervisors did not raise any concerns about this request so Mr. Pronczak will notify PennDOT that they can proceed as requested.

At 9:15 p.m., the work session was adjourned.



David J. Mrochko  
Whitpain Township Assistant Manager

#07-2019  
April 2, 2019

The regular meeting of the Whitpain Township Board of Supervisors was held Tuesday, April 2, 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, Kenneth W. Wollman and Michele Minnick were present. Township Manager Roman M. Pronczak, P.E., Assistant Township Manager David J. Mrochko, Solicitor Frank R. Bartle, Esq., Police Chief Kenneth Lawson, Finance Director Christine M. Bauman, Code Enforcement Officer Michael E. McAndrew, Public Works Director Thomas Farzetta, Fire Marshal David M. Camarda, IT Director Nicole M. Leininger and Recording Secretary Virginia Papale were also present. Township Engineer James E. Blanch, P.E. and Parks and Recreation Director Kurt W. Baker were absent. There were seven 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 focuses on the value of stewardship/sustainability and is presented jointly by Chairman Conner and Shade Tree Commission Chairman Edgar David. The Township began preserving land in 1966 with the acquisition of the 62-acre Cook Farm Tract. Since then hundreds of acres have been preserved, and in partnering with the Wissahickon Valley Watershed Association (WVWA), we have a combined 696 acres of open space in Whitpain Township. In addition to property preservation, conservation efforts include air and water quality improvements. Centre Square Park was constructed with a state-of-the art stormwater management system that captures rain which is used to irrigate the playing fields. Energy efficiency is evident in Township-owned properties, including LED lighting, motion sensors, LED traffic signals and many other ways.

Chairman Conner introduced Mr. David, a well-known landscape architect and former associate professor of landscape architecture at Temple University. He thanked Mr. David and the members of the Shade Tree Commission for the work they do. Mr. David noted that this is the 24<sup>th</sup> year that we have received the Tree City USA Community Designation. The Township has received a Tree City USA Growth Award for ten years for its environmental improvement and high level of tree care. The Shade Tree Commission is planning a big event for the 25<sup>th</sup> year of recognition by Tree City USA. Additionally, Mr. David announced the annual shade tree giveaway is scheduled for April 28<sup>th</sup>. The Shade Tree Commission has administered this successful program, which will focus strictly on native species. It is an important part of its mission. The free street planting program continues and is available to a limited number of property owners. The turnpike planting project is finally coming to its realization of planting 386 trees at the intersection of Jolly and Wentz Roads. Nearly four years ago the thought process of replanting the turnpike corridor to soften the effects of the turnpike wall began in conjunction with the PA Turnpike Commission. A plan was prepared by Morris Arboretum and we received a \$50,000 grant through Senator Leach's office toward the planting project. We are now working toward completing a plan for the North Wales Road area of the PA Turnpike.

Chairman Conner reminded everyone of the Earth Day celebration, April 11<sup>th</sup> from 9:15 to 11:15 a.m. at Prophecy Creek Park, and the Tree Giveaway program scheduled for April 28<sup>th</sup> at 8 a.m. at Prophecy Creek Park. Through these efforts, we have a more beautiful and healthy community.

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

- a. Minutes of the Board of Supervisors' meeting of March 19, 2019.
- b. Approve the March Voucher List in the amount of \$890,194.66, check sequence #66644 through #66871.
- c. February 2019 Treasurer's Report.
- d. Grant a waiver from the requirement of preparing a land development plan to Charles E. Shoemaker, Inc. on behalf of Whitpain Township to convert two natural grass athletic fields to two synthetic turf fields at Centre Square Park at 1527 Yost Road. The waiver is conditioned upon the review and approval of the site plans by the Township Engineer and permit approvals from the Montgomery County Conservation District and the PA Department of Environmental Protection.
- e. Confirm the release of \$21,011.75 (Release #1) from the escrow fund for 209, 299, 249 Stenton Avenue Subdivision located at 209-249 Stenton Avenue.
- f. Award the contract for the Stormwater BMP Enhancement Project to Road-Con, Inc. of West Chester, PA in the bid amount of \$306,000 subject to the review of the bid documents by the Township Engineer and the Township Solicitor.
- g. Authorize the Chairman and Secretary to sign an Agreement for Determining Alluvial Floodplain Boundaries between Whitpain Township and MDG#6, LLC, the equitable owner of 1002 Jolly Road, Blue Bell, PA 19422.
- h. Authorize the Chairman and Secretary to sign an Agreement for Determining FEMA Floodplain Boundaries between Whitpain Township and MDG #6, LLC, the equitable owner of 1002 Jolly Road, Blue Bell, PA 19422.
- i. Authorize payment to Mid-Atlantic Sports Construction for professional services related to turf field construction design at Centre Square Park in an amount not to exceed \$180,000.

Chairman Conner called for any comments or questions. There were none and the motion carried.

The Board took no action on the following Zoning Hearing Board cases scheduled to be heard April 18, 2019, noting that the Planning Commission will review them at its April 9<sup>th</sup> meeting:

**NO. 2188-19: SALVATORE AND DAWN PILEGGI** request either special exceptions or variances from Article XXIX, Sections 160-222 related to Buildings, Section 160-224 related to Discretion of Zoning Board, Section 160-225 related to Extension of Non-Conforming Use, and Article XXV, Section 160-172A related to Prohibited Uses, Section 160-173(A) and (B) related to Uses and Structures Rendered Non-Conforming, Section 160-174 related to Improvements to Existing Structures in Flood Plain Conservation District, Section 160-176(A) and (B) related to Application for Special Exceptions or Variances, Section 160-178 related to Standards for Approval of Special Exceptions and Section 160-179 and 179.1 related to Standards for Approval of Use by Variance to allow Applicants to install a new foundation and replace an existing 1,006 square foot wooden addition with a new 858 square foot addition on the property located at 1070 North Wales Rd., Blue Bell, PA in the Township's R-1 Floodplain Conservation District. Applicant's requested relief, if granted, will allow Applicants to install the new foundation and construct the new addition in a floodplain when the Ordinance prohibits same.

**NO. 2189-19: 919 SKIPPACK PIKE PROPERTIES, LLC** requests the following variance relief from the Whitpain Township Zoning Ordinance, as amended: (1) Article II, Section 160-7(B) relating to the definitions of front, side, and rear-yard setback orientation; (2) Article V, Section 160-14 relating to lot area and width in the R-1 Residence Districts; (3) Article V, Section 160-15 relating to front-yards in the R-1 Residence Districts; (4) Article V, Section 160-17 relating to side-yards for single-family dwellings in the R-1 Residence Districts; (5) Article V, Section 160-19 relating to rear-yards in the R-1 Residence Districts; (6) Article V, Section 160-21 relating to accessory buildings or structures within the Township; (7) Article XXVIII, Section 160-202 related to projections in the front-yards within the Township; (8) Article XXVIII, Section 160-203 related to projections in the side-yards within the Township; (9) Article XXVIII, Section 160-204 related to intrusions in the rear-yard within the Township; (10) Article XXVIII, Section 160-216(A) relating to access requirements for flag lots within the Township; (11) Article XXVIII, Section 160-216(B) relating to minimum flag lots size requirements for flag lots within the Township; and (12) Article XXVIII, Section 160-216(D) relating to stack lot provisions for flag lots within the Township.

Applicant proposes to subdivide the property located at 919 Skippack Pike, within the Township's R-1 Residence Districts, into 3 lots: Lot 1, Lot 2, and Lot 3, where Lot 1 will be improved with the existing 2-story single-family dwelling and Lots 2 and 3 will be improved with new single-family dwellings.

Applicant's requested relief, if granted, will result in: (1) the property's front, side, and rear-yard setback orientations being as depicted on the proposed subdivision

plan; (2) a lot area for Lot 1 of 26,512 square-feet, 20,670 square-feet for Lot 2, and 24,212 square-feet for Lot 3, where a minimum lot area of 30,000 square-feet is required under the Ordinance; (3) a lot width at the building line for Lot 2 of 140-feet and 132-feet for Lot 3, where a minimum of 150-feet is required under the Ordinance; (4) a front-yard setback for Lot 1 of 45 feet where a minimum of 50 feet is required under the Ordinance; (5) side-yard setbacks for Lots 1, 2, and 3 of 15-feet with an aggregate side-yard setback of 40-feet, where under the Ordinance a minimum side-yard setback of 40-feet with an aggregate side-yard setback of 100-feet is required under the Ordinance; (6) a rear-yard setback of 50-feet for Lots 2 and 3, where a minimum of 75-feet is required under the Ordinance; (7) a reduced flag lot access width of 20-feet, where under the Ordinance a minimum of 25-feet is required when a common driveway for 2 lots utilizes a cross easement; (8) a flag lot size of 20,674 square-feet for Lot 2 and 24,212 square-feet for Lot 3, where a minimum flag lot size of 45,000 square-feet is required under the Ordinance; (9) a reduced common drive width of 14-feet, where a minimum of 16-feet is required under the Ordinance; (10) projections in the front-yard of Lot 1 when the Ordinance prohibits same; and (11) an accessory structure (detached garage) on Lot 1 having a setback of 5-feet, where a minimum of 10-feet is required under the Ordinance.

**NO. 2190-19: MAGAZZI, LLC/GITONIA, LLC** request the following zoning relief from the Whitpain Township Zoning Ordinance, as amended: (1) a variance from Article XIX, 160-121(C) relating to front-yard setbacks in the C-Commercial Districts; (2) a variance from Article XXVI, Section 160-191(D) relating to Schedule of Sign Regulations for the Township's SC-Shopping Center, C-Commercial, C1-Commercial, and VC-Village Commercial Districts; (3) a variance from Article XXVII, Section 160-192(B)(2)(e) relating to off-street parking for retail store or other shop within the Township; (4) a variance from Article XXVII, Section 160-192(B)(2)(j) relating to off-street parking for restaurant, café or other eating or drinking establishment within the Township; and (5) a special exception from Article XXVII, Section 160-193(A) relating to parking facilities for 2 or more establishments within the Township.

Applicant proposes to redevelop the property located at 1 Skippack Pike/11 Skippack Pike, within the Township's C-Commercial District, by removing the existing building and site improvements, and constructing a small 7,425 square-foot retail center consisting of 2 buildings, which will be occupied for retail and restaurant use in certain proportion based upon tenant needs.

Applicant's requested zoning relief, if granted, will permit: (1) a front-yard setback of 13.5-feet on Skippack Pike, 23.6-feet on Butler Pike, and 16.9-feet on the radius at the Skippack Pike and Butler Pike intersection, where under the Ordinance a 25-foot minimum setback is required; (2) a shared parking configuration for 96 parking spaces, whereby 44 parking spaces will be located on the property and 52 parking spaces will be shared with the property located at 25 Skippack Pike, where under the Ordinance, 96 parking spaces for the proposed use mix on the property are required;

(3) 2 ground signs (1 with a sign area of 20 square-feet and 1 with a sign area of 30 square-feet) to be placed along the Butler Pike and Skippack Pike frontages, where a maximum 1 ground sign totaling 50 square-feet in sign area is permitted under the Ordinance.

**NO. 2191-19: KARYA PROPERTIES, LLC** requests a modification of Whitpain Township Zoning Hearing Board Decision No. 2095-16 entered on January 19, 2017. Applicant's requested relief, if granted, will permit Applicant to construct the entire driveway serving the subdivision located at 490 Penllyn-Blue Bell Pike, Blue Bell, PA in the Township's R-1 Residential District within the property line of Lot 1 of the subdivision when the Ordinance would otherwise prohibit same.

**NO. 2192-19: STEVE MASUCCI** requests variances from Article VII, Sections 160-34 related to Side Yards for Single Family Detached Dwellings and Article XXVIII, Section 160-203 related to Residential Projections into Side Yards to allow Applicant to extend the roofline on an existing covered porch on his property located at 18 Meade Rd., Ambler, PA in the Township's R-2 Residential District. Applicant's requested relief, if granted, will allow Applicant to extend the roofline of the existing covered porch which will then: (1) project into the side yard when the Ordinance prohibits same and (2) will reduce the side yard width to 10 feet when the Ordinance requires at least 25 feet and (3) will reduce the aggregate side yard width to 38 feet when the Ordinance requires a minimum of 60 feet.

Chairman Conner asked if there was any public comment related to these applications. There were none.

Chairman Conner turned the meeting over to Vice-Chairman Zucker who noted that the Board met in executive session prior to the public meeting to discuss the active litigation of the Zoning Hearing Board case for 813 Stonybrook Drive. That session is complete. He then asked for public comment.

Mr. John Mraz of 452 Ginkgo Drive said he enjoyed the tree presentation and enjoys living in Whitpain, although there is a problem with a considerable number of deer in the area. He reached out to the PA Game Commission who advised that the Township has to apply for a permit to relocate them. This year is very bad with the deer destroying property. He isn't sure what changed. On his own, Mr. Mraz said he spent \$1,000 over five years to repel them, but it didn't work. He asked if the Township could assist. Mr. Pronczak said that others have brought this to the attention of the Township and that we are looking into it. A culling permit would be required, though only a limited number of municipalities are given permits at one time, and it would include Township parks. The Wissahickon Valley Watershed Association contracts with hunters who hunt on their properties. Private homeowners can allow hunters to hunt on their property with bow and arrow with a valid hunting permit. We are not sure why there is an increase in the deer population. Mr. Mraz was not aware of limited permits. He is concerned with the danger the deer present, as they

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can be desperate for food. He mentioned that it would be good to warn people not to feed them. He thanked the Board for allowing him to share this information.

Vice-Chairman Zucker asked if there were any additional comments. There were none. He asked if any member of the Board wished to discuss old or new business. There was no discussion.

With no further comments, Vice-Chairman Zucker moved to adjourn the meeting at 8:35 p.m., seconded by Chairman Conner.

Respectfully submitted,



Michele Minnick  
Assistant Secretary

/v