

UPPER MORELAND TOWNSHIP
Community Development Committee
May 13, 2019 - Meeting Minutes

Community Development Committee Members - Commissioner and Chair Joseph A. Lavallo; Commissioners Kip McFatridge and Kevin Spearing; Paul E. Purtell, Director of Code Enforcement; David Elsier, Director of Public Works

I. Moment of Silent Meditation

II. Pledge of Allegiance

III. Call to Order - The meeting was called to order by Commissioner and Committee Chair Joseph A. Lavallo at 7:00 p.m.

IV. Presentations/Announcements:

A. The Board of Commissioners met in Executive Session to discuss personnel and legal matters, prior to the commencement of the Community Development Committee Meeting.

V. Roll Call: Commissioner and Committee Chair Lavallo and Commissioners Spearing and McFatridge. Members: Messieurs Elsier and Purtell. Also, present: David A. Dodies, Township Manager; Erik Garton, P.E., Township Engineer; Sean Kilkenny, Township Solicitor.

VI. Approval of Minutes – April 8, 2019 meeting minutes were unanimously approved as submitted.
➤ Commissioner Spearing read comments to include in the March 11, 2019 Community Development Committee Meeting minutes from the presentation by Aqua.

VII. Acceptance and Approval of the following reports:

A. Code Enforcement Department Reports - nothing further to report.

B. Public Works Department Report - nothing further to report.

C. Public Works Recycling Report:

➤ Commissioner Spearing inquired on a timeframe for recycling containers. Mr. Elsier stated that the trucks are in Canada where a new truck is getting a body and automated arm, and the old truck is getting an automated arm. Mr. Elsier will bring two samples of containers to the next Committee meeting to make a decision and place an order. Distribution of containers is expected just before or shortly after Labor Day.

D. Engineer's Report - Mr. Garton provided the following updates:

- A mounding analysis was completed at the proposed Fair Oaks Basin and it was determined that there will be no impact to the basement of an adjacent property owner.
- The raingarden located at the Bommentre Subdivision has been checked and it is functioning properly.

➤ Commissioner Spearing inquired on the status of Fair Oaks Basin. Mr. Garton stated that National Pollutant Discharge Elimination System (NPDES) permits and bid specifications will be coordinated for review and submission by the Township.

➤ Lynnette Saunders, Chair of the Environmental Advisory Council, inquired on incorporating the Bird Town concept at the Basin. Mr. Garton stated that a preliminary landscaping plan can be created for approval by the Committee.

E. Landscape Architect's Report - Commissioner Lavallo read updates from the report:

➤ Commissioner Lavallo commented on the status of landscape installation at Station At Willow Grove. Mr. Purtell stated that landscaping was initiated last summer and roadwork

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improvements were started last Monday along with some traffic signaling which is planned for completion by August.

- Commissioner Spearing inquired on the Bommentre project and the status at the adjacent property regarding potential repair from stormwater. Mr. Elsier stated that the Committee needs to make a decision based on the costs of repair work and the current budget. Mr. Garton suggested creating the design work this year and then plan to include the costs for improvements in the 2020 Budget.

F. Traffic Engineer's Report - Mr. Dodies provided the following updates:

- Closure on Byberry Road will continue until the project is completed. McMahon has contacted PennDOT, who has adjusted the timings and not much more can be done to work with the detour route to improve flow of traffic.
- Awaiting results from the 2018 Green Light Go Grant in the amount of \$160,000 for improvements at the intersection of York Road and Route 611. The Township's matching share of \$40,000 will be covered by J. G. Petrucci Company, Inc., developers of Station At Willow Grove.
- Recommends waiting to apply to future Department of Community & Economic Development grants and Multimodal PennDOT grants until sufficient Traffic Impact Fee funds are confirmed to pay for improvements at Byberry and Davisville Roads and York and Davisville Roads.
- Commissioner McFatridge inquired on repainting worn out fog lines. Mr. Elsier stated that he will contact PennDOT. Mr. Dodies stated that line painting is normally done when roads are recently resurfaced.
- Commissioner Spearing inquired on accidents, toppled signs and property damage from trucks making turns on Mill Road and Easton Road. Mr. Dodies stated that PennDOT is considering recommending any changes. Mr. Elsier stated that he made an adjustment to the sign.
- Mr. Dodies stated that he sent a letter on behalf of the Township to PennDOT regarding the proposed replacement of the Warminster Road Bridge over the Pennypack in 2020 requesting that higher level officials discuss concerns conveyed by the Commissioners to Ms. Arena and Mr. O'Neill, and to provide an update from District 6. Secretary Leslie Richards, Representative Thomas Murt and Senator Maria Collett were copied.

G. Upper Moreland School District – Construction/Other Items:

- Commissioner Lavalley commented that a student at a STEM school in Colorado was killed days before graduation because he prevented an intruder into the school who had a firearm.
- Commissioner Lavalley stated that he participates in an ad hoc committee concerning building safety and security and recently attended an International Code Council National Convention in New Mexico where an abundant amount of information was discussed on locking mechanisms, alarms, and visual devices. He will forward the information to Mr. Dodies to provide to Dr. Milrod who can share it at the Safe Schools Meetings.

H. Horsham Land Redevelopment Authority {HLRA} – to monitor status of redevelopment of former Willow Grove Naval Air Station property:

- Commissioner Spearing stated that meetings continue at a national level concerning PFOAs.

I. Environmental Advisory Council {EAC}: Lynette Saunders, Chair, provided the following updates:

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- Earth Day & Energy Conservation Fair was well attended and a successful event. The animal show by Brier Bush received much attention with the presentation of a skunk. A large banner that can be used year after year will be purchased with some of the remaining funds.
 - Going Green In 2019 Talks have been scheduled at the Library. The first program will be held on Wednesday evening, May 15, 2019.
- J. Pennsylvania Review Advisory Council:
- Commissioner Lavalley stated that there is a meeting in Harrisburg on Tuesday, May 14, 2019, to discuss a variety of House legislation concerning the State-Wide Building Code and review of the 2018 Codes.
- K. Upper Moreland Historical Commission: Sue Worth La-Manna provided the following updates:
- The Commission is researching 22 properties using the Montgomery County's Recorder of Deeds online service to locate original documentation, provide recognition to property owners of older homes and encourage preservation.
 - Vacancies remain to be filled on the Commission that require commitment to attend ten meetings, research properties and network within the community.
 - Commissioner Lavalley commented that further information regarding preservation and restoration can be found at The Historical Society at Commonwealth of Pennsylvania and The American Institute of Architects.

VIII. Land Development/Subdivision:

- A. Request by Carr & Duff, Inc. for a waiver of Land Development at 2200 Byberry Road:
- Mason Avrigian, Jr., Counsel for Carr & Duff, introduced Edward Duff, Vice President and Principal at Carr & Duff, and Gary Tilford, Vice President, and Chad Brensinger, Project Manager at Charles E. Shoemaker Inc.
 - Mr. Tilman and Mr. Brensinger gave a detailed presentation that proposes:
 - An easement on a 30-foot strip of land that is part of 3615 Davisville Road, to create a driveway that provides access between two properties owned by Carr & Duff that allows their vehicles to drive back and forth without using the highway; and
 - Construction of a stone driveway that connects to 3526 Davisville Road, land improvements to approximately 3.5 acres situated at 2200 Byberry Road that include additional surface coverage over an existing Sunoco pipeline, and a sanitary sewer easement that carries a forced main from Byberry Road to the rear properties on Davisville Road. Accommodations for increased runoff from the impervious stone driveway, a raingarden infiltration design, and other erosion control items will be made during construction.
 - Commissioner Lavalley referred to the review letter from Gilmore Associates and Mr. Tilman agreed to comply with all points of concern outlined by the Township Engineer.
 - Commissioner inquired on the Sunoco pipeline. Mr. Tilman stated that 3.5 feet of cover will be installed over the pipeline; no grading of the raingardens side slope in their easement, and the discharge of stormwater outfall from the basin will lean toward the Conrail property. The pipeline is made of a high-pressure material and the fuel sources change daily.

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- Mr. Tilman stated that Sunoco and the Upper Moreland-Hatboro Joint Sewer Authority will be contacted to ensure that they understand the type of vehicles utilizing the driveway.
- Commissioner Lavelle inquired on soils testing for infiltration work. Mr. Brensinger stated that basic testing was performed to investigate soil permeability and not a structural analysis.
- Commissioner Spearing inquired on paving the driveway. Mr. Purtell stated that the driveway was inspected and does not meet requirements of paving under the Zoning Ordinance.
- Commissioner Spearing inquired on the intent to access Byberry Road. Mr. Duff stated that only materials will be transported between warehouses on the two Carr & Duff properties.
- Commissioner Spearing inquired on grading part of the property at 3615 Davisville Road. Mr. Duff stated that the stormwater pipe will be engineered with a grade change.
- Commissioner McFatridge inquired if Carr & Duff is in agreement with the Township Engineer's review letter. Mr. Tilman stated that there are no disagreements with the Township Engineer's comments.
- Commissioner Lavelle inquired on amended topsoil. Mr. Brensinger stated that it is native topsoil improved with a sand mix that supports growing grass and stormwater quality.
- Commissioner Lavelle inquired on volume calculations. Mr. Brensinger stated that stone was considered impervious in terms of a basis for the calculation.
- Commissioner Scull inquired on imposing a penalty and granting a waiver to Carr & Duff. Mr. Purtell stated that a citation was issued. Mr. Avrigian stated that Carr & Duff is complying with the Township's requirements and this is an effort to streamline the land development process because there is no building involved. Mr. Garton stated that there is no issue of cost savings, but rather an effort to save time for both the Township as well as the applicant.
- Mr. Avrigian reviewed requirements in the letter from the Township Landscape Architect. The Committee agreed that a discussion will continue on landscape issues at a future Community Development Committee meeting.
 - Commissioner Lavelle commented on Carr & Duff vehicles accessing Byberry Road and Davisville Road. Mr. Duff stated that the driveway will alleviate traffic generated from their vehicles driving back and forth to their warehouses.
 - Commissioner Lockard commented concerns that Carr & Duff did not initiate applicable procedures to be in compliance with Land Development ordinances prior to the project's start.
- The Committee recommended holding a meeting at the site with McCloskey & Faber to address landscape issues.

IX. Old Business:

- A. Location of Generators and Specifications – Township Building and Library:
 - This item will be continued to the June 10, 2019 Community Development Committee meeting.
- B. Further negotiations with PennDOT regarding the design and related improvements to the

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project to replace the Warminster Road Bridge:

- The Committee is awaiting response to Mr. Dodies' letter that requested continuing negotiations between the Township and PennDOT regarding design of the bridge and related improvements that include pedestrian access.

X. New Business:

A. Review of draft ordinance for fines and penalties of the Property Maintenance Code:

- Mr. Purtell stated that fines and penalties were omitted from the adopted Ordinance to write citations. The Solicitor stated an amendment will be drafted and advertised for the property maintenance code ordinance.
- The Committee directed the Township Solicitor to finalize the ordinance and recommends that the Board of Commissioners vote on the ordinance at the June 3, 2019 Regular Meeting.

B. Request for consideration of rezoning at 2100 Pioneer Road:

- Ed Chadrow, of Eastern Chadrow Associates, Inc., stated the goal is to re-establish a lot line that was vacated.
 - Commissioner McFatridge commented that the whole block would need to be rezoned and that one lot cannot be rezoned by itself.
 - Mr. Garton commented on the current County zoning map. Mr. Purtell stated that Mr. Chadrow is using the current zoning map adopted by the Board of Commissioners.
 - Commissioner Spearing suggested that Mr. Chadrow obtain additional support from the neighboring property owners.
 - The property owner stated that they originally bought parcels 9 and 10 and always intended to ask the Township to split the lot.
- The Committee suggested seeking variances from the Zoning Hearing Board.
- Mr. Kilkenny recommended that the property owner petition the neighbors for their approval and then submit a letter with an application to the Zoning Hearing Board requesting relief for a reduced lot size.

C. Review of Verizon Small Cell proposal:

- Representatives from Verizon discussed a plan and inquired on the process to replace two pre-existing utility poles that carry small cell antennas in the public right-of-way at 2720 Easton Road and 1036 Easton Road, and to install one new utility pole that carries a small cell antenna at 3925 Welsh Road. The new equipment will enhance capacity of the Verizon wireless network.
- Mr. Purtell stated that the new pole requires the Zoning Hearing Board's approval before it is considered by the Commissioners.
- Mr. Purtell stated that the ordinance will apply and Verizon will need to supply a copy of the agreement made with PennDOT once they are in compliance with the Zoning Hearing Board.
 - Commissioner McFatridge inquired on changing the location. Verizon's representative stated that most of the existing infrastructure is unusable or disqualified by specifications of the utility companies.
 - Commissioner Spearing inquired on other sites in Upper Moreland. Verizon's representative stated that there are none and they are working with Abington, Horsham, Philadelphia, Upper Merion and Lower Merion. They do not install on private structures.
 - Commissioners Spearing and Lavalley stated that they do not favor a new pole location or an increase in height of an existing pole location.

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- Commissioner McFatridge directed Verizon to apply to the Zoning Hearing Board and suggested locating the new pole near a corner. Mr. Purtell suggested that Verizon's radio frequency engineers work to provide a few scenarios that comply.
- D. Proposal for Bicycle Lanes on Fitzwater Road in Upper Moreland/Upper Dublin/Abington Townships:
- Mr. Dodies discussed a resurfacing project plan that proposes bicycle lanes through the entire length of Fitzwatertown Road.
 - Commissioner Spearing stated that he is not in favor because traffic lane size would need to be decreased. He suggests that the Master Trail Plan Steering Committee become involved to identify alternative trails on existing right-of-ways and park space.
 - Mr. Dodies stated that reduced lane width will compromise traffic movement.
 - Commissioners Spearing and Lavalley directed Mr. Dodies to respond with a letter to PennDOT expressing safety concerns and requesting an evaluation of Fitzwatertown Road's infrastructure prior to paving.
 - Richard Booth, a resident, commented on both safety and traffic concerns.
 - Commissioner Spearing stated that the Township is open to working with the County on creating bike trails within the Cross County Trail system.

XI. **Other Items:**

- A. Samples of Automated Recycling Collection Containers - Mr. Elsier will present samples at a future Community Development Committee meeting.

XII. **Redevelopment** - Commissioner Lavalley stated that the Comprehensive Plan is under peer review at the Montgomery County Planning Commission and a response is pending.

XIII. **Visitor Comments** - Nothing to report.

XIV. **Commissioner Comments:**

- The Committee directed Mr. Dodies to provide them with copies of the Route 611 Corridor Reinvestment Study for a review in regards to new land development.
- Commissioner Scull expressed his displeasure with Carr & Duff's request for a waiver of land development.

XV. **Adjournment** - There being no further business to discuss, the meeting was adjourned at 9:45 p.m.

Respectfully submitted by Kathleen Kristire.