

**UPPER MORELAND TOWNSHIP
BOARD OF COMMISSIONERS
COMMUNITY DEVELOPMENT/REDEVELOPMENT
COMMITTEE MEETING MINUTES**

April 14, 2008

CALL TO ORDER – Commissioner Lavalle called a meeting of the Community Development and Redevelopment Committee of the Board of Commissioners of Upper Moreland Township to order at 7:05 p.m.

A MOMENT OF SILENT MEDIATION WAS HELD FOR BILL LIBOR, COMMISSIONER EFKOWITZ’S SON, WHO IS RECOVERING FROM A SERIOUS CAR ACCIDENT FOLLOWED BY THE PLEDGE OF ALLEGIANCE

PRESENTATIONS/ANNOUNCEMENTS: There were none.

ROLL CALL: Commissioner Lavalle, Chairman took roll call. Present: Commissioners James Hotchkiss and Kevin Spearing.

Others: David Dodies, Township Manager, Catherine Harper, Township Solicitor, Joe Hanna, Township Engineer, Paul Purtell, Director of Code Enforcement and Jack Snyder, Director of Public Works.

APPROVAL OF MINUTES:

Commissioner Lavalle accepted the minutes of the March 10, 2008 Community Development and Redevelopment Committee meeting as submitted.

REPORTS:

Code Enforcement Report:

Commissioner Lavalle asked about fees of \$16,000 for commercial additions and alterations and residential additions and alterations at \$6,500. Is this an active month or slow in terms of construction?

Mr. Purtell replied we are slower in activity in terms of construction in the Code Enforcement Dept.

Public Works Department Report:

Mr. Snyder noted that the sweepers are in town and the job will be completed sometime this week.

Public Works Recycling Report:

There were no questions or comments.

OLD BUSINESS:

Request for subdivision of 2105 Huntingdon Road:

Mr. Hanna noted that he received revised plans on March 28, 2008, and they are currently under review.

Scott Semisch, Attorney representing the applicant, said most of the comments had to do with stormwater and grading. We are only subdividing the property and we do not plan to develop the property. We put a large house on the plan to show the Township that it will work with the stormwater management so those issues are minor. We would like to have this resolved by the next Board meeting.

Commissioner Lavalley asked is the nature of stormwater management solely grading and underground piping?

Mr. Hanna replied there is stormwater provided for the existing house and for the new lot, and stormwater is part of the subdivision plan as well as making the existing structure compliant. We understand the configuration of the house will be subject to some future property owner.

Mr. Semisch replied our engineer will address that issue with the Township Engineer. He asked that a decision be made by the Board on May 5th.

Commissioner Spearing commented that he does not see action taken on this until there is a committee discussion on this property with completed plans and the review of the Township Engineer. There is another committee meeting in May.

Mr. Dodies said the applicant has granted a time extension until May 15th and the next committee meeting is May 12th so he suggested that the applicant submit another extension letter.

Mr. Semisch replied he is not authorized to make that decision tonight.

Solicitor Harper said if we do not have an extension letter, this matter should be placed on the next Board meeting to be turned down. If the stormwater management is to be done at the time the new owner builds a house that needs to be planned in advance because once the property is subdivided and the lot is separately deeded, the committee will not have another chance to look at stormwater.

Mr. Semisch said we have a note on the plan that will deal with that issue.

Commissioner Lavalley said the committee needs to read the review letters by both engineers and it is important that we take a comprehensive look at the entire subdivision. He asked for any public comments.

Carol Maulty, 1995 Huntingdon Road, commented that there are numerous issues with this subdivision besides stormwater management.

Commissioner Lavalley replied we intend for this matter to be discussed again in committee before going before the full Board for a vote.

Draft Storm Water Management Ordinance:

Mr. Hanna said we have been reviewing the Temple Study and we will incorporate those recommendations from that study into the draft ordinance.

Commissioner Spearing asked about fencing around the basins.

Mr. Hanna replied the fencing recommendation followed the recommendation of Township-owned basins, and it is the Township's desire not to have any basins dedicated to it.

Commissioner Spearing asked about slope inside of the basin.

Mr. Hanna replied there are 4:1 slope.

Commissioner Spearing asked is there anything in the ordinance that exceeds the Best Management Practice manual.

Mr. Hanna replied it is at or less than that standard.

Commissioner Spearing said regarding discharge of roof drains as an option on an analysis basis; he would like to see language that best management practices will be exhausted before being considered.

Mr. Hanna replied the Temple study and BMP's recommend that roof water be discharged to the drain.

Commissioner Lavalley asked when will the draft ordinance be completed?

Mr. Hanna replied by next week.

There was no new business or other items.

Redevelopment:

Kise Straw & Kolodner Monthly Status Report:

John Gibbons, KSK, reported for Memorial Park Drive, we received the HOP amendment from McMahon Associates. For the York Road Streetscape Project; we coordinated with Chambers Associates on a cost proposal for engineering and design of the streetscape improvements and prepared the cost proposal for review by the Board of Commissioners. We received invoices from McCloskey & Faber that the Township is seeking reimbursement from the DVRPC grant. We revised the website for review by the Board of Commissioners. Revisions include TIF meeting materials, new committee members and meeting dates for the committee. Our tasks for next month are to follow up on the formation of the TIF Committee and provide examples of design review processes from other towns and update the website as needed.

Commissioner Spearing asked about the HOP for impression sidewalks.

Mr. Gibbons replied that is part of War Memorial Park Drive.

Commissioner Spearing said he would like to see the artistic rendition of what the crosswalk will look like.

Mr. Dodies replied that was distributed last year.

Commissioner Lavalley asked about architectural design from other towns.

Mr. Gibbons replied we will be looking at a Design Review Board in Seattle, Washington.

Commissioner Lavalley asked Mr. Gibbons for a check list of items to discuss next month.

OLD BUSINESS:

Draft Policy Development Information Request:

Commissioner Lavalley noted that one item has been added to Section A. No. 12 – Sketch Site Plan, three dimensional images and/or elevations.

Commissioner Spearing asked about an applicant who is compliant and not looking for TIF.

Mr. Dodies replied the applicant would go through the normal land development review process.

Solicitor Harper said if a plan is code compliant; it would go through the normal review process and, if there are architectural guidelines, the applicant would have to come into compliance with it.

Commissioner McKenna commented that the town looks like it is from the 70's and no one is doing anything about it. Let's move forward and work together to improve things and stop wasting time. He agrees we should have the standards of the policy development information request draft.

Commissioner Lavalley asked for the protocol of the draft policy development information request form.

Mr. Dodies replied this will affect the code so it would be a code amendment and the Solicitor and Engineer should be consulted to see how it can be integrated into the existing zoning and SALDO.

Solicitor Harper said this can be used if and when the School District agrees to TIF. Will this policy be used in a way that is different from the current code?

Commissioner Lavalley suggested "putting this on the shelf" because we have ongoing discussions with the School District about TIF. Design standards would be the next subject of discussion. The need for this document was to level the playing field.

Mr. Dodies said if we put aside financing and design standards, we have a policy statement so the committee can move this for action and adopt the policy at the next Board meeting.

Solicitor Harper suggested that the committee carry it on the agenda until we get TIF worked out and meanwhile work on design standards.

Mr. Dodies said any plans that come in the TC1 and TC2 zoning districts will be forwarded to the committee immediately and they will receive responses from consultants for the redevelopment area.

Commissioner Lavalley said this item will remain on the agenda.

Memorial Park Drive – Status:

Deadline on contracts awarded for demolition and construction:

Solicitor Harper said Mr. Chambers asked the demolition contractor to extend the bid at the same price because we are not ready to demolish the buildings and we expect the tenants to be out by the end of April. The contractor responded by requesting an extra \$3,000 and it may be cheaper to pay that amount rather than to re-bid the project.

Commissioner Hotchkiss said we should pay the \$3,000 rather than re-bid.

Commissioner Spearing said he would like to see something in writing from the demo contractor explaining why they need an extra \$3,000.

Solicitor Harper replied she can ask Mr. Chambers to send a letter to the demo contractor and see if we can negotiate a reasonable solution.

Commissioner Lavalley asked what timeframe is attached to the extra \$3,000?

Solicitor Harper replied 120 days.

Mr. Dodies said we should see if we can have a longer period of time because the idea is to hold onto these bid prices for as long as we can.

Solicitor Harper replied she will try to negotiate a longer period of time.

Commissioner Spearing asked when will the tenants be out?

Solicitor Harper replied the verbal agreement was for them to be out by April 30, 2008.

Commissioner Spearing asked once the tenants are out; how long does it take to be ready for demolition?

Mr. Snyder replied it will take awhile because of an asbestos assessment and DEP and EPA has to be notified prior to demolition.

Commissioner McKenna said it appears that the committee is giving direction to the professional staff to move forward and the committee is a minority of the Board and should not be giving direction to the professional staff. Concerning the legality of the tenants; he would recommend that the chairman of the committee call an executive session.

Solicitor Harper replied if we wait a month between meetings to take action; we will not be able to do what the full Board wants, which is to get the tenants out and demolition done by the contractor's bids that have been accepted. She is not asking for any action to be taken; she is asking for direction from committee.

Commissioner McKenna said he is asking that four votes be taken because the majority of the Board is four.

Solicitor Harper replied nothing has changed since the last executive session, but in the meantime the bid for demolition is about to expire.

Commissioner McKenna said he would like to discuss this matter in an executive session.

The Committee agreed to have an Executive Session to seek legal advice on the deadline on contracts awarded for demolition and construction that began at 8:20 p.m. and ended at 8:30 p.m.

Required subdivision application on behalf of Township with Montgomery County:

Solicitor Harper said the subdivision plan is being filed by SEPTA, and she thought it would have been done already. This involves a swap between the County, Township and SEPTA of a certain portion of their parking lot. Chambers Associates found an old file on that same property and it appears they have been to the ZHB to subdivide a piece of their parking lot and attach it to the building that the County owns. SEPTA, the County and the Township are swapping pieces of ground in the general vicinity of War Memorial Park in order to facilitate the reconstruction of War Memorial Park Drive, and also to insure that the parking that belongs to the County building is correctly attached to the County building.

Commissioner Spearing asked about a correction to the plan of War Memorial Park.

Mr. Dodies replied the War Memorial Park Association met last week, and they reviewed the final plans and are in agreement and they will send the Township a letter confirming they have no issues with the plan.

Commissioner Lavalley asked for a schedule for the duration of construction for War Memorial Park Drive?

Mr. Gibbons replied 30 days to demolition and four months to construction. It will be a 4-5 month project.

NEW BUSINESS:

Cost Proposal for design and engineering of the York Road Streetscape Pilot Project:

Mr. Gibbons said we received a proposal from Chambers & Associates, who will complete an update of the field survey of the project area and prepare an existing condition base drawing. KSK will prepare a conceptual/preliminary design for the streetscape improvements including location of street trees, street lights and street furniture and sidewalk treatments. KSK will also prepare a color plan and photo-stimulation rendering, illustrating the appearance of the proposed improvements for approval by the Township. Chambers will prepare construction plans and details based on KSK's preliminary design. The Suburban Group will prepare electric service layout for street lighting. They will apply for and obtain an HOP for the improvements.

The consultant team will complete construction documents including drawings and specifications and bid documents for a total cost of \$26,500. Under the grant agreement, construction must be completed by the end of 2009.

Commissioner Lavelle said we will move this for action at our next Regular Board meeting.

VISITOR COMMENTS:

Len Spearing, resident, commented that regarding Bonnet Lane, stormwater has flooded the streets, sidewalks and park and it is a disgrace. Why does the grass clippings and yard waste need to be placed separately?

Mr. Dodies replied the Bonnet Lane re-grading is scheduled for this week.

Mr. Snyder added that grass clippings can only be put in cans, which was a decision made by the Board of Commissioners many years ago.

Glen Martin, resident, presented pictures of storm drains that were put in on his neighbor's property and stormwater from their yard is now on his front yard. He hired an engineer after the prior solicitor gave his opinion and gave the engineer's report to the Board. He also has a copy of the Township's Engineer's report that says, "In 2001, Upper Moreland Township constructed a storm sewer system parallel to Fairway Road and connecting to the storm pipe through his yard." The Township has added stormwater to his property.

Mr. Dodies said for the last 18 months, this problem has been before this committee. It was first sent to staff for review and staff determined that it is a private matter and the Township does not have any responsibility. Mr. Martin was not satisfied with that so it was referred to the Township Engineer, who reviewed the site and determined that it is not a public responsibility. In 2007, the Solicitor was asked to look into this matter, and it was also determined that there is no public responsibility for this situation. If the committee chooses to recommend to the full Board to spend taxpayers dollars and have the engineer review it again they may do so. It has been determined by staff and consultants there is nothing more we can do.

Charlie Acker, Grant Avenue, commented that it would be a waste of time and taxpayers dollars to review it again.

The Committee decided not to continue this matter until next month.

Carol Maulty, 1995 Huntingdon Road, asked where can she get information on properties being sold?

Mr. Purtell replied the information comes from Code Enforcement Dept., and to submit any requests in writing.

COMMISSIONER COMMENTS:

Commissioner Spearing commented that we received a letter about a land development in Bucks County and how will that affect the intersection of County Line and Davisville Roads?

Mr. Snyder replied in regards to the traffic light that is part of the County Line Road project that Warminster is also a part of; he will forward that letter to our Traffic Engineer.

Mr. Dodies added that information was given to the Board about the development on County Line Road, and we will make sure that any traffic signal system that needs to be done will be through McMahon Associates and stormwater management will be handled by Warminster Township.

Commissioner Spearing commented that we received a letter from the Turnpike Commission regarding blocking their egress and access to their right-of-ways, which they are embarking on ramp construction, and it appears they will be dumping where that ramp is and that would encroach on our floodplain.

Mr. Dodies replied the Turnpike Commission is looking for municipalities to provide them with ongoing projects that affect Turnpike property.

Commissioner Valenza suggested sending Warminster Township a letter requesting them not to waive stormwater management issues.

Mr. Dodies suggested placing that suggestion on the agenda for the May 5th Board meeting for the Board to direct him to write that letter.

Commissioner Romaniello commented that she received a call from a resident regarding the culvert at the Best Buy and not being notified. Was a letter sent to the property owner near Best Buy regarding the culvert?

Mr. Dodies replied yes.

Commissioner Romaniello asked for a copy of that letter. What about an antenna addition at 72 North York Road.

Mr. Purtell replied a permit application was submitted to install an antenna at that location and he sent the application to McCloskey & Faber for review and also to Jody Holton, KSK.

Commissioner Romaniello asked Chairman Lavallo if he reviewed the stormwater management master plan and, if so, will he consider placing that on next month's agenda

Commissioner Lavallo replied yes.

ADJOURNMENT: 9:45 p.m.

Respectfully submitted,

S. Elizabeth Vile

