

**UPPER MORELAND TOWNSHIP
BOARD OF COMMISSIONERS**

**REDEVELOPMENT COMMITTEE
MEETING MINUTES**

September 24, 2007

CALL TO ORDER – Comm. Romaniello called a meeting of the Redevelopment Committee of the Board of Commissioners of Upper Moreland Township to order at 10:36 p.m.

ROLL CALL – Comm. Romaniello, Chairperson took roll call. Present: Commissioners Stacey Efkwitz and James Martin.

Others: David Dodies, Township Manager, Robert Kerns, Township Solicitor, Paul Purtell, Director of Code Enforcement, Lonnie Manai, Township Engineer, and Jody Holton, Kise, Straw & Kolodner.

APPROVAL OF MINUTES:

Comm. Romaniello corrected Page 8, Paragraph 2 to read as follows: Comm. Romaniello commented that the Township would be liable obviously if they were to build this and not replace the beams.

Comm. Romaniello accepted the minutes of the July 16, 2007 Redevelopment Committee meeting into the record as amended.

NEW BUSINESS:

Conditional Use Application for 3 Easton Road:

Comm. Romaniello said our committee received an application for a conditional use at 3 Easton Road located at Moreland and Easton Roads. The applicant, La Fusion Café is proposing a dine-in restaurant and take-out service. This property is zoned TC-1 and located in the town center district.

Banyenh Thivarath, 5837 North Lawrence Street, Philadelphia, PA, said he would like to open an Asian café to serve Chinese, Tai, and Japanese fusion food for lunch and dinner.

Comm. Romaniello said Mr. Purtell submitted plans to our committee and she asked if those plans can be displayed to the public.

Mr. Purtell replied no, not at this time. This is the first conditional use application for the TC zoning district. It will be used as a restaurant and the exterior alterations are limited. They will do some façade work and replace windows on the Easton Road frontage. The existing conditions on site have 13 parking spaces and, with the TC parking requirement, the applicant will have to add 6.2 parking spaces with one space for each employee for each shift. Modifications will have to be done to the sidewalk area, and he recommends the depressed curb be removed and the sidewalk restored. He asked what aspects of the TC zoning district should be applied.

Solicitor Kerns replied when we change the use, it becomes applicable to land development so the Board has the right to require the applicant to go through the land development process. The Board can also waive the land development process.

Comm. Romaniello asked has the Township had any conditional use applications in the past.

Mr. Purtell replied not recently.

Comm. Romaniello asked the applicant if they are willing to make improvements to the exterior of the site.

Mr. Thivarath replied yes.

Comm. Romaniello asked the applicant if they have a landscaping plan.

Mr. Thivarath replied no.

Solicitor Kerns said the committee has to set a hearing tonight, and it has to be set and held within 60 days of the application so the Board has until October 17 to hold a hearing on this matter. It has to be advertised twice by a certain date to make it fit in the application period. Unless, we can ask the applicant to give us a letter waiving the 60 days and, if that is done, the applicant can ask for a waiver of land development and the Board can have Mr. Chambers review the plan and prepare a review letter and then have the APA review it between now and then. The whole idea for the town center district is to move businessmen into businesses as quickly as possible with the least amount of cost possible.

Comm. Romaniello said to the applicant that they need to send a letter to the Township Manager asking for a waiver of the land development process.

Solicitor Kerns commented that if he gets approval tonight, he can proceed with advertising a special hearing for this application to be held on October 15th.

Comm. Booth said he is concerned about the amount of parking spaces.

Mr. Purtell replied there are 23 tables shown on the floor plan, and they will be required under the new TC zoning to add 6.2 parking spaces plus parking for the employees based on the patron area.

Comm. Efkowitz said one of the procedures we have in place is that when there is a reuse of a building, the Code Enforcement Dept., Police Department, and Fire Department make sure the traffic flow works well. Mr. Purtell will work with the applicant to ensure that their plan will comply.

Mr. Thivarath agreed to work out the parking issue.

Solicitor Kerns said shared parking may be necessary with other facilities, and the applicant has to show the Board his new parking plan. He asked if he should proceed to advertise the application.

Comm. Romaniello replied yes.

REDEVELOPMENT DEPARTMENT REPORT:

Kise, Straw & Kolodner Monthly Status Report:

Jody Holton said we had a meeting on July 31, 2007 with a developer and professional staff to review pro forma and a site plan that seems to be workable for the developer. It is a concept plan. At that meeting, we asked for a public meeting with the developer as a next step and the developer declined and said he would rather have an executive session with the Board of Commissioners. The developer wants to meet with all of the Commissioners on October 11th.

Solicitor Kerns said all of the issues that the developer will be discussing deal with land, either the acquisition of land, leasing of land or the value of land. A public meeting would have to be done by necessity about nothing more than a general concept because anything other than that, the Board would be subject to discussing someone else's property, which would create a problem for the community because people's jobs would be at stake.

Comm. Romaniello added there will not be any agreements or decisions made at that meeting. Is that correct?

Ms. Holton replied yes. This meeting is to discuss the exact parameters of the development project, the level of risk for the Township, the financial possibilities for the Township that helps fund their piece of the project; and the public/private partnership. The Board will be talking about how they can help this developer improve the public environment and encourage development of downtown. This is an opportunity for the developer to meet the Board and determine whether or not this is a Township that he wants to partner with. You would never enter into a partnership without meeting the person first and that is what this is about.

We have launched a website for public input, and we have a revised schedule for War Memorial Park Drive that relates to construction in October. We had a meeting with the Willow Grove Chamber of Commerce to discuss revitalizing downtown and some development proposals. Regarding grants, we filed status reports with the County. We coordinated with Bob Kerns about how and when the money would be available from the grant for acquisition for War Memorial Park Drive and how to proceed with the acquisition. The Township Engineer prepared a sketch plan of the parking area to accommodate parking for businesses on the Ehrenpfort block.

Comm. Efkowitz said regarding the meetings listed on KSK's report; KSK met with Lisa Romaniello in Jenkintown to discuss website content and she was adamant about wanting to discuss website development in committee, but it appears, there was no need for that because it took place in Jenkintown. With regards to the website, will the number of hits be provided each month and where they come from?

Ms. Holton replied she will ask her website technician about it.

Comm. Booth asked for copies of certain documents to be available prior to meeting with developer.

Ms. Holton replied they will be available prior to the meeting.

Comm. Booth asked Ms. Holton if she is working with the Montgomery County Redevelopment Authority.

Ms. Holton replied she spoke to the committee in January and had a subsequent meeting to that to discuss fund raising through Federal sources. E-Consult is aware of all of the Montgomery County programs that are available.

VISITOR COMMENTS:

Bob Fatizzi, resident, commented that he is concerned that there is more cloak and dagger goings on in this Township than he has ever seen. There are a lot of things going on behind closed doors. He understands that the Commissioners are not allowed to attend all of these redevelopment meetings. He doesn't understand about a meeting in Jenkintown regarding the website. He sees a lot of money being spent and he doesn't see revitalization going in a positive direction. He is concerned about Lisa Romaniello leading this group as there are a lot of mistakes, misstatements and a lot of excuses on her part.

Comm. Romaniello replied the Commissioners are not involved in this as it is a very non-political process. We encourage developers to bring their ideas and concepts to the Township and Planner early on to build a plan to match what the community said they wanted.

Mr. Fatizzi commented the public has not been involved.

Ms. Holton said this is a preliminary meeting and the public will have a chance to have input.

Comm. Romaniello said we wanted a developer to come to a public meeting and Solicitor Kerns delivered that message to the developer. The developer does not want to meet with just one Commissioner or just our committee; they want to talk to the full Board.

A resident commented seven Commissioners will meet with a developer to discuss a plan to redevelop downtown Willow Grove with partnerships that include taxpayers' money and doesn't that violate the Sunshine Law?

Solicitor Kerns replied the discussion will be about certain areas of the downtown portion. Those areas include private property that will have to be acquired or condemned, and those types of discussions should be held in an executive session. This meeting is where the Board will decide whether or not to move forward with this developer.

Sam Valenza said once the developer is in the same room with the Solicitor and Board that is when everything changes.

A resident commented he believes the Board is violating the Sunshine Law.

Comm. Efkowitz replied decisions will not be made by the Board; however, a presentation will be made by the developer, but there are Commissioners on this Board advocating for that presentation to be made to the public.

A resident suggested that the developer approach those private property owners on a one-on-one basis and see what obstacles there are in that direction as opposed to spending everyone else's money. Let him spend his own money to answer his own questions.

Comm. Romaniello said there is a lot of work that needs to be done downtown. A development project can happen in many different ways.

Mr. Fatizzi commented that this developer is trying to solicit our Commissioners behind closed doors and sell his project and the public should be involved in that decision.

Comm. Romaniello replied the public will be involved in it, and the developer probably wants to see if this Township has the economic and political capacity to enter into a real private/public partnership.

ADJOURNMENT: 11:45 p.m.

Respectfully submitted,

S. Elizabeth Vile