

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS BUSINESS MEETING
JANUARY 21, 2016**

Executive Session: The session was called to order at 6:34 p.m. on a motion by Supervisor Zimmerman, seconded by Supervisor MacFarland. Present were Supervisors Mr. Sorgini, Mrs. Eckman, Mr. Duffy, Mr. MacFarland and Mrs. Zimmerman. Also present were Solicitor Mr. Rice, Township Manager Mr. Gestrich and Assistant Township Manager Mrs. Golas. The session adjourned at 7:30 p.m. on a motion by Supervisor Duffy, seconded by Supervisor Zimmerman.

Call to Order: Chairman Sorgini called the meeting to order at 7:30 p.m.

Pledge of Allegiance

Roll Call:

- a. The following members were in attendance: Chairman Sorgini, Supervisors Duffy, Eckman, MacFarland and Zimmerman.
- b. Also in attendance were: Richard Gestrich, Township Manager; John Rice, Township Solicitor; William Roth, Director of Special Projects and Technology; Mike Mrozinski, Community Development Director; Timothy Woodrow, Township Engineer; Geri Golas, Assistant Township Manager; Denise Walsh, Community Relations Coordinator, and Stanley Turtle, Chief of Police. Chairman Sorgini announced that prior to the meeting an executive session was held to discuss legal, personnel and real estate matters.

1) Consent Agenda

- A) **MOTION:** Supervisor MacFarland made a motion to approve the consent agenda items 1(a), 1(b), 1(c) and 1(d), including moving the meeting minutes of December 17, 2015 and January 4, 2016 into the record. Supervisor Zimmerman seconded the motion. The motion *passed* 5-0.

2) Presentations

- A) Promotion of Corporal Michael Higgins to the rank of Sergeant with the Lower Providence Township Police Department.
- B) Promotion of Officer Richard Aston to the rank of Corporal with the Lower Providence Township Police Department.
- C) Promotion of Officer Peter Fleming to the rank of Corporal Officer with the Lower Providence Township Police Department.
- D) Promotion of Officer Robert Heim to the rank of Corporal with the Lower Providence Township Police Department.

3) Public Hearings/New Business

- A) Consideration of a conditional use approval to construct a detached garage of more the 1,000 sq. ft. at the property located at 3919 Beth Drive, Collegeville in the R-2 Zoning District.
 - i) **MOTION:** Supervisor MacFarland made a motion to enter into a Public Hearing. Supervisor Duffy seconded the motion. The motion *passed* 5-0.
 - ii) Solicitor Rice gave a brief background of the application and entered exhibits into the record.
 - iii) John P. Pumo, Jr., applicant was sworn into testimony. Solicitor Rice stated that the only thing that can be approved this evening is the construction of the garage. Mr. Pumo described the reason for building the detached garage. He stated he would not use the garage for commercial car repair and noted that one of the two sheds on his property will be demolished.
 - iv) Solicitor Rice reviewed the existing conditions of the property. The applicant stated he had not yet addressed any stormwater issues for the project but will do so as required. Mr. Pumo

said that he would seek approval for the proposed in-law suite in the future and that the suite will be a one-room efficiency on the second floor of the proposed garage. He stated he had spoken with the sewer authority that did not have an issue with tying into the existing sewer line. Discussion was held as to the ordinance governing in-law suites.

- v) Supervisor Eckman clarified the size of the property and that side yard setbacks were being observed. She noted that it would appear they are in compliance with the impervious coverage requirements. Supervisor Eckman asked what the height of the structure would be. Mr. Pumo said he did not have that measurement but each floor of the structure would be a true 8-foot. He said he would comply with all Township building requirements.
- vi) Supervisor Zimmerman asked if there were similar structures in neighborhood. Mr. Pumo that there were.
- vii) Solicitor Rice reviewed the process for getting approval for the in-law suite.
- viii) **MOTION:** Supervisor Zimmerman made a motion to exit the Public Hearing and re-enter the Public Meeting. Supervisor Eckman seconded the motion. The motion *passed* 5-0.
- ix) **MOTION:** Supervisor MacFarland made a motion to approve the conditional use to construct a detached garage of more than 1,000 sq. ft. at the property located at 3919 Beth Drive, Collegeville, conditioned to any deed restrictions, compliance with zoning ordinances, building codes and all stormwater management requirements. Supervisor Duffy seconded the motion. The motion *passed* 5-0.

B) Considerations of an ordinance to amend Chapter 143, Zoning, to permit drive-thru services as a conditional use in the Audubon Village area of the VC Village Commercial District.

- i) **MOTION:** Supervisor Zimmerman made a motion to enter into a Public Hearing. Supervisor Duffy seconded the motion. The motion *passed* 5-0.
- ii) Solicitor Rice reviewed the zoning amendment, noting that it had been reviewed by the Lower Providence Township Planning Commission and the Montgomery County Planning Commission. He stated this will only apply to a handful of properties in this district and would be permitted by conditional use.
- iii) Chairman Sorgini confirmed that there are currently similar uses in the area.
- iv) **MOTION:** Supervisor Zimmerman made a motion to exit the Public Hearing and re-enter the Public Meeting. Supervisor Duffy seconded the motion. The motion *passed* 5-0
- v) **MOTION:** Supervisor Zimmerman made a motion to amend Chapter 143, Zoning, to permit drive-thru services as a conditional use in the Audubon Village area of the VC Village Commercial District. Supervisor MacFarland seconded the motion.

(1) Supervisor Eckman stated that this amendment is being considered because the Township has been in conversation with property owners in that area and they are having problems filling vacancies. She said this will help with marketability of those properties.

The motion *passed* 5-0

C) Consideration of an ordinance amending Chapter 123, Subdivision and Land Development concerning ADA standards for sidewalks.

- i) **MOTION:** Supervisor Eckman made a motion to enter into a Public Hearing. Supervisor Zimmerman seconded the motion. The motion *passed* 5-0.
- ii) Solicitor Rice said explained that this ordinance is a result of a Township group that met to clean up various provisions that had arisen over time. This ordinance cleans up language that deals with engineering and ADA standards. Mr. Mrozinski said this will make the Township consistent with federal guidelines they are required to follow.

- iii) **MOTION:** Supervisor Zimmerman made a motion to exit the Public Hearing and re-enter the Public Meeting. Supervisor Eckman seconded the motion. The motion *passed* 5-0.
- iv) **MOTION:** Supervisor Eckman made a motion to approve the ordinance amending Chapter 123, Subdivision and Land Development concerning ADA standards for sidewalks. Supervisor Duffy seconded the motion. The motion *passed* 5-0.
- D) Consideration of an ordinance amending Chapter 143, Zoning concerning one use maximum, accessory uses, accessory structures and signs.
 - i) **MOTION:** Supervisor MacFarland made a motion to enter into a Public Hearing. Supervisor Zimmerman seconded the motion. The motion *passed* 5-0.
 - ii) Solicitor Rice stated this ordinance has been through the planning process with the Lower Providence Planning Commission and the Montgomery County Planning Commission. He noted that this was a cleanup ordinance involving zoning. Solicitor Rice reviewed the amendments to the ordinance.
 - iii) Mr. Mrozinski said that there had been contradictions in the ordinance and these amendments will create a consistent standard when dealing with these matters.
 - iv) **MOTION:** Supervisor Duffy made a motion to exit the Public Hearing and re-enter the Public Meeting. Supervisor MacFarland seconded the motion. The motion *passed* 5-0.
 - v) **MOTION:** Supervisor Zimmerman made a motion to approve an ordinance amending Chapter 143, Zoning concerning maximum accessory uses, accessory structures and signs. Supervisor Duffy seconded the motion. The motion *passed* 5-0.
- E) Consideration of an ordinance amending Chapter 143, Zoning, to permit a small lot residential development option in the PBO Professional and Business Office District by conditional use.
 - i) **MOTION:** Supervisor Duffy made a motion to enter into a Public Hearing. Supervisor MacFarland seconded the motion. The motion *passed* 5-0.
 - ii) Solicitor Rice reviewed the request for this ordinance, stating this ordinance has been through the planning process with the Lower Providence Planning Commission and the Montgomery County Planning Commission.
 - iii) Ed Mullen, solicitor for the applicant, gave the history of the project for small lot single homes. John Kennedy, the planner for the project, explained the plan for the housing development and the size of the homes and lots. He said from a planning standpoint these types of homes make a nice transition from the existing developments. He reviewed the Open Space requirements and plans for the project.
 - iv) Supervisor MacFarland asked about the square footage of the house. The applicant stated they would be between 1,850 and 2,100 square feet. Mr. Kennedy distributed photos of the proposed project including an example of the types of homes and a typical lot diagram.
 - v) Chairman Sorgini said that a future conditional use hearing would need to address the location of the driveway into the development relative to the single family homes already in the area plus any improvements that would need to be made to Evansburg Road.
 - vi) **MOTION:** Supervisor Zimmerman made a motion to exit the Public Hearing and re-enter the Public Meeting. Supervisor Duffy seconded the motion. The motion *passed* 5-0.
 - vii) **MOTION:** Supervisor Eckman made a motion to amend Chapter 143, Zoning, to permit a small lot residential development option in the PBO Professional and Business Office District by conditional use. Supervisor Zimmerman seconded the motion. The motion *passed* 5-0.
- F) Consideration of an ordinance amendment to Chapter 123, Subdivision and Land Development, establishing special stormwater drainage requirement for lots smaller than 7,000 square feet.

- i) **MOTION:** Supervisor Zimmerman made a motion to enter into a Public Hearing. Supervisor Duffy seconded the motion. The motion *passed* 5-0.
 - ii) Solicitor Rice reviewed the amendment, noting that this amendment deals with small lots and the management of water on these lots. This will impose an obligation to manage water into a central collection system rather than being discharged on the ground. He stated that the amendment had been reviewed and recommended by both the Lower Providence Planning Commission and the Montgomery County Planning Commission.
 - iii) **MOTION:** Supervisor Zimmerman made a motion to exit the Public Hearing and re-enter the Public Meeting. Supervisor Duffy seconded the motion. The motion *passed* 5-0.
 - iv) **MOTION:** Supervisor Duffy made a motion to amend Chapter 123, Subdivision and Land Development, establishing special stormwater drainage requirements for lots smaller than 7,000 square feet. Supervisor Zimmerman seconded the motion. The motion *passed* 5-0.
- G) Consideration of waiver of land development for Eagleville Hospital's de minimis expansion project.
- i) Mr. Mrozinski reviewed the background of the project for temporary trailers for housing on their property as requested by the county.
 - ii) Joseph Clement, Tim Kean and Maureen Pollack appeared on behalf of Eagleville Hospital. John Horning appeared as the engineer of the proposed project. Mr. Clement stated that, at the request of the county, they were seeking a waiver in order to install five modular units at the facility to serve an immediate need. He said the units would be approximately 60' x 60' each and would be in close proximity to Eagleville Road. Mr. Clement explained that the reason for the selected location on the grounds was to be in proximity of the Arcadia building, which will provide services to individuals housed in the units. He stated the units would be similar to existing buildings that house security. He also noted that the office will be staffed 24 hours per day, seven days a week.
 - iii) Supervisor MacFarland inquired as to the temporary status of the buildings and asked if there was a plan for a permanent facility to house these patients. Mr. Clement said there is a plan in process to replace the aging Louchheim building but that no specific plans are available at this time. Ms. Pollack said that they anticipate submitting plans to the Township in approximately one year
 - iv) Chairman Sorgini asked if these buildings would have the typical five-year lifespan of a modular unit. Mr. Clement said they would. He also stated the units would be fully self-contained, with the exception of eating facilities, with pathways that would connect to the Arcadia building. Maureen Pollack, CEO of Eagleville Hospital, said that trained employees would staff the facility around the clock. In response to Supervisor Duffy, Ms. Pollack said that the targeted age group would be 18-26 per the Governor's expansion of Medicaid for patients dealing with substance abuse. Ms. Pollack explained the aesthetic of the project.
 - v) Supervisor Duffy asked if more staffing would be added. Ms. Pollack said that staffing would be added to care for up to an additional 16 patients, all of who will be male. Exterior landscaping was discussed.
 - vi) Supervisor MacFarland asked about the time frame for submitting plans for a new facility. Ms. Pollack said that they are planning to come before the Board in the next year with a proposal for a permanent facility by taking down the Louchheim building and replacing it with a 60-bed facility that could be up and running in 30 months. She stated the new facility would not be on the same footprint of the Louchheim building.

- vii) Supervisor Eckman asked how the request will work with the proposed plan for the new entryway that was presented to the Township in 2015. Ms. Pollack said it was not related but will help provide better access and security. Supervisor Eckman asked how this proposal qualifies under de minimis. Mr. Clement said it was only about a 3.5% increase in the footprint of the buildings on the property. She asked about steep slopes on the property. Mr. Clement said that the modulars will not be constructed on steep slopes. He said that this would be verified prior to when permits are issued.
 - viii) Mr. Woodrow said that one of his concerns was location compared to adjacent slope with more detail needed on how they will be constructed and how they will relate to topography.
 - ix) Solicitor Rice asked if there was a stormwater issue. Mr. Woodrow said they will be looking at how runoff will impact stormwater in relation to grading. Mr. Clement said they will work with the Township throughout the permit process to make sure they are in compliance with whatever issues are identified by Mr. Woodrow
 - x) **MOTION:** Mr. Duffy made a motion to approve the waiver of land development for Eagleville Hospital's de minimis expansion project. Supervisor Zimmerman seconded the motion.
 - (1) Supervisor MacFarland said he is still not comfortable with the plan to replace these temporary structures with a permanent structure in the time stated by the applicant. Chairman Sorgini shared that concern. Discussion was held as to the time appropriate for occupying the temporary facilities. Solicitor Rice suggested amending the motion to include a condition that the units be removed after five years and any storm water management issues be addressed. The applicant had no objection to the condition.
 - (2) Supervisor Duffy amended his motion for the modular units not to exceed five years in life span. Supervisor MacFarland seconded the amended motion. The motion *passed* 5-0.
- H) Consideration of LD-15-07 – Francesco A. Mascaro Memorial Fields/2759 Woodland Avenue preliminary/final land division plan to construct Little League baseball fields
- i) Mr. Mrozinski reviewed the project.
 - ii) Jon March, on behalf of the applicant, reviewed the proposed land development plan. He stated there were six requested waivers, which were all recommended for approval by the Planning Commission. He noted there were several review letters from the Township Engineer and the Montgomery County Planning Commission which he feels have been addressed.
 - iii) Solicitor Rice said that the review letters were in relation to plans submitted in October. Mr. March said new plans were submitted that week and the review letters were addressed in the new plan.
 - iv) Supervisor Eckman asked about access along Woodland Ave. and the possibility of discussing closing the gap with the existing property in order to make a sidewalk connection. Mr. Woodrow said he will check the right-of-way. Mr. March said that if the Township can get the easement if needed they would have no problem extending the sidewalk.
 - v) Supervisor Eckman asked about the configuration of the parking area, clarifying the width to determine if it is one way. Mr. March said the back end would be a one-way. He said the idea was to get as much parking as possible in the space but they are willing to configure the lot any way the Township desires.
 - vi) Supervisor Eckman asked if there was any way to put in end islands to better define parking spaces. Mr. March said there are river rock islands but something could also be done in the rear. Supervisor Eckman said that Park and Recreation Director Karl Lukens had sent some

comments that may be of some help. Discussion was held as to how to configure the ADA parking spaces to make them more accessible.

vii) In response to Supervisor Eckman, Mr. March said they will look into the possibility of creating a batter's box area. Discussion was held regarding the configuration of the physical fields.

viii) Audience Comments:

(1) Glen Van Aller, Miami Ave., asked for a description of the exterior fencing and if there would be a gate. He expressed concern about the security of the area as the parking lot will be bordered on three sides by homes and trees. Chairman Sorgini said the intent was to keep the fields away from the homes in the best way possible.

(a) Chairman Sorgini asked Police Chief Turtle to talk about security and patrolling the area. Chief Turtle noted that no Township parks are gated but all are regularly patrolled. Mr. Van Aller suggested reducing the park to two fields and having the parking closer to Woodland Avenue which would create less impact on existing homes. Discussion was held regarding parking in the park. Discussion was held as to the pond on the property and if any endangered species would be impacted. Mr. March said the plan has to go through DEP as part of the planning process. The DEP permit is still under review and they are waiting for comments but there does not appear to be any issues. He stated the NPDES permit is still under review and there might be obligations to stormwater controls.

(b) Discussion was held regarding lighting at the park. Mr. March said the lighting will meet all zoning and ordinance requirements and that the lighting design is below the Township maximum. He noted that lighting will only be used on one field for night games.

(2) Catherine Crist, Miami Avenue, asked for clarification for the entrance and exit. Mr. March said it would be the same as the existing entrance. She expressed concern about motorbikes on the path.

(3) Chris Casey, Miami Ave., asked about access from Link Road. Mr. March said that would be controlled the same way you would control any private property access. He did not know if Mr. Mascaro would allow people to walk through the driveway. Mr. March noted that nothing is proposed at this time for the remaining land on the property.

(a) Chairman Sorgini stated it was up to the organizations using the field to communicate how to best access and utilize parking.

(4) Lou Furiosi, Lauman Avenue, expressed concern regarding water drainage issues increasing. Mr. March explained how the construction would improve existing water conditions. Mr. Furiosi asked if there could be additional landscaping to fill in gaps on the perimeter. Mr. March said if there are gaps they can be addressed.

(5) Lin McCann, Lauman Avenue, stated that since the meeting last June she said that neighbors had three main concerns: privacy, safety, and sanity. She is concerned about sound carrying and would like to see more trees planted to block noise. She also expressed concern for traffic and parking in the area. Supervisor Duffy noted that there would be No Parking signs on Woodland Avenue so parking would be in the lot or overflow into Woodland Elementary School.

ix) Solicitor Rice said that a written resolution would be prepared and circulated prior to the next meeting.

- I) Consideration of a waiver request pursuant to Chapter 81 to permit the installation of approximately 30' by 6' high solid style (stockade) fence along the side property line at 2866 First Street.
- i) Mr. Mrozinski reviewed the request. He has spoken to the neighbor whose only concern is that the fence not extend to the street which would compromise sight lines.
 - ii) Supervisor Eckman asked where the fence will stop. The applicant said it would not block the site triangle. Discussion was held as to the existing fence on the property and its extension.
- J) **MOTION:** Supervisor Zimmerman made a motion to grant a waiver request pursuant to Chapter 81 to permit the installation of approximately 30' by 6' high solid style (stockade) fence along the side property line at 2866 First Street. Supervisor Eckman seconded the motion. The motion *passed 5-0*.
- K) Consideration of dissolution of various assets.
- i) Geri Golas reviewed the request from John Primus to sell various public work items no longer in use at public auction.
 - ii) **MOTION:** Supervisor Zimmerman made a motion to approve the dissolution of various assets. Supervisor MacFarland seconded the motion. The motion *passed 5-0*.
- L) Authorization for Solicitor to prepare and advertise ordinance for a Pennsylvania Infrastructure Bank (PIB) loan for 2016 road projects.
- i) Ms. Golas said that the approval process had been streamlined and was approved in December. She noted that the list of road repairs has been slightly revised so the loan is actually slightly more than needed. She requested the Board's approval of this ordinance.
 - ii) **MOTION:** Supervisor Duffy made a motion to authorize the Solicitor to prepare and advertise an ordinance for a Pennsylvania Infrastructure Bank (PIB) loan for 2016 road projects. Supervisor Eckman seconded the motion. The motion *passed 5-0*.

4) Announcements

- A) Library Board of Trustees Meeting will be held January 19 at 7 p.m.
- B) Planning Commission Meeting will be held January 27 at 7 p.m.
- C) Zoning Hearing Board Meeting will be held on January 28 at 7 p.m.

5) Comments and other Business

- A) Supervisor Eckman reported that the Township website has added agenda items as a new feature. This was in response to residents who requested background information on various projects being proposed in the Township which will be on meeting agendas.

6) Courtesy of the Floor

- A) David Cooksley, Shawnee Circle, read a statement concerning expanding the Township's Open Space plan by acquiring a parcel for sale on Perkiomen Creek. Kelso Property Level Rd 43-00-07306-004
 - i) Supervisor Duffy stated he was not aware property was for sale and clarified its location. He stated that the Township is restricted by second class Township code as to what can be purchased and they cannot pay over an appraised price for a piece of property. However, he said they will have the Township Manager look into the property.

7) Adjournment

MOTION: Supervisor Duffy made a motion to adjourn the meeting. Supervisor Eckman seconded the motion. The motion *passed* 5-0. The meeting adjourned at 9:50 p.m.

Next Business Meeting: February 4, 2016
 February 18, 2016

Respectfully submitted:

Richard Gestrich, Township Manager