

**LOWER PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS BUSINESS MEETING  
June 1, 2023**

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**Call to Order:** Chair Coless called the hybrid live/virtual meeting to order at 7:06 p.m.

**Pledge of Allegiance**

**Protocol for Hybrid Meetings:** Chair Coless provided an overview of the protocols for public participation for members of the public attending the meeting virtually over Zoom.

**Roll Call:**

- a. The following members were in attendance: Chair Coless, Vice Chair Darby, Supervisors MacFarland, Neights and Sorgini.
- b. Also in attendance were: E.J. Mentry, Township Manager; Michael Clarke, Township Solicitor; Tim Woodrow, Township Engineer; Michael Mrozinski, Community Development Director; and Michael Jackson, Chief of Police.

**Chair's Comments**

Chair Coless announced that an Executive Session was held prior to the meeting on June 1, 2023 to discuss personnel and legal matters and contract negotiations.

Chair Coless read a Pride Month Proclamation, proclaiming June 2023 as Pride Month and announcing that the Pride Flag will be displayed in the auditorium for the entire month.

**1) Presentations**

- A. Student representative report – Kaitlyn Phan reported on events at Methacton High School, including SAT and AP testing, the annual Awards Ceremony, a theater showcase performance, final exams, graduation on June 13, and last day of classes on June 14.
- B. Municipal Campus Master Plan – Mr. Mentry said that the two finalists who would be presenting were experienced and qualified firms. The scope of the Master Plan will include looking at the entire municipal campus and the needs of administration and police to determine the best use of space and concept plans for either renovations or new construction.
  - a. Kimmel Bogrette Architecture + Site – Martin Kimmel, Rich Powers, and Buck Collins
  - b. Boyle Construction & MKSD Architects – Silvia Hoffman, Todd Chambers, Tony Ganguzza, Ryan Kennedy, Karen Duerholz, and Christian Donovan

**2) Consent Agenda**

- A. **MOTION:** Supervisor Sorgini made a motion to approve consent agenda items 2a, 2b, and 2c, including moving the meeting minutes of May 4, 2023, into the record, accepting meeting minutes and department monthly reports, and ratifying payment of bills in the amount of \$878,969.88. Vice Chair Darby seconded the motion.
  - a. There was no public comment.
  - b. The motion *passed* 5-0.

**3) Old Business**

- A. Consideration of Resolution 2023-22 approving the preliminary land development plan for Tidal Wave Car Wash, 2619 Ridge Pike

- a. Solicitor Clarke read the resolution approving the preliminary land plan for Tidal Wave automated car wash at 2619 Ridge Pike, the conditions for approval and noted it is subject to compliance with relief received from the Zoning Hearing Board.
  - b. **MOTION:** Supervisor Neights made a motion to approve Resolution 2023-22 approving the Tidal Wave preliminary land development plan, seconded by Supervisor Sorgini.
  - c. There was no public comment.
  - d. The motion *passed* 5-0.
- B. Approval of Resolution 2023-23 granting conditional use approval for 960 Rittenhouse Road
- a. A hearing on the Condition Use application was held April 20, 2023. On May 4, 2023, the Board approved the Conditional Use application subject to all conditions discussed at the April 20<sup>th</sup> hearing. Solicitor Clarke read the resolution memorializing the approval. He said the applicant had reviewed and agreed to the conditions, including the prohibition of truck traffic on Rittenhouse Road.
  - b. Supervisor MacFarland asked about the radius needed for trucks turning onto Trooper Road. It was noted that this concern would be addressed in the land development process.
  - c. **MOTION:** Supervisor Sorgini made a motion to approve Resolution 2023-23 granting Conditional Use approval for 960 Rittenhouse Road, seconded by Supervisor Neights.
  - d. Sean Doran, Township resident, expressed concern about the turning radius.
  - e. The motion *passed* 5-0.
- C. Approval of Resolution 2023-24 granting waiver of Subdivision and Land Development for Montgomery County complex
- a. Mr. Mentry explained that the Board had approved the waiver of land development for the installation of a car canopy at the Montgomery County complex at the May 4, 2023 meeting, subject to the approval of a formal resolution.
  - b. **MOTION:** Supervisor Neights made a motion to approve Resolution 2023-24 granting the waiver of the Subdivision and Land Development, seconded by Supervisor Sorgini.
  - c. Supervisor Neights noted that the county recently had gone through the land development approval process for the larger project; this was a minor modification of that.
  - d. There was no public comment.
  - e. The motion *passed* 5-0.
- D. Approval of Resolution 2023-25 adopting Bird Town Pennsylvania Initiatives
- a. Mr. Mentry said that a presentation on becoming a designated Bird Town was made at the May 4, 2023 Board meeting. He said the Township's Environmental Advisory Council (EAC) would be the agent for the process and no cost would be incurred for the application.
  - b. **MOTION:** Supervisor Neights noted he was honored to make a motion to adopt Resolution 2023-25 adopting the Bird Town Pennsylvania initiatives and application for Bird Town designation. Vice Chair Darby seconded his motion.
  - c. Chair Coless thanked the EAC for its work on the initiatives.
  - d. Amber Minnick, vice chair of the EAC, said that in addition to the council's Facebook page, a separate page will be developed for the Bird Town project.
  - e. There was no public comment.
  - f. The motion *passed* 5-0.

#### 4) New Business

##### A. Request for Waiver Zoning Hearing Board Application Fee – Lower Providence Baptist Church

- a. The church is seeking zoning relief for replacement of its sign and is requesting waiver of the Zoning Hearing Board application fee. If the Board approves the waiver, Mr. Mentry recommended that the Board require reimbursement of advertisement and legal fees.
- b. **MOTION:** Supervisor Neights made a motion, seconded by Supervisor MacFarland, to waive the Zoning Hearing Board Application Fee for the Lower Providence Baptist Church.
- c. Supervisors Sorgini noted that the motion did not state that the waiver was contingent on the reimbursement of actual costs.
- d. Supervisors Neights amended his motion to include the contingency and Supervisor MacFarland seconded the amended motion.
- e. There was no public comment.
- f. The motion *passed* 5-0.

**B. Authorization to Advertise an Ordinance Regulating the Keeping of Chickens**

- a. Solicitor Clarke read the proposed ordinance that places parameters on the keeping of chickens, including a prohibition on the keeping of roosters.
- b. Supervisors MacFarland clarified that commercial operations are not permitted.
- c. **MOTION:** Supervisor Sorgini made a motion to authorize advertisement of an ordinance regulating the keeping of chickens, seconded by Supervisor Neights.
- d. Township resident Sean Doran asked if residents currently keeping roosters would be grandfathered under the ordinance. He expressed concern about the noise and thanked the Board for the ordinance.
- e. Township resident Amanda Ryan asked about the next steps. Mr. Mentry said the ordinance must be advertised for 30 days and reviewed by the Township Planning Commission and Montgomery County Planning Commission for 45 days, before consideration for adoption.
- f. Township resident Elizabeth Gillespie asked about the process if the ordinance is adopted. It was explained that complaints would be a zoning matter and residents would contact the Community Development Department.
- g. Township resident Amber Minnick stated she had noise and environmental concerns regarding the keeping of chickens.
- h. The motion *passed* 5-0.

**C. Approval of Resolution 2023-26 supporting an amendment to the Sterling Act**

- a. Mr. Mentry said that an amendment to the Sterling Act had passed the state Senate and is before the House for consideration. Currently, under the Sterling Act, the City of Philadelphia collects income tax for nonresidents working in the city resulting in a significant loss of earned income tax to the municipality where the individual actually lives. The resolution urges legislators to approve the amendment.
- b. **MOTION:** Supervisor MacFarland made a motion to approve Resolution 2023-26 supporting an amendment to the Sterling Act. Supervisor Neights seconded the motion.
- c. There was no public comment.
- d. The motion *passed* 5-0.

**5) Announcements/Meetings**

- The Administration Office will be closed June 14 for Flag Day
- Sewer Authority - June 12 at 4:30 p.m.
- Library Board - June 19 at 7:00 p.m.
- Parks & Recreation Board - June 20 at 7:00 p.m.

- Zoning Hearing Board - June 22 at 7:00 p.m.
- Environmental Advisory Council - June 26 at 7:00 p.m.
- Planning Commission - June 28 at 7:00 p.m.

#### 6) Comments and Other Business

- Vice Chair Darby commended Public Works Director Joe Chillano and his staff for their prompt response to a resident's recent concern. She spoke to the LGBTQ+ community, stating that they are seen, heard and celebrated and reminded residents that the Township is seeking applicants for the Human Relations Commission. She noted that Nudy's Café had opened its Audubon location.
- Supervisor MacFarland said that the Fireman's Fair is underway and the Township will hold its annual fireworks celebration on July 4.
- Chair Coless said that Vice Chair Darby has joined the Business Development Committee.
- Supervisor Sorgini said the Sewer Authority is continuing its improvement projects and is working on next year's budget.

#### 7) Courtesy of the Floor

- Township resident Julia Nakhleh stated that she would like to see the Township's 911 Memorial be included in any municipal campus plan. She asked about the status of the trail that is part of the county's development project. It was noted that no design had been received.

#### 8) Adjournment

- Chair Coless announced that the Board would be adjourning to a second Executive Session to discuss legal and personnel matters.
- MOTION:** Vice Chair Darby made a motion to adjourn, seconded by Supervisor Sorgini. The motion passed 5-0. The meeting adjourned at 9:30 p.m.

#### Next Business Meetings:

June 15, 2023

July 20, 2023 (*Only one meeting in July and August*)