

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS BUSINESS MEETING
October 19, 2023**

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, and Supervisors MacFarland, Neights, and Sorgini.
- b. Also in attendance were: E.J. Mentry, Township Manager; Michael Clarke, Township Solicitor; Paul Donnelly, Assistant Township Manager; Police Chief Mike Jackson; Mike Mrozinski, Community Development Director; Tim Woodrow, Township Engineer; and Matthew Chung, Student Representative (via Zoom).

Chair's Comments

- Chair Coless announced that an Executive Session was held prior to the meeting on October 19, 2023 to discuss personnel and legal matters, contract negotiations, and potential land acquisition.
- Chair Coless read a Proclamation: National Hispanic Heritage Month

1) Presentations

- A. Student representative Matthew Chung provided a report on Methacton School District news including that the PSATS were taken on October 11th which was the first time digital PSATs were ever administered nationwide, Methacton High School won the PIAA District One Sportsmanship award for the second straight year, and recently, senior Aubrey Beaugard became the all-time leading goal scorer for Methacton Girls Soccer. Matthew also noted that Homecoming Spirit Week is October 16-October 20, the Homecoming Football Game is October 20th, the Homecoming Dance is October 21st, and that Methacton will host a blood drive on November 2nd.

2) Consent Agenda

- A. **MOTION:** Supervisor Sorgini made a motion to approve the consent agenda, including moving the meeting minutes of September 21, 2023 and Budget Workshop of October 3, 2023 into the record and approving payment of bills in the amount of \$871,474.88. Supervisor Neights seconded the motion.
 - a. There was no public comment.
 - b. The motion *passed* 5-0.

3) Public Hearing

A. **MOTION:** Supervisor MacFarland made a motion to open the hearing for the Conditional Use Application for 2825 Ridge Pike. Supervisor Sorgini seconded the motion.

Court Reporter Paula Meszaro was present to transcribe a complete record of testimony.

- a. The motion *passed* 5-0.
- b. Chair Coless turned the hearing over to Solicitor Clarke to introduce the application. This conditional use hearing on behalf of Gecor Properties LLC (owner) and SNS Auto Repair (tenant) is for the property located at 2825 Ridge Pike, within the zoning district of Ridge Pike Business District. Applicants sought to receive conditional use approval to allow for the addition of an auto service center to the current use of the property as a building supply center. This hearing was originally scheduled for September 21, 2023 and was continued on the record for a date certain of October 19, 2023 at the request of the applicant. No person(s) requested party status.
- c. There was discussion regarding the number of vehicles that would be parked on location at any one time. The applicant noted that they have only three spots in front of the building and many days have no cars in those spots. If a need arose, they would be able to use space behind the building.
- d. Supervisor Darby asked the applicant if they use any flammable substances, to which the applicant responded they do not do any paint or body work and the most flammable substance would be used oil which would be contained.
- e. Supervisor Sorgini asked whether there is sufficient turning radius for trucks to enter and exit the property without hindering traffic on Ridge Pike. The applicant demonstrated that there is ample space and stated they do not service vehicles larger than an F350. Additional discussion ensued regarding the ability for vehicles to enter and exit onto Ridge Pike.
- f. Supervisor MacFarland clarified with the applicant that the auto mechanic portion of the building meets any independent business safety code requirements, which it does. Supervisor MacFarland also inquired about the relationship between the two businesses, to which the applicant noted that there is a formal lease in place.

B. **MOTION:** Supervisor Sorgini made a motion to close the hearing for the Conditional Use Application – 2825 Ridge Pike. Supervisor Neights seconded.

- a. The motion *passed* 5-0.

4) Old Business

A. Intersection Improvement Project Update

- a. Mr. Mentry stated work has started with tree clearing. The Township received a number of calls regarding the number of trees removed, but they were in accordance with the approved plan. The next phase of the plan will be utility relocation which will start with PECO, and they have started to stake where the poles will go. We do not have a firm date yet and the website will be updated when we do. The public can subscribe for email updates on this project. We do not have a firm date for any road closures.

5) New Business

A. Consideration of request for waiver of fence standards – 20 Kingston Circle

- a. Mr. Mrozinski said the property owner, Carolyn James, is requesting the waiver to permit the installation of a 4-foot, solid-style fence in the front left side of the property. The fence will only have 3” openings instead of 4” openings, which are required in the current zoning.

- b. Supervisor Neights recommended the applicant ensure the installer digs the fence post holes deep enough.
 - c. **MOTION:** Supervisor Neights, seconded by Supervisor Sorgini, made a motion to grant the request for waiver of fence standards.
 - d. There was no public comment.
 - e. The motion *passed* 5-0.
- B. Consideration of Minor Land Development –1433 Pawlings Road
- a. Mr. Mrozinski said the property owner, Delaware Valley Properties, seeks to construct a 3680 sq. ft. garage to be used for the interior storage of vehicles for the tenant’s auto service business. The applicant was represented by their attorney and engineer. The applicant’s attorney stated the property has some existing non-conforming uses and at one time had a garage.
 - b. Mr. Woodrow discussed the efforts taken to improve the stormwater runoff of the property and that the township and applicant’s engineer had worked to improve the proposed design. He also stated that most of the considerations for the Board were regarding road improvements to Pawlings Rd. Mr. Woodrow also asked that the proposed 4-foot sidewalks be made to 5-foot sidewalks. Discussion ensued around legacy gaps in sidewalks and Mr. Woodrow recommended that this sidewalk be installed today and available for connection with future improvements.
 - c. Comments from neighbors:
 - i. Leah Baird, resident of Lower Providence Township and neighbor, stated that stormwater management was addressed or was in the process of being addressed. She also shared concern that the site would be used to store large vehicles and heavy equipment.
 - ii. Jason Jinko, resident of Lower Providence Township and neighbor, agreed and reiterated what Ms. Baird stated.
 - d. Discussion ensued regarding how this land development would impact possible future uses. Mr. Mrozinski explained that future tenants would be able use the property exactly as it is being proposed with this application, but no more.
 - e. Discussion ensued around whether any work would be done on large trucks or heavy machinery on the property. The engineer confirmed that the garage would only be large enough for smaller vehicles. Mr. Woodrow agreed that this was the case. Mr. Clarke also confirmed with the applicant’s attorney that the applicant would have to apply for additional conditional uses if they were to do vehicle maintenance on the property.
 - f. Mr. Clarke recommended the Board make a determination at the next meeting.
- C. Approval of Tax Assessment Appeal Settlement Stipulation, as Provided by Montgomery County Court of Common Pleas
- a. Mr. Mentry presented the first settlement stipulation brought to the board since it changed its policy on tax assessment stipulations last year. The property is 2500 Monroe Blvd. which filed a tax assessment appeal in 2022 for tax year 2023 and subsequent years. The School District intervened in the appeal and negotiated an agreement with the taxpayer, and both have executed the stipulation and asked the township to approve the settlement. It is a reduction of the tax assessment for this property. Discussion ensued regarding whether the presented assessment amounts and related taxes are correct.
 - b. **MOTION:** Supervisor Neights made a motion to approve this subject to a double check of the numbers through the appropriate process. Supervisor Sorgini seconded the motion.
 - c. There was no public comment.
 - d. The motion was *passed* 5-0.

- D. Consideration of Resolution 2023-36, Act 537 Planning Module Amendment for Encompass Health
- Mr. Woodrow discussed the Resolution 2023-36, Act 537 Planning Module Amendment for Encompass Health. The resolution for consideration would allow the Township and Sewer Authority to transmit sewer data to the Department of Environmental Protection (DEP) for further review.
 - MOTION:** Supervisor Sorgini made a motion to approve Resolution 2023-36, Supervisor Neights seconded to motion.
 - There was no public comment.
 - The motion was *passed* 5-0.
- E. Notice of Stormwater Pollutant Reduction Plan (PRP) Public Comment Period
- Mr. Mentry read a statement required by DEP regarding the PRP:
The Lower Providence Township Pollutant Reduction Plan for Skippack Creek, Stony Creek, Indian Creek, and Mine Run has been updated and is available for public review on the Township website. It is also available by request at the Township Administration Building at 100 Parklane Drive, Eagleville, PA 19403. Written comments from the public will be accepted for a period of 30 days from the date of this public notice. Verbal and written comments were also accepted during the Board of Supervisors meeting on October 19, 2023 at 7:00pm. The Pollutant Reduction Plan describes proposed measures to be taken to reduce sediment pollution to Skippack Creek, Stony Creek, Indian Creek, and Mine Run within Lower Providence Township, which is a requirement of the Township's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit.

6) Announcements/Meetings

- Planning Commission – October 25 at 7:00 p.m.
- Zoning Hearing Board – October 26 at 7:00 p.m.
- Trunk or Treat – October 22, 2:00 to 3:30 p.m. in Eagleville Park.
- Kids' Concert in the Park – “Cool Beans Music” – October 29, 1:00 to 2:00 p.m. in Eagleville Park.
- Residents are encouraged to welcome the “Wall that Heals” on Tuesday, Oct 24 as it travels through Lower Providence Township. There will be many viewing spots as the wall is escorted through Montgomery County from 1:00 to 2:30 pm. The Wall the Heals exhibit isa traveling replica of the Vietnam Veterans Memorial and will be on display in Upper Providence Township from Oct. 26 to Oct. 29. For a map of the escort route and exhibit details visit: www.uprov-montco.org.
- Candidates are sought for the Township's Human Relations Commission. Candidates must be residents or business owners in the Township. Letters of interest and resumes should be submitted to the attention of the Township Manager at admin@lowerprovidence.org or mailed to the Administration Building, 100 Parklane Drive, Eagleville, PA 19403.

7) Board Comments

- Supervisor MacFarland asked about the appointment of the Human Resources Commission and the status of the Rooster/Noise ordinance.
- Vice Chair Darby provided an update on Parks and Recreation events. She thanked Jane Delaney, Karen Hedegus, and Karen Barron for the success of the Annual Fall Fest. Also, 50 trees were planted in Redtail Park. She also mentioned that on November 30th, there would be pet photos with Santa and that the annual tree lighting will be at a new location within the Township complex on Dec 1st.

- c. Supervisor Neights, as the liaison to the EAC, stated they are working with the Bird Town group.
- d. Supervisor Sorgini reported the Sewer Authority is under public control and is continuing to make improvements to the public system.
- e. Chair Coless report that the DEP and EPA have tested houses along Arcola Road and notified homeowners.

8) Courtesy of Floor

- a. Rebecaa Catagnus, Township resident, commented that the Board should make Human Relations Commission appointments if they enough applicants. Also, she wanted to bring the concern of speeding on Clearfield Avenue at the last meeting, but it was cancelled. She stated that she recently attended a meeting regarding Clearfield Avenue and the use of it for as a cut-through. She requested the Board take some action and that the Police patrol this street. Chief Jackson stated they do regular patrols and they have conducted speed tests on the street.

Adjournment

- a. **MOTION:** Supervisor Sorgini, seconded by Supervisor Neights, made a motion to adjourn. The motion *passed* 5-0. The meeting adjourned at 8:34 p.m.

Next Business Meetings: **November 2, 2023**
 November 16, 2023

Budget Workshops **October 23 at 4:30 p.m.**
 October 30 at 4:30 p.m. (*as needed*)

Respectfully submitted:

E.J. Mentry, Secretary