

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS BUSINESS MEETING
AUGUST 16, 2018**

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

Pledge of Allegiance

Roll Call:

- a. The following members were in attendance: Chairman Duffy, Supervisors Eckman, MacFarland, Neights and Sorgini.
- b. Also in attendance were: John Rice, Township Solicitor; Don Delamater, Township Manager; William Roth, Director of Special Projects and Technology; Mike Mrozinski, Community Development Director; Tim Woodrow, Township Engineer; Geri Golas, Assistant Township Manager; John Primus, Director of Public Works; and Stanley Turtle, Chief of Police
- c. Chairman Duffy announced that prior to the meeting an executive session was held to discuss a real estate matter and legal matters.

1) Consent Agenda

- A) **MOTION:** Supervisor MacFarland made a motion to approve the consent agenda items 1(a), 1(b) and 1(c), including moving the meeting minutes of July 19, 2018 into the record. Supervisor Eckman seconded the motion. The motion *passed* 5-0. Supervisors Sorgini and Neights abstained from voting on the July 19th meeting minutes.

2) Presentations

- A) Municipal Building Study update
 - i) Representatives from KCBA presented the Municipal Facilities Study (See attached)
- B) Fire Department presentation
 - i) Matt Sibley presented the Lower Providence Fire Department Alternative Funding Proposal (See attached)
- C) 2nd quarter financial update
 - i) Don Delamater presented the 2nd quarter financial update (See Attached)
 - (1) Supervisor MacFarland clarified the timing of the inspection fees.

3) New Business

A) Conditional Use hearing for 382 Yerkes Road

Ms. Paula Meszaros was present to take a complete record of testimony

- i) Solicitor Rice reviewed the conditional use application.
- ii) Bernadette Kearney, attorney for the applicant, clarified the exhibits.
- iii) Rolph Graf, Project Engineer, was sworn into testimony

- (1) Supervisor MacFarland clarified how the culvert would direct the water on the property. Mr. Graf said that the pipes installed would be similar to the drainage channel in place today but installing pipes in place of the channel. Mr. Graf discussed pond overflow and the existing systems in place to avoid overflow. Mr. Graf also stated that there were no setback issues and that a land development plan still needs to be submitted.
- (2) Supervisor Sorgini asked who would be responsible for the common driveway. Ms. Kearney said this was discussed at the Zoning Hearing Board meeting and they stated that all three homeowners would be responsible, and a declaration would be required, signed by all three homeowners, stating they agree to maintain the road.

- (3) Supervisor Neights asked if the waiver for curbs and sidewalks would be addressed now or during the subdivision phase. Solicitor Rice said that would be addressed during subdivision.
- (4) Solicitor Rice clarified that the existing house would remain on the property and that the pond was on more than one lot. Discussion was held as to who would be responsible for maintaining the pond on the property. Solicitor Rice clarified the flow of the existing culvert.
- iv) Solicitor Rice stated that the Board will render a written decision at the September 6 meeting
- v) Public comment
 - (1) Cara Coless, Windsor Drive, clarified the location of the property. She asked whose responsibility it is to disclose the ownership of the ponds. Solicitor Rice said that it would be readily known and described the process of disclosing property restrictions.
 - (2) Supervisor Neights asked for clarification on who would be liable if, in the future, the condition of the pond changes and adversely affects the homes in the area. Solicitor Rice said that would be built into the agreement and the homeowners would have to agree in order to purchase the property. If they fail, the Township would have the ability to inspect and force the property owner to remediate any issues. Supervisor Neights asked for clarification on the capacity of the drainage pipes. Mr. Graf described the standards to which they adhere to in regard to 100-year storms.
- B) Consideration of a request for waiver of land development from CDI Lawn Equipment, 3474 Germantown Pike.
 - i) Mr. Mrozinski reviewed the request for waiver of land development.
 - (1) Mr. Woodrow said that he and Mr. Mrozinski reviewed the site and he feels this is a benign application.
 - (2) Supervisor Neights asked if the building could be seen from the street. Mr. Mrozinski said that it is in the rear of the building and cannot be seen from the street.
 - (3) **MOTION:** Supervisor MacFarland made a motion to approve the request for waiver from land development from CDI Lawn Equipment, 3474 Germantown Pike. Supervisor Sorgini seconded the motion. The motion *passed* 5-0.
- C) Consideration of Resolution 2018-28 approving the PA Department of Environmental Protection Act 537 Planning Module Submission for an eight-lot subdivision at 37 Crawford Road
 - i) Mr. Mrozinski reviewed the Resolution. He said this is merely an administrative matter as the land development has already been approved by the Township
 - ii) **MOTION:** Supervisor Sorgini made a motion to approve Resolution 2018-28 approving the PA Department of Environmental Protection Act 537 Planning Module Submission for an eight-lot subdivision at 37 Crawford Road. Supervisor Neights seconded the motion.
 - (1) MacFarland asked for clarification of the attachment to the Resolution. The motion *passed* 5-0.
- D) Authorization to execute stormwater indemnity agreement – Providence Place.
 - i) Solicitor Rice reviewed the indemnity agreement.
 - ii) **MOTION:** Supervisor MacFarland made a motion to execute the stormwater indemnity agreement for Providence Place. Supervisor Sorgini seconded the motion. The motion *passed* 5-0.
- E) Initial review and decision of final land development plan for St. James Episcopal Church outreach center.
 - i) Mr. Mrozinski reviewed the final land development plan.

- ii) Rowan Keenan, on behalf of the applicant, reviewed the process leading toward approval.
 - (1) Supervisor Sorgini asked if the drainage issue noted in the Woodrow and Associates review letter had been properly addressed. Mr. Keenan said that it had. He also noted that escrow money will be held for the construction of the sidewalk that will be installed within one year after the completion of the project.
 - (2) Supervisor Sorgini asked for clarification of an item in the McMahon Associates review letter regarding the new parking lot and crossing Evansburg road during services. Ken Farrell, project engineer, said that it was in the plan that is why they requested the mid-block crossing. He said this lot was only used during church services and they revised the narrative and sent back to Casey Moore.
 - (3) Supervisor Sorgini asked if the dedication of the right-of-way had been resolved? Mr. Farrell, said that it had and legal descriptions had been prepared and submitted to McMahon Associates.
 - (4) Supervisor Neights clarified where the sidewalk would be located.
 - (5) Supervisor MacFarland clarified the timing of installing the sidewalks. Mr. Farrell stated that they are hoping to have the project completed by June 2019 with the Outreach Center completed first and then install the sidewalks immediately following. Mr. Mrozinski said that McMahon Associates would complete the Traffic Study in the near future.
- Discussion was held regarding the cost of the study.
- iii) Solicitor Rice said that as there have been significant changes to the plan a final resolution will need to be created and approved at the September 6 meeting.

4) Announcements

- A) The Planning Commission will meet on August 22 at 7 p.m. - Postponed
- B) The Zoning Hearing Board will meet on August 23 at 7 p.m.

5) Comments and other Business

- A) Supervisor Rice reported that the 35 Evansburg subdivision is about to go to settlement and the plans are available for signature.
- B) Supervisor MacFarland reported that the Business Development Committee met earlier in the week and stated that Lidl is moving forward with an anticipated ground breaking in the fall. He also stated that Ollie's has an anticipated opening date of November, The Fractured Prune has opened and a new hotel has been announced. Supervisor MacFarland also reported that an open house for business and property owners on East Trooper Road will be held in October.
 - i) Supervisor Eckman said that the Business Development Committee is continuing to discuss two problematic properties in the Township: Bud's Bar and 950 Rittenhouse.

6) Courtesy of the Floor

- A) Cara Coless, Windsor Drive, stated that a significant amount of erosion has occurred in Evansburg Park on Fern due to the significant rain. Chairman Duffy said that this was a state park and is patrolled by rangers but he will notify Karl Lukens to see if we need to reach out to the state.

7) Adjournment

- A) **MOTION:** Supervisor Sorgini made a motion to adjourn the meeting. Supervisor Neights seconded the motion. The motion *passed* 5-0. The meeting adjourned at 9:15 p.m.

Next Business Meeting: September 6, 2018
September 20, 2018