

**LOWER PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS BUSINESS MEETING  
OCTOBER 18, 2018**

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**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; Casey Moore, Traffic Engineer; Geri Golas, Assistant Township Manager; John Primus, Director of Public Works; and Stanley Turtle, Chief of Police, Matthew Matour, Student Representative.
- 1) Chairman Duffy announced that prior to the meeting an executive session was held to discuss real estate and legal matters.
- 2) **Consent Agenda**
  - A) **MOTION:** Supervisor Sorgini made a motion to approve the consent agenda items 1(a), 1(b) and 1(c), including moving the meeting minutes of October 4, 2018 into the record. Supervisor Neights seconded the motion. The motion *passed* 5-0.
- 3) **Presentation**
  - A) Commendation presentation to Sgt. William Hopkins and Officer Matthew Cerasuolo for life-saving efforts.
- 4) **New Business**
  - A) Consideration of the request of the homeowners of 27 Clearfield Avenue for waiver of driveway setback requirement.
    - i) Mr. Mrozinski reviewed the waiver request.
    - ii) Mr. Migatz, the applicant, reviewed the circumstances surrounding the driveway installation and his efforts of remediation for his neighbor's fallen wall. Chairman Duffy said that the issue at hand is the waiver request for the driveway waiver. Supervisor Sorgini said both were non-conforming.
    - iii) **MOTION:** Supervisor Sorgini made a motion to approve the waiver for driveway setback. Supervisor Neights seconded the motion.
      - (1) Supervisor MacFarland asked if he'd had an agreement with the neighbor to expand the driveway. Mr. Migatz said he had verbal agreement.The motion *passed* 5-0.
  - B) Conditional use decision – Lower Perkiomen Valley Regional Sewer Authority
    - i) Solicitor Rice reviewed the application that was presented and discussed at the October 4 meeting.
    - ii) **MOTION:** Supervisor Neights made a motion to approve the Adjudication for the conditional use application of Lower Perkiomen Valley Regional Sewer Authority. Supervisor Sorgini seconded the motion. The motion *passed* 5-0.
  - C) Consideration of Resolution #18-30 approving the preliminary/final land development plan for S-19-01/3531 Arcola Road minor subdivision.

- i) Solicitor Rice reviewed the Resolution that was presented and discussed at the October 4 meeting.
- (1) Supervisor Neights asked if the building were to be removed and the wall remains would there be any protections in place to install a sidewalk. Supervisor MacFarland asked if current zoning ordinances would apply if the building were to be removed.
- (2) Mr. Clement, attorney for the applicant, said that they had no plans to remove the building. He said if a future owner removes the building they would have to comply with any current zoning codes. Discussion was held regarding the ramifications of new construction on the site of the house and how it could affect sidewalks. Solicitor Rice noted that the resolution could be amended (7(a)) to add language stating should the house be voluntarily removed the owner install curb and sidewalk along Arcola Road.
- ii) **MOTION:** Supervisor Sorgini made a motion to approve Resolution #2018-30 as originally written approving the preliminary/final land development plan for S-19-01/3531 Arcola Road minor subdivision.
  - (a) Discussion was held as to whether or not amending language should be added.
  - (2) Supervisor MacFarland seconded the motion.
    - (a) Supervisor Neights said he preferred the language to read “if the house came down voluntarily”.

The motion *passed* 4-1 with Supervisor Neights in opposition.

*Tim Kurek was present to take a complete record of testimony for both hearings.*

**D) Conditional Use Hearing - 2830 Ridge Pike**

- i) Solicitor Rice reviewed the application.
- ii) Mr. Frey appeared on behalf of the applicant. Marie Altieri was sworn into testimony. Mr. Frey reviewed the reasons for the request.
- iii) Solicitor Rice entered exhibits into the record.
- iv) Discussion was held regarding the use of the building, parking and the appearance of the exterior.
- v) Solicitor Rice reviewed the employee use of the building as well as any potential outside storage.
- vi) Supervisor MacFarland asked about third-party use and how the property may be converted from residential offices.
- vii) Solicitor Rice closed the hearing and said a decision will be rendered at November 1 meeting.

**E) Conditional Use Hearing – Audubon Square V.**

- i) Solicitor Rice reviewed the application.
- ii) Paul Bradford Macy, Eric Ostimchuk and Kim Kryder were sworn into testimony.
- iii) Bernadette Kearney, on behalf of the applicant, reviewed the application and why the plan required amendment. Mr. Macy oriented the areas of discussion for the Board and reviewed the existing plan as well as how this will tie into future plans. He said they have been working with a land planner to create a Master Plan that will create new traffic solutions.
- iv) Chairman Duffy clarified that the 2024 Norris Hall extension condition will remain in place regardless of this approval.
- v) Supervisor MacFarland asked how encompassing is the master traffic plan they are developing.
- vi) Solicitor Kearney said that the applicant will comply with the traffic engineer and township’s engineer’s consultant letters.

- vii) Mr. Moore reviewed his concerns, saying that he feels this plan will work okay but they may need to look at a multi-way stop to control the traffic. He discussed the issues with the drive-through and the applicant's proposal for a permanent barrier
- viii) Mr. Woodrow said the vast majority of the concerns with the original plan were that the public improvements not complete under Phase 2. He discussed the traffic issues the applicant is facing. NPDES permit will need to be obtained which will address stormwater concerns.
- ix) Mr. Moore said that he spoke with Mr. Macy regarding changing the grade of the parking areas near the Tavern Restaurant to alleviate future issues when that area will be tied in.
- x) Supervisor Eckman asked if road improvements installed to date have, feels that it has been improved. Mr. Moore said that Road C seems to have alleviated traffic.
- xi) Supervisor Neights asked for clarification of traffic study terminology.
- xii) The applicant said they will be submitting revised plans for land development after the Resolution is approved.
- xiii) Solicitor Rice confirmed that the applicant will be complying with all consultants' letters.
- xiv) Solicitor Rice closed the hearing and said that a decision will be prepared for the November 1 meeting.

F) Discussion of revised final land development plan for Audubon Square V – Phase 2.

- i) Mr. Mrozinski noted that this was in relation to the conditional use hearing. Mr. Macy said that revised plans will be provided after the resolution is approved. Solicitor Rice confirmed that there will be no engineering reviews as the applicant has stated that they will comply. Mr. Woodrow and Mr. Moore said that as no substantial changes were being proposed there should be no issue with recommending approval. Mr. Macy said he did not anticipate any waiver requests with the revised plans. Supervisor Neights asked for clarification of the approval process timeline.

G) Proclamation: 2018 Year of the Bird

- i) Supervisor Neights read the proclamation declaring 2018 The Year of the Bird.

**5) Announcements**

- A) Planning Commission meeting will be held October 24 at 7 p.m.
- B) Zoning Hearing Board meeting will be held October 25 at 7 p.m.

**6) Comments and other Business**

- A) Mr. Matour, student representative, announced homecoming events being held at Methacton High School.

**7) Courtesy of the Floor**

- A) Cara Coless, Windsor Dr., distributed a proposal for a dog park that she had presented to the Parks & Recreation Board. Supervisor Neights asked what she was seeking. Ms. Coless said that she was seeking board support for this to be included in the Master Plan. Chairman Duffy said that the best course of action would be to work with Parks & Recreation Board to move this proposal forward, if approved as part of the open space plan process.
- B) Jennifer Mazza, N. Grange Ave., expressed concerns about the spotted lantern fly infesting the area and asked that information regarding the fly be placed on the Township website. Supervisor Sorgini said that information is on the website.

**8) Adjournment**

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

Next Business Meeting: November 1, 2018  
November 15, 2018