

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS BUSINESS MEETING
FEBRUARY 21, 2019**

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

Pledge of Allegiance

Roll Call:

- a. The following members were in attendance: Chairman MacFarland, Supervisors Duffy, Eckman, Neights and Sorgini.
- b. Also in attendance were: John Rice, Township Solicitor; Don Delamater, Township Manager; Mike Mrozinski, Community Development Director; Tim Woodrow, Township Engineer; Geri Golas, Assistant Township Manager; and Stanley Turtle, Chief of Police, Matthew Matour, Student Representative.

Chairman MacFarland announced that prior to the meeting an executive session was held to discuss legal and contractual matters.

1) 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 February 7, 2019 into the record. Supervisor Eckman seconded the motion. No public comments. The motion *passed* 5-0.

2) Presentation

- A) Presentation to outgoing board/commission members in recognition of their service to Lower Providence Township:
 - i) Lucy Arnold – Library Board of Trustees
 - ii) Charlotte Mandracchia – Parks & Recreation board
 - iii) Greg Pellicano – Finance Committee
 - iv) William Stanczak – Finance Committee.

3) New Business

- A) Review and consideration of application for transfer of a liquor license for Redner's, 2828 Egypt Road.
 - i) Solicitor Rice reviewed the application. Jason Hopp, vice-president and general counsel of Redner's Markets clarified the scope of the request and discussed the business model of Redner's Markets.
 - ii) Chairman MacFarland welcomed the business to the Township and confirmed an opening date of late summer, early fall.
 - iii) Supervisor Eckman asked for clarification of consumption laws.
 - iv) Supervisor Duffy asked for clarification of the process of obtaining the liquor license. Mr. Hopp explained that he had an agreement of sale on a license that can be finalized once all Township approvals are received.
 - v) Supervisor Neights asked about the procedure for checking the ID of customers purchasing alcohol.
 - vi) Solicitor Rice reviewed Resolution #2019-12.
 - vii) **MOTION:** Supervisor Neights made a motion to approve Resolution #2019-12, approval of Liquor License Transfer for Redner's 2828 Egypt Road. Supervisor Sorgini seconded the motion. No public comments. The motion *passed* 5-0.

B) Consideration of Resolution #2019-13 approving the land development plan for Samar/Featherbed Lane

i) Solicitor Rice reviewed Resolution #2019-13

ii) Public Comment

- (1) Shaun Forstner said he is supportive of the house being demolished but is in opposition to the subdivision stating there has been no clear statement of hardship by the applicant.
- (2) Kiersten Trump expressed her concerns about the subdivision and how it will affect her property. She is in supportive of the owner developing the property as is, but not for the subdivision or for the awarding of waivers.
- (3) Virginia Hauser, on behalf of her mother who owns the adjacent property, expressed her concerns regarding the waivers and subdivision and said she would hope they did not approve the subdivision.
- (4) Unidentified neighbor on Featherbed Lane said she doesn't understand why waivers are being considered and talked about safety issues regarding sidewalks and potential stormwater issues.
- (5) Hannah Nicholson, Woods Edge Road, reiterated that she is against the subdivision and requested a no vote based on all of the reasons stated by previous residents.
- (6) Joseph Rupert, Woods Edge Road, also requested a no vote, stating that part of the allure of the neighborhood is the tiny bits of open space and a second house would be intrusive to the neighborhood.
- (7) Jamie Humphrey, Woods Edge Road, requested the Board deny the waiver request stating that adding to the wealth of the developer by taking away something from the neighborhood violates the intent of the ordinances.
- (8) Joe Ferrar, Pine Tree Drive, said that the hardship was of the developers own making and should be denied. He said if the variances are approved, he'd like to hear the rationale for that.
- (9) Neighboring resident said that he has spent over 40 hours and considerable money to install a drainage pipe to deal with stormwater issues and is concerned that the development will create issues. His son said he loves to play in the woods and doesn't want a house built there.

iii) Mr. Samar said that it is difficult to listen to the comments. He said that the property is a 1.5-acre lot and he is dividing it into two .75 acre lots. He explained the impervious coverage and that only a few trees would be removed. In his opinion they will be adding to the value of the neighborhood. He said that if he knew the opposition, they probably would not have started the project but at this point they've already invested significant money into the project.

iv) **MOTION:** Supervisor Duffy made a motion to deny the waiver request for SLDO 123-32.A as to curbing and storm sewers, subject to any recommended grading and drainage requirements of the township Engineer. Supervisor Sorgini seconded the motion.

- (1) Supervisor Duffy further stated that they've tried to be welcoming to development within the Township but feels this project can be built, but not with the current plan as presented.

No additional public comment. The motion *passed* 5-0.

v) **MOTION:** Supervisor Sorgini made a motion to deny the waiver request for SLDO Section 123-39.B as to maximum depth to width ratio. Supervisor Neights seconded the motion. No additional public comment. The motion *passed* 5-0.

- vi) **MOTION:** Supervisor Sorgini made a motion to deny the waiver request for SLDO 123-39.F as to side property lines to be set at right angles. Supervisor Neights seconded the motion. No additional public comment. The motion *passed* 5-0.
 - vii) **MOTION:** Supervisor Neights made a motion to deny the waiver request for SLDO 123-33 as to construction of sidewalks. Supervisor Sorgini seconded the motion. No additional public comment. The motion *passed* 5-0.
 - viii) Solicitor Rice said that the plan can be revised and re-submitted. He asked the applicant if he wished to have the Board vote on the plan this evening or would he like to revise the plan. Mr. Samar said he would discuss the matter and let the Board know his decision.
 - ix) Chairman MacFarland explained to the audience that the lot can be subdivided should a developer submit an appropriate plan.
 - (1) A discussion was held regarding the ownership of sidewalks and the allocation of fees in lieu to install sidewalks.
- C) Bid award for Park Pointe at Lower Providence sidewalk project.
- i) Mr. Woodrow explained the scope of the sidewalk project and why the county suggested they turn down the grant in order to access additional funds to complete the project as the bids far exceeded the monies available.
 - ii) Mr. Delamater gave an overview of the timeline of the application process.
 - iii) Supervisor Duffy – confirmed that \$120,000 for the project in grant and matching funds.
 - iv) Discussion was held regarding the funding of sidewalks.
 - v) **MOTION:** Supervisor Duffy made a motion to reject the bids for Park Pointe at Lower Providence sidewalk project. Supervisor Sorgini seconded the motion.
 - (1) Supervisor Neights expressed concerns that the Township’s waiving of sidewalk requirements in the past has created and continues to create future issues. He continued to express concerns for granting waivers to large, multi-million-dollar construction projects while we deny waivers for small projects.
 - (a) Supervisor Sorgini noted that many of the projects Supervisor Neights mentioned were done before anyone on the current board was involved. He clarified his stance on the waivers.
 - (b) Supervisor Eckman highlighted more recent development where sidewalks have been installed and how the connections are being made. She said the current board has been active.
 - (c) Supervisor Duffy discussed how real estate sales fees are applied.
 - (d) Discussion was held regarding the Township’s efforts to create more sidewalks.
 - (2) Supervisor Neights said he still feels that sidewalks being installed during construction are of more benefit to the Township.
- No public comment. The motion *passed* 5-0.
- D) Consideration of Resolution #2019-14 approving the submission of an application to the Montco 2040 Implementation Grant Program.
- i) Mr. Delamater reviewed the grant application.
 - ii) **MOTION:** Supervisor Sorgini made a motion to approve Resolution #2019-14 authorizing the submission of an application to the 2019 Montco 2040 Implementation Grant Program. Supervisor Neights seconded the motion. No public comments. The motion *passed* 5-0.
- E) Pension distribution authorization
- i) Ms. Golas reviewed the pension distribution authorization request.

- ii) **MOTION:** Supervisor Duffy made a motion to approve the pension distribution authorization. Supervisor Sorgini seconded the motion. No public comments. The motion *passed* 5-0.

F) Black History Month Proclamation

- i) Supervisor Neights read the proclamation and noted an upcoming event at the Library
- ii) **MOTION:** Supervisor Duffy made a motion to approve the proclamation. Supervisor Sorgini seconded the motion. No public comments. The motion *passed* 5-0.

G) Student Representative Report

- i) Matthew Matour gave an update on the Methacton High School Boys and Girls basketball teams. He also reported on the production of Fiddler on the Roof, the Minithon and plans for the 2019 Prom.

4) Announcements

- A) Planning Commission meets February 27 at 7 p.m.
- B) Zoning Hearing Board meets February 28 at 7 p.m.

5) Comments and other Business

- A) Chairman MacFarland said they are reviewing the Board's goals and a presentation will be made at the next meeting.
- B) Supervisor Sorgini reported on the Sewer Authority board meeting including the Park Avenue and other capital improvement projects.
- C) Supervisor Neights reported on the local U.S. Congressional office opening.
- D) Supervisor Duffy thanked the Public Works Department and the Police Department for their hard work during the recent storm.
- E) Supervisor Eckman stated that the Parks and Recreation meeting was cancelled due to weather and matters will be deferred until March. She also said the Business Development Committee has changed their meeting date to meet at the end of the month and the meeting will be held in the morning.
- F) Chairman MacFarland said the Library Board, upon the retirement of Lynn Burkholder, is actively in pursuit of new Library Director as well as a new office manager. He also said the wine tasting fundraiser will be held March 23 and tickets are available at the library.

6) Adjournment

- A) **MOTION:** Supervisor Sorgini made a motion to adjourn. Supervisor Neights seconded the motion. No public comments. The motion *passed* 5-0. The meeting adjourned at 9:00 p.m.

Next Business Meeting: March 7, 2019
March 21, 2019