

The stated meeting of the Code Enforcement and Land Development Committee of the Board of Commissioners of Township of Abington was held on Monday, May 4, 2015 at the Township Administration Building, Abington, PA., with Commissioner Sanchez presiding.

CALL TO ORDER: 7:22 p.m.

ROLL CALL: Present: Commissioners SANCHEZ, MARKMAN, DiPLACIDO, MYERS, GILLESPIE

Township Manager LEFEVRE
Township Solicitor CLARKE
Director of Code Enforcement MATTEO
Township Engineer POWERS

Also Present: Commissioners LUKER, KLINE, FARREN, JONES, SCHREIBER, BOWMAN, KALINOSKI, SPIEGELMAN, ZAPPONE, HECKER

MINUTES: Commissioner Sanchez made a MOTION, seconded by Commissioner Gillespie to approve the minutes of the March 30, 2015 Code Enforcement and Land Development Committee Meeting.

MOTION was ADOPTED 5-0.

Ordinance No. 2093 – Ordinance to Amend Section 801.N – of the Zoning Ordinance Purpose to Regulate Seasonal Outdoor Sales within the Township

Commissioner Sanchez announced that a Public Hearing will be held on Thursday, May 14, 2015, at 7:30 p.m. on Ordinance No. 2093. Purpose of the hearing is to amend the Abington Township Code, Chapter 162, entitled, Zoning, Article VIII, Supplemental District Regulations - Section 801. N – “Display and Storage of Goods.”

Lease Agreement – 1220 Huntingdon Road – Abington School District

Commissioner Sanchez made a MOTION, seconded by Commissioner Gillespie to amend the February 8, 2005 Lease Agreement between the Township and the Abington School District for the Township-owned parcel at 1220 Huntingdon Road to allow for parking by the public on weekdays from 5:30 PM to Dusk and to extend the Lease Agreement for an additional (5) five years.

Commissioner Sanchez called on Mr. Matteo.

Mr. Matteo explained that this will help the residents of Huntingdon Road as well as the general public.

Commissioner Sanchez asked for any comments from Commissioners.

Commissioner Hecker asked does this agreement provide for Saturdays and Sundays as well?

Mr. Matteo replied no.

Commissioner Kline clarified that there is no cost for the Township. Is that correct?

Mr. Matteo replied that is correct.

Commissioner Kline asked why only for an additional five years?

Manager LeFevre replied initial lease agreement expires at the end of this year and School District officials asked for a five-year continuance.

Commissioner Kline suggested discussing a longer term lease with School District officials.

Manager LeFevre replied that would be at the Board's discretion to extend the lease. Initially, the Township opened that parcel to provide parking for school bus drivers and, with revisions to the playing fields on Huntingdon Road through the land development process, it was agreed to open that parking lot to the public from 5:30 PM to dusk on weekdays.

Commissioner Kline clarified when the lease expires and the School District does not ask for an extension the Township would have complete control over that parking area. Is that correct?

Manager LeFevre replied that is correct.

Commissioner Kline clarified that the Board could consider changing it before next week's Board meeting. Is that correct?

Manager LeFevre replied yes, and the initial lease that was approved back in 2005 provided for five-year continuances in the future.

Commissioner Sanchez asked for any public comments. There were none.

MOTION was ADOPTED 5-0.

Ordinance No. 2095 – Ordinance to Amend (PB) Planned Business District Adding Paragraph 32 Student Apartment Housing Use (H-1)

Commissioner Sanchez made a MOTION, seconded by Commissioner Markman to advertise a Public Hearing on Ordinance No. 2095 for Wednesday, June 24, 2015 at 7:00 PM. Purpose of the hearing is to amend the Zoning Ordinance to allow for Student Apartment Housing in the (PB) Planned Business District.

Commissioner Sanchez asked for any comments from Commissioners.

Commissioner Kline requested that this meeting be televised.

Mr. Matteo agreed.

Commissioner Sanchez asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, expressed concern on how student housing would affect the growth of the schools.

Commissioner Sanchez suggested that the speaker attend the public hearing.

MOTION was ADOPTED 5-0.

Ordinance No. 3000 – Ordinance to Amend (Chapter 98, Housing Standards, Section 98-2.A Amendments to Standards

Commissioner Sanchez made a MOTION, seconded by Commissioner Gillespie to advertise a Public Hearing on Ordinance No. 3000 for Thursday, June 11, 2015 at 7:30 PM. Purpose of the hearing is to amend Chapter 98-2.A., PM-303.8 - Storage, parking, abandonment or keeping of any licensed or unlicensed motor vehicles, watercraft, trailer or any parts thereof shall not be permitted on any lawn, grass or right-of-way area.

Commissioner Sanchez asked for any comments from Commissioners.

Commissioner Kline questioned whether the BOCA National Property Maintenance Code has been updated since 1993 as listed in proposed ordinance.

Mr. Matteo replied 1993 was the date of when the Property Maintenance Code was last updated.

Commissioner Luker commented that he feels this is a very good ordinance and he asked for support from the Board as it will help every ward in the Township.

Commissioner Zappone questioned who will “police” this ordinance.

Mr. Matteo replied staff of the Code Enforcement Department.

Commissioner Gillespie commented that she appreciates the Board's support of this ordinance.

Commissioner Myers thanked Commissioner Gillespie for initiating it.

Commissioner Farren noted that the ordinance says, "Storage, parking, abandonment or keeping of any licensed or unlicensed motor vehicles, watercraft, trailer or any parts thereof shall not be permitted on any lawn, grass or right-of-way area," and would a right-of-way area incorporate any ground with gravel on top of it if a homeowner was going to extend their driveway?

Solicitor Clarke replied the ordinance is intended to cover areas along the side of a property where there is no curb or where the road or gravel turns into grass, but not driveways.

Commissioner Hecker asked what is the penalty for being in violation of this ordinance?

Solicitor Clarke replied the ordinance as presented is an amendment to an existing ordinance and he will report back with that information.

Commissioner Farren said suppose he wanted to have a political protest in his yard, could he claim the First Amendment-Freedom of Speech?

Solicitor Clarke replied no. This is a property maintenance issue and property owners are not permitted to park their car anywhere they want to. Many municipalities have this type of ordinance and it has survived challenges.

Commissioner Sanchez asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, commented that she is confused about complaint-driven enforcement and asked for an explanation.

Mr. Matteo replied enforcement would be generated by complaint and also by inspection of staff.

MOTION was ADOPTED 5-0.

Commissioner Sanchez asked for any general comments relating to Code Enforcement and Land Development.

Lora Lehmann, 1431 Bryant Lane, expressed concern that she feels residents were not given an opportunity to comment on the Memorandum of Understanding.

Code Enforcement Committee Meeting

May 4, 2015

ADJOURNMENT: 7:49 p.m.

Respectfully submitted,

Michael LeFevre, Township Manager

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