

The stated meeting of the Code Enforcement and Land Development Committee of the Board of Commissioners of the Township of Abington was held on Wednesday, December 2, 2015 at the Township Administration Building, Abington, PA., with Commissioner Sanchez presiding.

CALL TO ORDER: 7:04 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
Planning & Zoning Official PENECALE

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

MINUTES: Commissioner Sanchez made a MOTION, seconded by Commissioner Gillespie to approve the minutes of the October 28, 2015 Code Enforcement and Land Development Committee Meeting.

MOTION was ADOPTED 5-0.

Subdivision SD-15-04 – Gordon B. & Christina M. Cox - 1544 Cloverly Lane

Commissioner Sanchez made a MOTION, seconded by Commissioner Gillespie to approve the subdivision application of Gordon B. & Christina M. Cox, owners of the property located at 1544 Cloverly Lane. The applicants propose to subdivide the 2.98 acre site into two parcels. Lot No. 1 is shown to contain the existing single-family dwelling on a parcel of 1.98 acres in size. Lot No. 2 is not proposed to be developed at this time and is shown at 1 acre in lot size. Both lots comply with the dimensional requirements of Section 301.3 of the Zoning Ordinance. The properties are zoned in the (R-1) Residential District in Ward No. 1 of the Township of Abington.

This motion is subject to the following conditions:

1. The applicant is required to provide the Township with two (2) new, executed (signed, notarized and recorded) deeds. This is a requirement of the subdivision process. The Township Engineer will not sign the plans without the required deeds.
2. The items listed in the Staff Review letter dated, October 29, 2015 becomes a condition of this application.
3. The Planning Commission recommends that the developer use extreme care in development of this property to ensure a minimal disturbance of the existing tree growth and steep slope on this property.

This motion is subject to the following waivers:

1. Waiver from Section 146-11.A – Property Identification Plan.
2. Waiver from Section 146-11.B. – Existing Features Plan.
3. Waiver from Section 146-11.C. - Proposed Layout Plan.
4. Waiver from Section 146-11.E. – Soil Erosion Controls.
5. Waiver from Section 146-11.1. – Phasing Plan.
6. Waiver from Section 146-11.L – Architectural Plan.
7. Waiver from Section 146-24.D – Right-of-Way Width.
8. Waiver from Section 146-27 – Sidewalks and Curbing.
9. Waiver from Section 146-30 – Lots
10. Waiver from Section 146-38 – Street Lighting

Commissioner Sanchez called on Director of Code Enforcement, Mr. Matteo.

Mr. Matteo said this application was reviewed by Township's Planning Commission who recommended approval, and Nick Rose, P.E. with Protract Engineering, who represents the applicant is present this evening.

Mr. Rose presented the plan to the Board showing the applicant's property and the proposed subdivision that complies with all zoning regulations as well as staff's review letter. There was a request made by the Planning Commission to demonstrate that a home could fit on the new lot and it does and complies with all zoning regulations.

There was also the recommendation that any driveway from the new house had room to get to the street and the best location was determined to be at the southern end of the property to avoid disturbance of woodlands and steep area as shown on the plan. There is an area on the property where the house is proposed that is virtually free of trees.

Commissioner Sanchez asked for any comments from Commissioners.

Commissioner Gillespie clarified that there is no plan for a home at this time. Is that correct?

Mr. Rose replied that is correct. There is no buyer or builder.

Commissioner Kline clarified that although, this application will not be required to go through the land development process, when the new home is built, there will still be a review as to whether or not there will be any affect on steep slopes. Is that correct?

Mr. Matteo replied that is correct.

Commissioner Kline questioned whether Traffic Safety Officer Freed has any concerns about the corner of the intersection and any restrictions with the location of proposed driveway.

Traffic Safety Officer Freed replied he has not seen the plan at this time.

Commissioner Kline suggested placing a condition on the plan to keep the driveway on the property line going up Rydal Road to avoid the driveway going right out into the angled intersection of Rydal, Woodland and Cloverly.

Mr. Rose agreed that the driveway should be installed on the southwest corner of the property.

Commissioner Sanchez made a MOTION to AMEND the MOTION to add a condition to the plan that the driveway for proposed Lot 2 be installed on the southwest corner of the property located at 1544 Cloverly Lane, seconded by Commissioner Markman.

MOTION to AMEND the MOTION – PASSED 5-0.

Commissioner Sanchez clarified that this is not an area where there are sidewalks in the neighborhood. Is that correct?

Mr. Matteo replied that is correct.

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

MOTION as AMENDED – PASSED - 5-0.

Ordinance No. 2100 – Stormwater Management Ordinance – Tookany/Tacony Frankford Watershed Stormwater Management Plan

Commissioner Sanchez made a MOTION, seconded by Commissioner Gillespie to advertise a Public Hearing to be held on Thursday, January 14, 2016 at 7:30 p.m. on Ordinance No. 2100, entitled Stormwater Management Ordinance.

Commissioner Sanchez called on Director of Code Enforcement, Mr. Matteo.

Mr. Matteo explained that this ordinance was prepared by Mike Filmyer P.E. of BCM Engineering/Cardno Group. This ordinance was reviewed by Abington Township Planning Commission on October 27, 2015 and several grammatical corrections were suggested. The revised version of proposed Ordinance No. 2100 is scheduled to be reviewed by the Abington Township Planning Commission on Monday, December 14, 2015.

Mr. Powers added that this ordinance is in compliance with new State regulations.

Commissioner Sanchez asked for any comments from Commissioners.

Commissioner Kline commented that this was discussed during the zoning ordinance rewrite meetings. This ordinance was taken out of the zoning ordinance due to the State's requirements to be compliant by the end of the year. This ordinance will be more restrictive than the County's model ordinance that is also State compliant.

Commissioner Sanchez asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, asked are the basins on Highland and Baederwood Park covered in this ordinance.

Manager LeFevre replied he is not in the position to answer that question at this time. There is a meeting scheduled for December 16, 2015 with the Army Corp of Engineers at the Township Building when we will get more information. The resident is referring to the feasibility study prepared by the Army Corp of Engineers in partnership with officials of Cheltenham Township, which proposes six detention areas in Cheltenham and three in Abington Township.

He, along with Commissioners Sanchez and Spiegelman requested this public meeting with the Army Corp of Engineers to include surrounding neighbors in order for them to receive information and provide their public comments. We also requested that the Army Corp of Engineers extend the public comment period until the end of January.

Commissioner Spiegelman noted that letters were sent to all residents who remotely about these proposed basins as well as this information will be included in individual newsletters to constituents.

MOTION was ADOPTED 5-0.

Ordinance No. 2102 – An Ordinance Amending Chapter 162 – “Zoning” Section 2102 – Flood Plain Conservation Overlay District

Commissioner Sanchez made a MOTION, seconded by Commissioner Gillespie to advertise a Public Hearing to be held on Thursday, January 14, 2016 at 7:30 p.m. on Ordinance No. 2102, “The Flood Plain Ordinance.”

Commissioner Sanchez asked for any comments from Commissioners or staff.

Commissioner Luker asked will the Temple study have an impact on the Flood Plain Ordinance.

Mr. Powers replied it won't have an impact on the Flood Plain Ordinance, but it will impact the zones, and the Temple study for the Pennypack and Wissahickon were approved.

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

MOTION was ADOPTED 5-0.

Commissioner Sanchez asked for any general comments relating to Code Enforcement and Land Development. There were none.

ADJOURNMENT: 7:22 p.m.

Respectfully submitted,

Michael LeFevre, Township Manager

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