

WORKSHOP MINUTES

June 18, 2019

* Items are scheduled to be voted on at the June 24, 2019, Public Meeting.

The June 18, 2019, Workshop Meeting was called to order at 7:00 P.M. In attendance:

Kenneth E. Kroberger	President
James A. Santi	Vice-President
Thomas A. Duffy	Commissioner
Denise M. Hull	Commissioner
Liz K. McNaney	Commissioner
Sandra Brookley Zadell	Township Manager
David W. Duffy	Chief of Police
David C. Onorato	Township Solicitor
Russ Benner	Township Engineer

CONSULTANTS**PLANNING/ZONING/CODE ENFORCEMENT****1. Report by E. Van Rieker (Updates):**

As Reported by Van Rieker

- Deluca Homes, West Prospect Ave. 5-Lot subdivision.
The revised submission is under review by T&M. T&M met with the engineer about some revisions. Mr. Onorato spoke with their attorney regarding fence and stormwater issues.
- Merck Bldg. 63 Land Development Plan
The Planning Commission recommended approval subject to the T&M review. Merck tore a building down to build a new one on the same site for the manufacturing of vaccines. Merck would like this to be on the agenda for this month's Public Meeting. T&M reviewed the land development plan and said some minor issues are all internal. A decision on the plan will be made at the public meeting on Monday, June 24, 2019.
- Shoppes @ Upper Gwynedd –
The land development plans are currently before the Planning Commission. The Shoppes have Conditional Use Approval and sign package approval with conditions. The project may be held up by litigation.
- ZHB #19-05 – Provco remand to ZHB – scheduled 6/25
The Court has remanded back to our ZHB the issue to consider a special exception.
- ZHB #19-06, Blair, side yard addition
This was approved with conditions which include landscaping.

- ZHB #19-07, Provco Substantive challenge – scheduled 8/1/19
Provco is claiming our ordinance is invalid because it does not consider convenience stores with gas as one use.
- ZHB #19-08, 925 Lexington Ave. – permission to build on undersized lot
This is to be heard on 7/23/19. Approval to build on an undersized lot was approved two years ago but because of land development and grading, Moser couldn't make it work. He purchased a second lot next to his existing lot and came in with the same proposal on a larger lot.
- ZHB #19-09, 353 Royal Ave. – Porch in front yard, variance to permit –
This is to be heard on 7/23/19. It is a non-conforming corner lot.
- WCF (wireless communications facilities) Ordinance Amendment Draft
The FCC has now set the policies for the facilities and has taken much of the control away from municipalities. Our current ordinance states that these facilities are not allowed in residential neighborhoods, but the FCC has set the fees, the size regulations and now require design regulations. A discussion ensued regarding the FCC regulations. Cohen Law Group is working on the draft amendment.

2. **Code Enforcement Activity Report**

3. **Ordinances No. 2019-05 and 2019-06:** Text Amendment and Map for Sunneystown Pike Overlay District
Discussion / Update

Mr. Rieker said the text only was adopted and the map is pending. The density is in question. It is currently at 8 units per acre, but some Board members would prefer it to be 6 units per acre. The current applicant said he won't build if it's not 8 units per acre. Approval in the Overlay District is by conditional use. A discussion ensued amongst the Commissioners regarding the appropriate density for the Overlay District. Mr. Santi said he is leaning to a density of 8 providing we don't stuff every piece of property in the Township with the maximum density regardless of the zoning. We have also set further conditions for the Overlay District. Mr. Duffy said if we establish this in this district, that will give developers a strong argument for higher density in other areas. Mrs. Hull, Mrs. McNaney and Mr. Kroberger agreed with Mr. Santi to keep the density at 8 units per acre in the Overlay District.

Ordinance 2019-06 (Map Ordinance) will be on the agenda for July pending authorization to advertise the ordinance.

4. **Comprehensive Plan Steering Committee:**
Update

Mrs. Zadell reported the Comprehensive Plan Meeting will be held on June 19 and will focus on Open Space.

- * 5. **Merck & Co. waiver request from Chapter 113-1 & 124-5:** After hours crane work on Building 14 Roof Replacement Project. All Sundays in July and August 2019
Decision
- * 6. **Merck & Co. waiver request from Chapter 113-1 & 124-5:** After hours crane work on Building 75B Roof Replacement Project. All Sundays in July and August 2019
Decision
- * 7. **Merck & Co. waiver request from Chapter 113-1 & 124-5:** After hours crane work on Building 78A Roof Replacement Project. All Sundays in July and August 2019
Decision
- * 8. **Merck & Co. waiver request from Chapter 113-1 & 124-5:** After hours crane work on Building B29 Roof Replacement Project. Sundays in July, August, September 2019
Decision
- * 9. **Merck & Co. waiver request from Chapter 113-1 & 124-5:** Milling and paving operations at West Point site. 4 Sundays, June 30, July 14, 21 and 28, 2019
Decision
- 10. **Semi trucks left idling**
Update

Mrs. Zadell reached out to the Montgomery County Consortium. Only Springfield Township responded that they had something in place. Mr. Onorato will draft an ordinance for discussion. Neighbors have expressed concern regarding a truck/trailer being parked in a residential neighborhood for long lengths of time. A discussion ensued regarding what vehicles are acceptable/not acceptable. Mrs. Zadell and Mr. Onorato will keep researching to see if any neighboring municipality has an ordinance regulating vehicle size in residential neighborhoods.

ENGINEERING

11. **Report by T&M Associates (Updates)**

As reported by Russ Benner

- Sumneytown Pike Bridge Project
T&M is preparing a memo regarding a reduced scope of the project about what needs to be done now and what needs to be done and budgeted for the future.
- Sweetbriar Basin
Pipe will be delivered on Wednesday and Hersh will proceed to fix the breach. The project should be completed by the end of July. A water quality feature was added to help with stormwater.

- TMDL Reduction Plan
T&M met with the MS-4 committee. Comments regarding the plan are due by Thursday, June 20. If no comments are received from the committee, then it will be publicly advertised for comments and a hearing will be held in July. The cost for T&M to analyze and update the TMDL reduction plan was \$32,000 to realize a cost savings of \$8M based on the new regulations. The plan update is due in September 2019. Mrs. Zadell will make a presentation at the Public Meeting in July to educate residents on water quality and stormwater practices.
- 2019 Roads Program – update
We are currently waiting for the design of the handicap ramps from our contractor, Harris Blacktopping.

12. **Washington Avenue Stormwater**
Discussion

Mrs. Zadell sent out a memo summarizing the stormwater issues on Washington Avenue with possible solutions. Bob Argust from T&M Associates reviewed the properties and said we could crown the area at the end of the driveways and create a berm and have the water run to Township open space. Public Works can perform the work. Two properties on Washington are getting their own stormwater. The project is estimated to cost \$10,000. The Board agreed that if Public Works has money in the budget the project should get completed this year.

FINANCE/PERSONNEL/ADMINISTRATION

- * 13. **Recognition of Ben Townsend for 25 years of service**
(Will attend)
- * 14. **Recognition of Crossing Guard Ralph Gilchrist for 10 years of service**
(Attendance TBD)
15. **Verizon Franchise Agreement**
Discussion

The cost is the same for Cohen Law Group whether the Verizon Franchise Agreement is negotiated individually or as part of the consortium. Mrs. Zadell recommends being a part of the consortium. We can tailor parts of the agreement for Upper Gwynedd Township.

- * 16. **Resolution 09-2019:** Expressing opposition to PA HB 349 of the 2019/2020 session which would require municipalities enforcing the UCC with third-party agencies to utilize two or more third-party agencies

This bill has been before the House in the past. A formal resolution will clarify our position.

17. **HVAC Contract Renewal:** Admin Building
Discussion

Mr. Kroberger has reviewed both proposals and is recommending remaining with our current contractor who knows the Alerton control system.

18. **HVAC Preventive Maintenance Contract:** PW Garages, TAC, Community Center & WWTP
Discussion

PUBLIC SAFETY

- * 19. **Emergency Refueling Services for Large Incidents**
Discussion

The Montgomery County Department of Public Safety notified municipalities about emergency refueling. We have adequate refueling, but staff (Police, Fire, PW) felt that having additional resources is a good idea. Mr. Onorato will follow up on wording for item 5 of the agreement

PUBLIC WORKS/PARKS/RECREATION

- * 20. **Nor-Gwyn Baseball curfew extension requests for tournament games:** Use of field lights until midnight
Decision

A discussion ensued as to whether they are doing maintenance until midnight or if the curfew just for game play.

WASTEWATER TREATMENT

- * 21. **Payment #5 to Blooming Glen Contractors for the WWTP Hydraulic Expansion Project:** In the amount of \$379,823.25
Decision

- * 22. **Payment #2 to BSI Electrical Contractors for the PLC Replacement Project:** In the amount of \$58,207.00
Decision

- * 23. **Ordinance 2019-07:** Declaration of Taking, Permanent Construction Easement - 1619 & 1623 Valley Forge Road
Decision

This will be discussed further in Executive Session as a legal issue.

- * 24. **Ordinance 2019-08:** Declaration of Taking, Temporary Construction Easement – 1619 & 1623 Valley Forge Road
Decision

- * 25. **Ordinance 2019-09** – Declaration of Taking, Temporary Construction Easement – 966 Musket Drive
Decision

The Workshop Meeting was adjourned at 8:20 pm to Executive Session for personnel and legal issues.



Respectfully Submitted,

Sandra Brookley Zadell
Township Manager

/djl