

**WORKSHOP MINUTES**

August 20, 2019

\* Items are scheduled to be voted on at the August 26, 2019, Public Meeting.

The August 20, 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
Megan Weaver	Asst. Township Manager
David W. Duffy	Chief of Police
Anthony Ciuca	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 being reviewed by T&M regarding stormwater issues including reallocation of the basins. This could possibly be seen in September for a decision.
- ZHB #19-05 – Provco Remand - Started 6/25/19; continued to future date TBD  
Mr. Garrity summarized the above issue. Provco filed for reargument before the Commonwealth court saying the decision was wrong regarding the Conditional Use approval which was previously upheld by the court. This gives Provco a temporary stay. A decision should be rendered within forty-five (45) days.
- ZHB #19-07, Provco Substantive challenge  
This is scheduled on 9/10/19
- ZHB #19-08, 925 Lexington Ave. – permission to build on undersized lot  
This is to be decided on 8/27/19
- WCF Ordinance Amendment Draft –  
The Planning Commission recommended approval on 7/1/19. It is currently under review by the Montgomery County Planning Commission.
- 229 Morris Road – Preliminary/Final 3 lot subdivision –  
This is scheduled for Planning Commission in October

- ZHB #19-11 – 945 Crest Rd.  
This is a non- conforming lot that needs variance to permit a deck in the rear yard

2. **Code Enforcement Activity Report**

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

The committee discussed housing and homes at the last meeting on August 14, 2019.

- \* 4. **Merck & Co. waiver request from Chapter 113-1 & 124-5:** After hours crane work on Building 78A Roof Replacement Project. All Sundays in September and October 2019  
Decision

Merck is requesting four waivers for ongoing site work.

- \* 5. **Merck & Co. waiver request from Chapter 113-1 & 124-5:** After hours crane work on Building 38 PnP Roof Replacement Project. All Sundays in September and October 2019  
Decision
- \* 6. **Merck & Co. waiver request from Chapter 113-1 & 124-5:** After hours crane work on Building 14 Roof Replacement Project. All Sundays in September and October 2019  
Decision
- \* 7. **Merck & Co. waiver request from Chapter 113-1 & 124-5:** After hours crane work on Building 75B Roof Replacement Project. All Sundays in September and October 2019  
Decision
- \* 8. **Resolution 11-2019:** Preliminary/Final Land Development Plans for the Shoppes at Upper Gwynedd  
Decision

Jim Garrity, Special Counsel, said the Preliminary/Final Land Development Plans for the Shoppes at Upper Gwynedd were reviewed by our consultants. He added, the question for discussion is whether the Board believes this is ready to proceed to approval, subject to conditions. This land development has been before the Zoning Board, it has been through the conditional use process and there have been text amendments to the zoning ordinance brought about by this development. There are three (3) key issues in Andy Heinrich's letter who is the Township's Traffic Engineer; a dedicated right turn lane from Sumneytown Pike onto Church, the widening of Church Rd. and the applicant has agreed to further traffic count testing after the development has achieved some occupancy, but there is a question of when it should be performed; at 100% constructed or 95% occupancy and whether the applicant will be entitled to a credit against any fees as a result of that second traffic count. A discussion ensued regarding a 2009 agreement with Genuardi's (or their successors) involving certain road improvements in the amount of \$147,000. Mr. Garrity questioned whether the agreement meant to foreclose any other agreements ever needed on that property and that has still not been decided. Mr. Koberger said when we entered into the agreement with Genuardi's, they had a land development plan in process. The Township had made improvements off of Church Rd. along Sumneytown Pike based on that particular development. He added that Mr. Heinrich is suggesting the widening of Church Rd. based on this new land development plan. Further discussion ensued regarding the widening of Church Road. There is a Verizon box that would have to be moved at considerable expense in order to allow for a dedicated right turn lane and whether there is a benefit of the right turn lane. Heinrich's letter says that the right turn lane may be beneficial only during the afternoon peak. Mr.

Benner said there have been corrections made to the plan to correct traffic conflicts inside the site with delivery trucks, fuel trucks, etc. Exit onto Church Rd. is full access in/out.

Mr. Benner went on to say visual inspections revealed there is an issue with sight distance from Sumneytown Pike which is affected by the pedestrian bridge. This is discussed in the T&M and Heinrich letters.

Mr. Benner reported there was an environmental covenant on the property that related to the former gas station on the property. There are three (3) areas that need to be remediated. He asked how these areas relate to the covenant and requested an explanation from the applicant. This issue was identified in the latest review letter. Most of the review comments are tied to the waiver issues that have been or are being addressed. The applicant can't infiltrate stormwater on the property, so they must slow release stormwater. Lastly, there were thermal issues concerning discharge of stormwater into Wissahickon Creek that have been addressed.

Mr. Kroberger said there is a well that Merck needs to continue to monitor in compliance with DEP. Mr. Garrity said this well is subject to a covenant. The applicant explained there is an environmental covenant relating to three (3) wells that will need to be removed and the one (1) additional well that Merck monitors through the EPA. This will require an easement with Merck, and they are working with Merck to address this issue. The diesel tank under the former Giant building will be removed at demolition. Mr. Benner requested an environmental summary from their environmental engineer and clarification from the applicant about how all of the covenants and remediated areas are tied together.

EEMA review letter came in today regarding wastewater with no significant issues. Mr. Kroberger said further conversations are needed regarding traffic and the clarification that Mr. Benner has requested. Mr. Garrity asked if this will be on the Public Meeting Agenda for consideration. Mr. Kroberger replied that will depend on whether all the information is received in time for the meeting.

- \* 9. **Ordinance 2019-11: Short-term Rentals**  
Hearing at Public Meeting  
Decision

Mrs. Zadell reported there will be a hearing on this ordinance next Monday concerning short-term rentals such as AirBnb. Mr. Rieker add this is a follow up to the Supreme Court decision that allows municipalities to regulate short term rentals.

- \* 10. **Ordinance 2019-06: Sumneytown Pike Overlay District Map**  
Hearing at Public Meeting  
Discussion/Decision

Mrs. Zadell said there will also be a hearing on this ordinance at Monday's Public Meeting.

## **ENGINEERING**

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

As reported by Russ Benner

- Sumneytown Pike Bridge Project  
This should go out to bid in two (2) weeks. There will be a sixty to ninety-day construction period for this project.
- Sweetbriar Basin  
This is complete except for fencing. An additional new pipe has been ordered. We will coordinate grant reimbursement

- 2019 Roads Program – update  
This project has begun in Parkside Place with the installation of ADA ramps.

## **FINANCE/PERSONNEL/ADMINISTRATION**

- \* 12. **Donation to UGCA:** by the Reserve at Gwynedd for DARE  
Presentation at the Public Meeting

The Reserve at Gwynedd HOA will make a presentation at the Public Meeting on Monday.

- \* 13. **Recognition of Steve Gillen for 30 years of service to the Township**  
(Unable to attend)

To be deferred to September

- \* 14. **Recognition of Liam Lynch for attaining the rank of Eagle Scout:** Project – Gaga Pit at  
Garfield Park  
(unable to attend)

To be deferred to September

- \* 15. **Verizon Franchise Agreement**  
Hearing at Public Meeting

This hearing is for residents to make comments regarding the agreement with Verizon.

- \* 16. **Advancement of \$10,000 to fund the UGCA for startup capital**  
Decision

The Upper Gwynedd Community Association has requested some capital funding for the startup.

17. **Public Access Channel Repair**  
Discussion

Mrs. Zadell reported that Comcast informed us that our government access channel is not streaming. They want to know if we want to fix it or discontinue with it. Mr. Santi said it is a means of getting information to the community. Mr. Brill reported the Verizon channel is down in addition to the Comcast channel. A discussion ensued regarding whether residents use the channel. It is \$1800 to repair the channel. Mrs. Zadell said it may not be the most efficient way to get information to our residents. Verizon or Comcast do not have any stats of those who use the channel. She reported that no resident has called to tell us the channel is not working. Mrs. Zadell will review the agreements with Comcast and Verizon will tell the utility companies we will keep the channel so we do not give up any rights to it, but it may not be active at this time.

**PUBLIC SAFETY**

- \* 18. **5th Annual Home at Last Dog Rescue 5k Run, Dog Walk and Fall Pet Fair:** Saturday, October 26, 2019 at 9:00 am  
Decision

All three of these races have been vetted by the Police Department and recommended for approval.

- \* 19. **National Pediatric Cancer 5K Walk:** Saturday, September 14, 2019 from 7:30 am – 2 pm  
Decision
- \* 20. **7<sup>th</sup> annual Friedreich's Ataxia Research Alliance Charity Bike Ride:** Sunday, October 13, 2019
- 21. **Signage at Oakland and Meadowbrook**  
Discussion/Decision

Chief Duffy reported this signage change is a minor improvement for traffic flow. This will replace a stop sign at Oakland & Meadowbrook with a yield sign. No further vote is required.

**PUBLIC WORKS/PARKS/RECREATION**

- \* 22. **Payment #2 to Floyd Hersh for Stormwater Projects:** in the amount of \$83,540.00  
Decision
- \* 23. **Authorization to advertise the bid for Snow Plow Equipment Rental**  
Decision
- 24. **E-Recycle Event**  
Discussion

Mrs. Zadell received a request from John Tierney to provide a recycling event for the residents of Upper Gwynedd. This is to dispose of items that cannot be placed in normal trash (TV's, computers, air conditioners, etc.). The recommended vendor, (PAR) is reasonably priced. Mrs. Zadell recommends that residents pay for the disposal directly. We will need some Public Works employees to facilitate the event (check ID with street addresses).

The shredding service would cost the Township \$500-\$800. The PAR company has an opening on November 2, 2019 to host this event. The Board gave approval to move forward with this event.

## WASTEWATER TREATMENT

- \* 25. Payment #7 to Blooming Glen Contractors for the WWTP Hydraulic Expansion Project: In the amount of \$337,880.85  
Decision
  
- \* 26. Flow Diversion Project Bid Award – Pump Stations (General Mechanical) & Force Main Combined: to Pact One in the amount of \$10,715,000.00  
Decision (Pending Engineer review)
  
- \* 27. Flow Diversion Project Bid Award – Pump Stations Electrical: to BSI in the amount of \$777,000.00  
Decision (Pending Engineer review)

The Workshop Meeting was adjourned at 7:56 pm to Executive Session for personnel and legal issues.

Respectfully Submitted,



Sandra Brookley Zadell  
Township Manager

Approved September 23, 2019



/djl