

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

PUBLIC MEETING WORK SESSION MINUTES

April 10, 2023

This meeting was held in person at the Township and live streamed on our website at www.uppergwynedd.org

PLEASE NOTE: The Commissioners made decisions on the following items: #21 and #22 and those decisions are included in these minutes.

1. Call to order

The April 10, 2023, Public Work Session of the Upper Gwynedd Township Board of Commissioners was called to order by President of the Board, Denise Hull at 7:01 PM. This meeting was recorded and visually taped.

2. Pledge of Allegiance

The Pledge of Allegiance was led by Township resident Beth Miller.

3. Roll Call

Roll call was taken by Deanna Logan, Executive Assistant to the Township Manager. The individuals in attendance were:

Denise M. Hull	President
Katherine D. Carter	Vice President
Liz K. McNaney	Commissioner
Martha A. Simelaro	Commissioner
Ruth S. Damsker	Commissioner
Sandra Zadell	Township Manager
Megan Weaver	Assistant Township Manager
Lauren Gallagher	Township Solicitor
Isaac Kessler	Township Engineer
David Duffy	Chief of Police
Nathan Crittendon	Finance Director
E. Van Rieker	Zoning Officer

4. Announcement of Executive Sessions

Ms. Gallagher said the Board met in Executive Session prior to tonight's meeting to discuss matters of litigation.

5. Recognition of Jim O'Mara for 5 years of service to the Township (4/18)

6. Walters Group Presentation (1500 Pennbrook Pkwy.) 4/10

- Kim Krauter, Director of Development, Ed Speitel, Vice president of Land Development and Joe Clement, Solicitor.

Joe Clement said this process is now over a year old. The group is looking for a zoning change from LI to TOD at 1500 Pennbrook Parkway. He went on to say that certain issues had to be addressed, including density, which is why the project has been stagnate for so long. A second parcel of land was purchased to take care of the density issue.

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Ed Speitel said the Walters Group is 40 years old and handles development, construction, management and ownership under one roof. They currently have over 2000 units under development, construction and management. 1500 Pennbrook Parkway (2 parcels) consists of just under 6 acres of land. This is a workforce housing development that offers more affordable rents as a result of LIHTC investments. This property offers pedestrian connectivity to train and bus stops giving residents access to jobs. This concept plan shows 60 units in 6 buildings with a stand-alone clubhouse, stormwater management facilities and perimeter buffering around the site. Every unit has its own front door with no common hallways. Community features include the clubhouse with community room, fitness center, computer lab, playground and/or basketball court, a trash center with compactor. Each unit features wood flooring, granite countertops, open floor plan and washer/dryer in each unit. A traffic study revealed a less intense use for the site that will likely reduce the number of vehicular trips and parking demand than its current use. Perspective residents have income that ranges from \$15,280 to \$65,790. Almost half of renters in UGT are spending more than 30% of their incomes on rent. Workforce housing provides rents that are less than 30% of income.

The Walters Group pride themselves on sustainability and are at the cutting edge of green building and have been gold certified and energy star certified. Mr. Speitel announced a resident meeting on Monday, April 17th at 6:30 pm between the developer and the community at the Township Administration Building.

7. Public comments and concerns (limit of five minutes per individual)

Carl Smith asked the Walters Group to explain market rate housing and workforce housing. Mr. Speitel said market rate housing rates at Pennbrook Station Apartments range from \$1800 to \$4000 per month. Workforce housing is based on household size, median income levels and where you slot so your rent will be no more than 30% of your household income. Mr. Smith asked if it is controlled by the government. Mr. Speitel said It is through the LIHTC process.

Mrs. Hull asked Mr. Speitel to explain the process of getting tenants. He said there is an application that is fielded by the management company, then vetted through the company and a third party for verification to see if the applicant qualifies for housing. There are a large number of applicants but only a small percentage that qualify. A waitlist exists at each community with some on the list for years.

Mr. Smith asked Joe Clement about a letter he wrote that was submitted with the grant application for funding and if the Township supported the effort. Mr. Clement said the letter does not indicate support but says we are working with the Township on the process for a possible zoning change. Mrs. McNaney read the portion of the letter that Mr. Smith referenced which reads: 'The Township's Planning Review Committee and Board of Commissioners has requested that Township staff work with us to draft a developer proposed zoning ordinance for consideration by the Board of Commissioner's based on principles set forth in the TOD - Transit Oriented Development zoning which would permit our proposed multi-family apartment for work force housing on the Property.'

Mrs. McNaney asked if this will lower property values. Mr. Speitel said no, and he will present studies next week that this type of housing does not lower property values. Mrs. Zadel said she will post the info on the website.

Linda Smith asked who this would serve. Mr. Speitel said it will serve many residents that already work and volunteer here as well as those that work retail jobs, in the school district as well as those that have to drive long ways to get to work. Mrs. Hull stated this is not subsidized housing. Ms. Krauter said Section 8 is subsidized housing. This program is to help decentralize poverty and is based on tax credits and nothing comes from taxpayer money. It is not government assisted. The Walters Group gets awarded tax credits which they sell to major banks which give them money up front to build housing units. These buildings pay real estate taxes.

Don Hamm made comments on the properties he owns and rents.

Carolyn Powers asked the Walters Group about research on crime. Mr. Speitel said there is no more crime at our sites than any other development and logs are maintained at each site. The Walters Group meets with each Police Chief each year for review of policies and invited the Board to contact the police and other boards where they have communities and talk to them. He added he will be happy to share their crime statistics. She also

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asked what school the children will attend. Mr. Speitel said there are approximately .75 school age children per unit which equates to a couple children per grade.

Steve Kiefer said he is doubting the lack of impact this project will have on the community.

Anna Rosmini said she is extremely disappointed with the propaganda from the Walters Group and the Board.

Karen Virillo asked about the waiting list. Mr. Speitel said there is no one on a waiting list for Upper Gwynedd. She asked if they are required to comply with any quotas for homeless, mentally ill, etc. The response was no.

Pat Grant, non-resident commented about section 8 housing in North Wales Borough.

Dan Wallace asked if this change would affect the amount of LI zoning required. Ms. Gallagher said we are only required to provide LI, but not a specific amount. This will have no impact on zoning. Mr. Wallace also asked if there will be a condo association. Mr. Clement said yes there will be a condo association.

Carolyn Reyes asked who will manage the property. Mr. Speitel said it will be managed by the Walters Group. He said residents can stay as long as they like as long as they qualify.

Wendy Beatty Berg asked how many units there will be. Mr. Speitel said 60 units. Ms. Krauter said we worked through the process of making the program stronger with 60 units and added an additional 1.6 acres to the project.

Sam Wampole asked if the ground has been tested for contaminants. Mr. Speitel said environmental studies have been done on both lots and they are waiting for some results.

Vincent Altieri, non-resident, asked who initiated this project. Ms. Krauter said the Walters Group researched the property for this type of purpose and engaged a broker for the property prior to talking to the Township about next steps. Mrs. Hull said no decisions have been made with this property. This is in the creative process of the PRC (plan review committee). The PRC is a place to come to vet ideas.

Patty Fegish asked if the Board is helping them reword their zoning. Ms. Gallagher said the applicant presented a draft amendment for zoning. That draft is reviewed by Mr. Rieker and Ms. Gallagher to make sure it is consistent with Township ordinances.

Erin Feltis commented about vision misalignment. Mrs. Hull said we will take the information from tonight's meeting to see what we can do about the issues brought up tonight. We have numerous conversations about how we can communicate with the community for their feedback. Ms. Gallagher said the next step is up to the developer.

Susan Baker Wendt asked if everyone had to have an income. The Walters Group said yes, they all have income. Mr. Speitel said we vet all the applicants and get the highest quality tenant. There is a certain minimum amount and maximum amount of income to qualify. Ms. Krauter said criminal background checks are completed on each resident. She said an experienced landlord can evict a resident and has the tools necessary to do so. She added the rents presented this evening on based in Montgomery County and they can go up. With a market rate apartment, rents can be raised whenever a landlord wants to raise them, but this type of housing cannot. She added that there are four (4) 20% units, and nine (9) market rate units and most residents will be making the minimum of \$40,000 to qualify.

Remesh Desai asked about the initial number of units. Ms. Krauter said the plan was initially 44 units on 4.1 acres, but we couldn't make that plan work, now it is 60 units on nearly 6 acres.

Glen Hatfield asked if the Board is looking to make the Township denser. Mrs. Hull said the development across the street is from 1500 Pennbrook Parkway and is denser than this proposed plan. He also asked if banks commit to grant funding prior to the purchase of property. Ms. Krauter said we have applied for smaller grants to get the project started before larger grants are obtained. She added that banks are required to reinvest in the

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community, so they purchase the tax credits from us. She went on to say that predominately these apartments are for your hard working \$40,000 – \$65,000 income with only four (4) units of lower income.

Greg Moll commented about some of the comments brought up tonight by other residents.

Margaret Burke said developing a property should be about zoning and not about who will be able to live there.

Carl Smith commented about the Township and rezoning of the industrial property.

Mrs. McNaney said the commissioners are doing research to learn about affordable housing and are taking this very seriously as this is what we do as commissioners. She asked if this is considered spot zoning. Mr. Clement said no. This zoning is an extension of the Point at Pennbrook Station. She asked about the effects of urbanization and the effects on the police department. Ms. Krauter said we can come prepared with more statistics on this. The Walters Group is known for building in affluent areas and there is no increase in crime. Mrs. McNaney asked about the differences between section 8, subsidized housing and workforce housing. Ms. Krauter will share the information at Monday's resident meeting. Mrs. McNaney asked where the closest development is. Ms. Krauter said there are housing units in Hatfield Township at Derstine Run, North Penn Commons and Schwenksville Terrace. She asked if a new industrial business would produce more traffic as opposed to this project. Ms. Krauter said a new business will produce significantly more traffic (especially trucks) than this proposed development according to a recent traffic study. Mr. Speitel said there are 1.8 parking spaces per unit, which is more than the required 1.3 spaces. Mrs. McNaney asked about the impact of additional children on the schools. Mrs. Zadell said we follow the MPC (Municipal Planning Code) and the Board does not decide on the impact to schools. Ms. Gallagher said typically any interaction with the school district would be if there was a request for an Alerta which is a tax break given by the county, township and school district but that is not being requested so there is no decision from the Board on impact to schools. Ms. Krauter added that 27 of the proposed units are 1 bedroom and there will be no children in those units.

Mrs. Carter clarified that the housing units mentioned are for seniors and the proposed development is for any age group. She said it took her two (2) years to get her mother into Schwenksville Terrace because it is an arduous application process.

Departmental Reports

8. Manager's Report (Sandra Zadell)

As reported by Sandra Zadell, Township Manager

Mrs. Zadell said she is happy our residents are taking advantage of our programs and events. She added that several of the new Parks & Recreation programs sold out in two (2) minutes and over 200 native trees and plants were reserved in a short amount of time for the Arbor Day event sponsored by the EAC.

9. Planning and Zoning Report (E. Van Rieker)

As reported by Van Rieker, Zoning Officer

- **ZHB 22-21, 1601 Valley Forge Road (Wawa).** Special Exception to permit the sale of gas and other motor fuels and variances to permit additional signage [and less than 10% of the parking lot to be devoted to landscaping.] This variance has been withdrawn.

This process started December 2022 with testimony concluded on April 4, 2023; A decision tentatively scheduled May 23, 2023.

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- **ZHB 23-04: 944 Crest Road** – Variance to permit a porch to extend 6 ft in the required front yard.
This was approved March 28, 2023
- **ZHB 23-05, 869 Twinlyn Drive** – Variance to permit a 1-story sunroom to extend 10 ft 8 inches into the rear yard.
This was approved March 28, 2023
- **ZHB 23-06, North Penn Auto Service, 1605 Valley Forge Road.** Appeal of Zoning violation for parking and storage of vehicles on 1601 Valley Forge Rd.
This was continued to June 27, 2023.
- **ZHB 23-07, 104 Barberry Road** – Variance to permit roofed patio to extend 7.5 ft into required rear yard.
This was approved March 28, 2023.
- **ZHB 23-08, 201 Church Road, Unit C** – special exception to permit the cutting and polishing of granite. Zoned L-I (Limited Industrial).
This is scheduled for April 25, 2023.
- **ZHB 23-09, 983 Allentown Road, Bridge Community Church** – Variance to permit a shed to be located within the 100 ft setback, 25.9 feet proposed.
This is scheduled for April 25, 2023.
- **ZHB 23-10, 1238 Dickerson Road** – variances to permit roof over patio in side yard and gazebo in front yard.
This is scheduled for April 25, 2023.
- **ZHB 23-11, Upper Gwynedd Township** – Variance/Interpretation to replace LED panel and variances to permit more than three lines of LED text and more than one color per message.
This is scheduled for April 25, 2023.
- **ZHB 23-12, 402 Swedesford Road** – variance to permit the height to mid-point of garage roof of 15 ft. 10 inches where 14 ft. is the maximum permitted.
This is scheduled for April 25, 2023.
- **Land Development Plan for development of 10 twin dwelling units (5 buildings) at Moyer Blvd. and West Point Pike.** UGT Planning Commission recommended approval with conditions on January 11, 2023.
This was approved by the BOC March 21, 2023.
- **Subdivision Plan for 2 lots, 645 Sumneytown Pike.** UGT Planning Commission recommended approval with conditions on January 11, 2023.
ZHB approved 3 units with conditions.
The Applicant will submit for BOC approval of 2-lot subdivision.
- **1500 Pennbrook Parkway, Walters Group** – TOD residential development. Proposed zoning map overlay amendment. (60 DU on 5.7 acres).
This will require a text amendment and map amendment. The overlay gives an applicant the ability to construct a plan with additional options. The LI is the current use of the property, and the overlay gives additional options for developing based on certain criteria.

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- **1836 S. Broad St. (update)**

Mr. Rieker reported the owner has been cited. He went over the single dwelling unit requirement with the owner. The owner has 30 days to comply with certain regulations or will be going to district court. A second inspection will be conducted on 4/17.

10. Engineering Report (Isaac Kessler)

As reported by Isaac Kessler, Township Engineer

- **Haines Run Streambank Restoration Project** – this project is a large-scale streambank improvement project to restore the naturalization and effectiveness of the stream and its floodplain, which improves its ability to have water move through the system and lower the risk of flooding due to obstructions in the waterway. We are in the permitting stage with DEP. We look forward to having a meeting in April and May with Township staff, stakeholders, and residents to review the project and receive feedback from the public.
- **Dickerson Road Drainage Improvements Project** – we have been able to coordinate the three utility companies to schedule their work to resolve the underground conflict in the project area. They are scheduled at the end of April (tentatively 4/26 and 4/27). Following this utility work, the drainage project will be completed by the contractor.
- **Spring Cleanups (MS4 Program)** – with the weather warming and grass growing, please remember to properly dispose of yard waste and any cleaning products. Our Township MS4 Program strives to keep our storm sewer system and waterways clear of items that may clog drains (grass clippings and yard waste) and pollutants (cleaning products or oils). Each resident in the Township is part of the team for our MS4 goals.

Denise M. Hull, PRESIDENT Finance/Personnel/Administration

11. Staff Department Reports

Parks & Rec	Public Works	Police	Zoning	Code Report
Eng. – G&A	Eng. – RVE	UGFD	NPFD	VMSC

This will be placed on the consent agenda

12. Public Meeting Minutes of March 13, 2023

This will be placed on the consent agenda

13. Public Meeting Minutes of March 21, 2023

This will be placed on the consent agenda

14. Approval of the Proclamation for Arbor Day 2023

15. Approval of Proclamation for Library Week 2023

Jayne Blackledge will give a presentation about the library at the next meeting.

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Katherine D. Carter, Vice President **Public Safety**

16. Announcement: Coffee with a cop, April 22nd, 8 am – 10 am

Mrs. Carter said this is a North Penn Police Athletic League event and will be held in the Pavilion.

17. Fire Department grant announcement

FEMA awarded the Upper Gwynedd Fire Department \$200,000 for their stipend program. She recognized Blaise Mullaly as he was instrumental in writing this grant.

Ruth S. Damsker **Zoning/Planning/Code Enforcement**

18. Approval of the Merck waiver request from Chapter 113-1 & 124-5 for Sunday work hours at WP50 for equipment installations with crane lifts. Sunday work beginning May 7 – December 17, 2023

This will be placed on the consent agenda

Liz K. McNaney **Public Works/Parks/Recreation**

19. Approval of the Equipment Rental Bid for various Stormwater Projects to Floyd G. Hersh in the amount of \$313,600

20. Approval of the Ambler Olympic Club 5K Race on Saturday, August 26, 2023 from 7 am – 12 pm

This will be placed on the consent agenda

21. Approval of the Walk the Wissahickon Event on Saturday, September 30, 2023 from 7 am – 8:30 am and the Wissahickon 5-mile Trail Race on Saturday November 4, 2023 from 7:30 am – 12:00 pm

This will be placed on the consent agenda

22. **DECISION:** Motion to approve Resolution 10-2023: DCNR grant application for Whittaker and Rexdale Park Upgrades

Mrs. Zadell said this is for playground improvements at Whittaker and Rexdale. We will not make those improvements if we don't get the grant.

Hearing no public questions or comments, upon motion by Mrs. Damsker, seconded by Mrs. Simelaro, the motion was unanimously approved

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23. **DECISION:** Motion to ratify the Township's Street Light Procurement Program agreement with Signify.

Ms. Weaver said the Board authorized all agreements, but Keystone has decided to go with a different vendor because of supply chain delays.

Hearing no public questions or comments, upon motion by Mrs. Damsker, seconded by Mrs. Simelaro, the motion was unanimously approved

Martha A. Simelaro **Wastewater Treatment**

24. Approval of Resolution 09-2023, Pre-Treatment Fees for 2022

Mrs. Zadell said this is the pre-treatment fees for industrial users.

25. Approval of the Sanitary Sewer Easement Agreement between Toll Mid-Atlantic, Worcester Township and Upper Gwynedd Township

Ms. Weaver said this is a land development project in Worcester Township, but sewage goes to the Township's Wastewater Treatment Plant. This allows the Township access to the sanitary sewer lines should a problem arise.

Other Business

26. Approval of April 2023 Open Invoices (via roll call vote)

27. Approval April 2023 Paid Invoices (via roll call vote)

28. Call for Adjournment

Mrs. McNaney clarified that research she did on section 8 housing was done through personal learning and for her own benefit. When it came to including Township business, further research was done through her UGT email.

Mrs. Hull adjourned the meeting at 10:04 pm.



Respectfully Submitted,

Sandra Brookley Zadell
Secretary

/djl