

**LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING
TUESDAY, OCTOBER 9, 2018**

SUPERVISORS PRESENT:

Kathleen Hunsicker, Chair
Dr. J. Richard Booth, Vice-Chair
Edward J. Brandt
Stephen Paccione
Mark Grey

STAFF:

Craig T. McAnally, Township Manager
Jamie Worman, Assistant Township Manager
Carole Culbreth, Assistant Secretary
James J. Garrity, Esq., Solicitor
Paul Kenny, Police Chief
Mike DeStefano, Public Works Director
Ken Amey, Zoning Officer
Steve Wiesner, Finance Director

Call to Order and Pledge of Allegiance

The Chair called the meeting to order at 7:30 p.m. in the Lower Gwynedd Township Municipal Building and led those in attendance in the pledge of allegiance. The Chair stated the Board of Supervisors met in an Executive Session before the meeting on personnel matters.

Leola Hubbard introduced Carol Johnson visiting from Sidney, Australia. The Board welcomed Ms. Johnson.

BUSINESS & FINANCE

**Receipt of Meeting Minutes: September 11, 2018
 September 25, 2018**

The Board of Supervisors received the September 11 and September 25, 2018 Meeting minutes. The Chair asked if there were any questions or comments. There were none. Dr. Booth made a motion, seconded by Mr. Brandt to approve the September 11, 2018 and September 25, 2018 Meeting minutes. The motion carried 5 - 0.

Resolution No. 2018 - 31: 2017 Hazard Mitigation Plan

Ms. Hunsicker stated Frank Baxter was appointed as Lower Gwynedd Township's Emergency Management Coordinator by Governor Rendell. Mr. Baxter stated every three years the County must complete an assessment that outlines processes for identifying their respective natural hazards, risks, and vulnerabilities. He stated the Township's biggest hazard is weather related and utility interruptions. He recommended the Board adopt the County's 2017 Hazard Mitigation Plan. Mr. Grey stated there are not many hazards except flooding. Mr. Grey asked Mr. Baxter to find out if the County's Hazard Mitigation Plan does anything to mitigate the flooding problem of our adjoining municipality and if it makes suggestions which can be implemented by the Township. The Chair asked if there were any comments or questions. Jo White, Stonebridge Road, asked to have the electrical wires on Sumneytown Pike

buried. Mr. Baxter stated that's up to PECO. Mr. Grey made a motion, seconded by Dr. Booth to adopt Resolution No. 2018 - 31: 2017 Hazard Mitigation Plan. The motion carried 5 - 0.

PUBLIC COMMENTS

The Chairman opened the meeting for public comment for items not on the agenda.

Mike Pirante, McKean Road, stated street racing occurs on McKean Road from 10:30 pm until 12:30 pm. Chief Kenny stated he will look into it.

Carol Jones, Penllyn, asked why the Democratic signs were removed on public property. Ms. Hunsicker stated the signs can be placed 14 days before Election Day. Ms. Jones stated last year Ms. Hunsicker's signs were on private property during the Pike Fest. Ms. Hunsicker stated her signs were on private property of local businesses with their approval. Ms. Jones looked at the ordinance and nowhere does it say 14 days. Ms. Hunsicker stated it is noted in the temporary sign section. Ms. Jones stated Gwynedd Mercy always has signs out which are in violation of the ordinance. She said we never had a problem before. Mr. Garrity stated political signs are not permitted on public property, however, it is really not enforced. He stated it is a legitimate issue and we will strive to do better. Ms. Jones asked the Chair for a letter to be sent to the Democratic Committee. Gloria Jones, Pershing Road, stated for over thirty years they never had a compliance issue, and fourteen days is too short a time for such an important event. She asked if the Board would entertain changing the fourteen day limit addressing campaign signs. Mike Twersky, 810 Spring House Farm Lane, asked what the difference is between political and non-political signs; and temporary and campaign signs. He stated the constitution prohibits content based restrictions. Mr. Garrity stated a new sign ordinance is being created. Mr. Steinman, Norristown Road, asked if political signs are 30 days and temporary signs are 14 days. Mr. Garrity stated 14 days before the election and 10 days after the election and some signs never come down. Mr. Grey recommended the Solicitor meet with staff to work on a new sign ordinance. Mr. Brandt concurs with Mr. Grey, and stated there is no political intent. Dr. Booth stated he sat down with the Manager and the Chief-of-Police and was told the signs can be put out 14 days before Election Day. Ms. Jones asked where the 14 days came from. Mr. Paccione apologized and stated he agrees with Mr. Twersky. He stated we need to address this issue.

There were no other comments.

BUILDING AND ZONING

Authorization to Advertise Ordinance: Text Amendment

Ms. Hunsicker stated we are asking for authorization to advertise a public hearing for a proposed text amendment tonight. Mr. Amey summarized the MRA Group proposed text amendment to the D-1 Special Use District which permits additional uses in existing buildings. He stated the applicant is here with his attorney, Nate Fox, Esq. to explain the different uses. Dan Fuchs, Vice President of the MRA Group, stated there is great interest on the property and the proposed text amendment proposing a hotel, conference center, and restaurant etc. for the core of the property which will make it more competitive. Mr. Garrity stated the proposed text amendment states additional uses are permitted only

by a Conditional Use Hearing. He stated the Board has a right to impose conditions before MRA starts the Land Development Process. Mr. Fox stated the text amendment also proposes an ancillary use for an educational or training facility in support of a permitted use. Mr. Garrity clarified that they are **not*** asking for a hearing tonight nothing else.

The Chair asked for comments from the Board. Mr. Grey questioned if MRA is looking for a waiver of land development. Mr. Fox stated a conditional use application will be used for the hotel and would go through land development, or a waiver of land development would be required. We are asking for a change in zoning and then we would go through land development in whatever avenue is available to us. Mr. Fox stated the D-1 Special Use District will allow the use within the existing DOW buildings. Mr. Fuchs stated the new boutique hotel and conference center will be great for the community. Mr. Grey asked for the number of rooms in the hotel and if the Fire Marshal approved. Mr. Fuchs stated not more than 120 rooms and a conference center. Mr. Brandt stated this is an authorization to advertise. He stated he is impressed with MRA and the process will bring MRA back for discussions. Mr. Paccione stated he likes the idea but needs more information. Ms. Hunsicker stated the Board are not voting tonight just moving the process along for an informed vote. Mr. Paccione asked for a traffic study. Mr. Fuchs stated this is a vision of the core uses to the existing buildings. Mr. Paccione stated it takes six months to a year for the process. Mr. Fuchs said he would like to proceed, and the Conditional Use process gives the Board more control. Mr. Fox stated the land development approval never happens if the text amendment is not approved. Ms. Hunsicker stated once the process is started and if a traffic study is required it will be done. Mr. Brandt stated the Board is split and called for a vote. Mr. Pirante stated McKean Road, a secondary road, was not designed for over 500 vehicles a day. He stated for the record this is an issue. Ms. Hunsicker stated this will be taken into consideration. She stated let's bring it to a vote and not waste anyone's time. Ms. Hunsicker stated the traffic on McKean Road is on the record and staff will vet the issues. Mr. Pirante restated the Board is going ahead without a master plan. Mr. Melograno question the timing of the text amendment ordinance and the process and when the text amendment will finally be on the Board of Supervisors agenda for consideration; and then back to the Board for Conditional Use Approval; and then Land Development. His point is the project will not move fast enough, so do it with a master plan. Mr. Paccione questioned when the traffic study will be completed. Mr. Fox stated in order to get there we need to submit a sketch plan not permitted uses for the hotel/conference center. Mr. Fuchs stated there are no other development rights in the existing structures; we are concentrating on the core. Dr. Booth asked if the text amendment is passed will leasing improve. Dr. Booth stated a traffic study will need to be completed going forward to determine if there is more traffic than when DOW occupied the site. Mr. Fuchs stated Thomas Jefferson University will use the current laboratories for bio research and training. They will be a great tenant. Dr. Booth made a motion, seconded by Mr. Brandt to authorize the advertisement of MRA's proposed text amendment. The motion carried 3 ayes (Booth, Brandt and Hunsicker) and 2 nays (Grey and Paccione).

As corrected in the November 13, 2018 Meeting Minutes. (Mr. Garrity clarified that they are **not asking for a hearing tonight.)*

Resolution No. 2018-30 - Mackell Subdivision and Land Development
1323 Gypsy Hill Road

Mr. Amey gave an overview of the Mackell Subdivision and Land Development on 1323 Gypsy Hill Road owned by Dr. Mackell. He explained the property is a flag lot which the applicant proposes to subdivide into two lots. He stated the existing dwelling is to be kept on lot 1 and a new dwelling is proposed including an attached garage, an additional garage, and a pool and patio. He stated the Mackell Subdivision has been reviewed by the Township Engineer, Fire Marshal and the Planning Commission. Mr. Amey stated Dr. Mackell is asking for a waiver to eliminate the requirement to provide replacement trees in accordance with the 1 caliper inch per 1 caliper inch requirement; and it appears that the 832 caliper inches will be removed with no trees proposed to be replaced. Mr. Garrity stated under paragraph 9 the temporary construction and permanent operation and maintenance easement agreement with the owners of 1321 Gypsy Hill Road shall be subject to the review and approval of the Township Solicitor. Mr. Grey questioned the tree extraction. Mr. Amey stated Dr. Mackell proposes to add 219 caliper inches of trees and requested a waiver for the tree replacement considering they are only shy of the requirement by 62 inches. Mr. Grey asked what 62 caliper inches amounts to. Mr. Garrity stated \$6,000/\$7,000. Ms. Hunsicker stated the Fire Marshal's comments have been satisfied. Mr. Brandt made a motion, seconded by Dr. Booth to adopt Resolution No. 2018 - 30 Mackell Subdivision and Land Development. The motion carried 5 - 0.

Ordinance No. : Impact Fee/In Lieu of Dedication

This item has been tabled and will be re-advertised.

Ordinance No. : Brush, Weeds and Grass

This item has been tabled and will be re-advertised.

OTHER BUSINESS

MS4 Update, Jim Hersh, Gilmore Associates

Mr. Hersh, Gilmore Associates, gave a progress report on the DEP MS4. He stated the Township is up-to-date and in compliance with current regulations. Ms. Hunsicker thanked Mr. Hersh for the update.

Supplemental Appropriation to Pension Plans

Mr. McAnally stated the Township received \$43,593.75 in State Pension Aid in excess of the amount budgeted. He stated our Actuaries recommended the following allocation be deposited into our pension plans.

Police Plan -	\$28,024.55
Non-Uniform Plan -	\$15,569.20

Mr. Paccione made a motion, seconded by Mr. Grey to allocate the State Pension Aid \$43,593.75 in the above Pension Plans. The motion carried 5 - 0.

Exterior Exit and Closet Doors Township Building

Mr. DeStefano stated the Public Works Department received three estimates to replace the eight single exit/entry doors. He recommends we accept the lowest estimate submitted by Monarch Door Company

in the amount of \$13,340.00. Dr. Booth made a motion, seconded by Mr. Grey to replace the eight-single exit/entry doors and accept the lowest estimate submitted by Monarch Door Company in the amount of \$13,340.00 The motion carried 5 – 0.

Sale of Retired Vehicles

Mr. DeStefano stated the Public Works Department asks for permission to advertise and receive bids to sell the three below items through Municibid and accept the winning bids to take place at the November 27 Board meeting.

- 2006 Ford 500 Sedan
- 2002 International Dump Truck
- 2007 GMC Pick Up Truck and Plow

Mr. Brandt made a motion, seconded by Mr. Grey to advertise and receive bids for the above items. The motion carried 5 – 0.

MANAGER’S REPORT

Report from the Manager – Municipal activities, projects

Mr. McAnally reported on two grants: 1. the Greenways Trail for Welsh Road pedestrian bridge was not granted; and 2. the PennDOT Multimodal Grant which was awarded to the Township in the amount of \$1,026,616 for the widening of the Sumneytown and Norristown pedestrian walkway and the widening of culvert. Ms. Hunsicker stated this is the third and final award.

Vince Small, 830 Spring House Farm Lane, stated telephone poles are being replaced by PECO using the 8 foot set back and encroaching into the tree line on Norristown Road. He asked that we preserve as much of the tree line as we can.

There being no further questions or comments, the meeting was adjourned at 9:23 p.m. until the next Meeting scheduled on October 16 at the Lower Gwynedd Township Building.

Respectfully submitted,

Carole Culbreth
Assistant Secretary