

UPPER MORELAND TOWNSHIP
Community Development Committee
July 15, 2019 - Meeting Minutes

Community Development Committee Members - Commissioner and Chair Joseph A. Lavallo; Commissioners Kip McFatrige and Kevin Spearing; Paul E. Purtell, Director of Code Enforcement; David Elsier, Director of Public Works

I. Moment of Silent Meditation

II. Pledge of Allegiance

III. Call to Order - The meeting was called to order by Commissioner and Committee Chair Joseph A. Lavallo at 7:00 p.m.

IV. Presentations/Announcements:

- Commissioner Lavallo announced that the Board of Commissioners met in an Executive Session prior to the commencement of tonight's meeting to discuss personnel matters.
- Commissioner Lavallo commented that the world is celebrating the 50th Anniversary of the Apollo 11 Moon Landing with numerous programs and documentaries commemorating the event. He also talked about the significance of the famous missions of Apollo 8 and Apollo 13.

V. Roll Call: Commissioner and Committee Chair Lavallo, Commissioners Spearing and McFatrige. Members: Mr. Elsier and Mr. Purtell. Also, present: David A. Dodies, Township Manager; Erik Garton, P.E., Township Engineer; Sean Kilkenny, Esquire, Township Solicitor.

VI. Approval of Minutes – June 10, 2019 meeting minutes were unanimously approved as submitted.

VII. Acceptance and Approval of the following reports:

A. Code Enforcement Department Reports:

- Commissioner Spearing stated that he received feedback from contractors who commented that Upper Moreland Township is an easy place to do work, and thanked Mr. Purtell for his assistance.
- Commissioner McFatrige inquired on the grass conditions at a property on Woodlawn Avenue. Mr. Purtell stated that the Code Enforcement and the Police Department are monitoring the property.

B. Public Works Department Report:

- Commissioner Spearing suggested that the Township communicate their paving schedule for the next two years, before September, to allow for appropriate planning; or, as early as it is finalized.
- Commissioner Lavallo commented on effects of weather conditions on the materials used in paving that have caused schedule delays. Mr. Elsier stated that he posts weekly updates to the Township's website to keep residents informed.
- Commissioner Lavallo inquired on the status of paving a bike lane on Fitzwatertown Road. Mr. Dodies stated that there will be no bike lane and that Fitzwatertown Road will be paved on the Upper Moreland Township side from York Road to Moreland Road, which should be completed in Fall 2019 according to PennDOT.
- Mr. Dodies stated that the Blair Mill Road repaving project is still scheduled for 2019 according to PennDOT.

C. Public Works Recycling Report:

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- Commissioner Spearing inquired on the closure of the trash to steam plant. Mr. Dodies stated the Township received notification from Covanta within two days of the incident that reported an electrical problem resulting in the emission of materials, which was also reported to the Department of Environmental Protection (DEP). The DEP has completed their investigation and adjustments were made to prevent it from happening again.
 - Commissioner McFatrige inquired on the new recycling cans. Mr. Elsier stated that residents will be notified in the middle of August and at the end of August by placing door hangers at each house and an announcement will also be placed in the Fall 2019 Newsletter.
- D. Engineer's Report:
- Commissioner Spearing inquired on the status of the Fair Oaks Basin project. Mr. Garton stated that they are working on permits and copies of the bid specs will be provided to the Township shortly.
 - Commissioner Lavalley commented that he observed the new buildings at the YMCA development and they are beginning to take form.
- E. Landscape Architect's Report:
- Commissioner Lavalley reviewed items provided in McCloskey & Faber's report.
- F. Traffic Engineer's Report: Mr. Dodies reviewed the following items:
- Video detection has been installed at the intersection of Byberry Road and Warminster Road and the intersection of Jacksonville Road and Montgomery Avenue, which was funded by Hatboro Borough's 2015 Green Light Go Grant.
 - McCloskey & Faber and McMahan Associates are working with the Solicitor's office to inform the property owners effected by the planned road widening project on Byberry Road and Davisville Road. Landscaping plans will be shared with the home owners in the next week. Construction easements and a permanent easement need to be obtained for the new traffic signals and widening.
 - At the August 12, 2019, Community Development Committee meeting, William Walker, Horsham Township Manager, will present Horsham's Multimodal project to improve Blair Mill Road, discuss plans and the properties effected on Upper Moreland side. The Township will consider partnering with Horsham Township for multimodal opportunities.
 - 2018 ARLE Submission Grant was awarded to the Township in the amount of \$106,500, requires no match and will be used in 2020 for signal upgrades to Blair Mill Road and Horsham Road.
 - 2018 Green Light Go Grant submission for improvements to the York Road and Davisville Road area is awaiting announcement of awards.
 - A traffic signal to assist in the crossing of Blair Mill Road between Willow Grove Point and Horsham Gate is proposed for installation. Upper Moreland Township and Horsham Township have supported this improvement for quite some time.
- G. Upper Moreland School District – Construction/Other Items:
- Commissioner Lavalley commented that International Code Council conference calls on improving building safety and security at the national level in schools is underway, which includes parking, accessibility to and exiting from buildings.
- H. Horsham Land Redevelopment Authority {HLRA} – to monitor status of redevelopment of former Willow Grove Naval Air Station property - nothing to report.
- I. Environmental Advisory Council {EAC}: Lynnette Saunders, Chair, provided the following updates:

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- Storm drain labeling will continue in September when the weather is cooler.
- A reusable banner will be purchased for advertising the Earth Day Fair event.
- Native plants, purchased from Pennypack Ecological Trust, will be given away during an educational workshop that is being planned for September at the Library.
- Recycling information obtained from the Public Works Department will be used to help educate the public.
- An Outdoor Environmental Education Center sign will be purchased for either the rain garden, hillside stabilization, or native trees of Penn's Woods located in the rear section of Veterans Memorial Park.

J. Pennsylvania Review Advisory Council:

- Commissioner Lavalley stated that recent legislation allows technical advisory groups to assist the Review & Advisory Council. The Township's Code Enforcement Department is pursuing membership on several technical advisory groups. The next meeting in Harrisburg will be in September.

K. Upper Moreland Historical Commission: Sue Worth La-Manna provided the following updates:

- Planning continues for the annual Fall Educational Event to be held on September 15, 2019 at Farmstead Park. The yearly event promotes discussions on preservation ideas and grants.
- Residents are encouraged to register their historical homes to help develop a catalogue of 100-year-old homes in Upper Moreland Township.
- Commissioner Spearing stated the American Legion will celebrate their 100th-year Anniversary in 2020.

VIII. Land Development/Subdivision:

A. Request by AMEJ Partners, L.P. & Acme Corrugated Box Company, Inc. for a Building Expansion at 2700 Turnpike Drive:

- James Garrity, Esquire, representative for AMEJ Partners, L. P, provided plan details for expansion.
- Commissioner Lavalley inquired if the Fire Department and Second Alarmers have been able to review the plans. Mr. Purtell stated a review has been made and fire sprinkler protection is included.
- Commissioner McFatridge inquired on an increase in noise from additional machinery. Jeremy Cohen, VP of Operations at Acme Corrugated Box Company, stated that all additional machinery will be contained inside the building.
- Commissioner McFatridge inquired on the addition of 156 parking spaces. Gary Tilford, Engineer at Charles E. Shoemaker, Inc., stated that accommodations include parking for the existing number of employees and the anticipation of hiring 52 new employees.
- Commissioner Spearing inquired on the truck drivers' route taken to and from the PA Turnpike. Mr. Cohen stated that the majority of drivers take Turnpike Drive to Davisville Road, to Fitzwater Road, to Route 611, to the PA Turnpike.
- Commissioner Lavalley inquired on increased truck traffic. Mr. Cohen stated truck traffic is expected to increase over time and the maximum truck size is 53-feet.
- The Commissioners and the Applicants continued with detailed discussions on waivers for impervious area, stormwater management, wetlands, parking and landscaping.

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- Commissioner Spearing commented that he would like to receive an alternative plan for pedestrian access in lieu of waiving sidewalks. Mr. Garrity stated that the Applicants will work with Gilmore & Associates to design accommodations for pedestrian access.
- Commissioner Spearing suggested that the location of the pipeline could be used for a potential trail.
- Commissioner Lockard commented that while she supports expansion of a local business, she is concerned over noise and clearing 70% of the wooded area, which effects the local environment and wildlife. Ms. Saunders, EAC Chairperson, suggested compensation by planting native tree species somewhere else in the Township.
- Commissioner Lavelle asked for an explanation of the underground stormwater retention facility as it relates to the raingarden and Mr. Tilman's team member provided an overview of the system.

IX. Old Business:

A. Request by Carr & Duff, Inc. for a Waiver of Land Development at 2200 Byberry Road:

- Mason Avrigian, Jr., Esquire, introduced Edward Duff, Vice President Carr & Duff, Inc., and Gary Tilford, Engineer at Charles Shoemaker.
- Mr. Tilford provided a recap of the project, discussed redesign details of the driveway over the pipeline, and landscaping design solutions.
- Mr. Avrigian stated that the property owner and Carr & Duff, Inc. are actively negotiating an access easement agreement.
- Mr. Tilford and Mr. Avrigian requested the Committee provide conditional approval, pending an easement agreement is reached with the property owner, to enable Carr & Duff, Inc. to submit the National Pollutant Discharge Elimination System (NPDES) permit application.
- Commissioner McFatrige commented support for an easement, noted that most of the existing trees are overcome with vines, and that the Township can benefit from the stormwater management improvements and reduce traffic on Byberry Road and Davisville Road.
- Henry Mann, 3615 Davisville Road, commented concerns on the weight of trucks crossing the pipeline and water runoff. Commissioners Lavelle and Spearing stated that Energy Transfer Partners is expected to provide a review and approval on the conditions of the pipeline.
- Mr. Duff stated that the weight of the heavy vehicles is approximately 6,000 lbs., but, most of the time, stake body and pickup trucks will use the driveway.
- The Committee thanked Mr. Duff for his support and contributions to the Township.
- Mr. Henry reiterated concerns on the weight of trucks. Commissioners Lavelle and Spearing assured Mr. Henry that the issue was identified and addressed.
- The Committee directed the Solicitor to draft a resolution for consideration at the August 5, 2019 Regular Meeting of the Board of Commissioners, granting conditional approval for the Waiver of Land Development requested at 2200 Byberry Road to allow construction of an internal driveway on the property.

B. Replacement of the West Moreland Avenue Bridge by Montgomery County (2020 Project):

- The Committee will continue discussions at a future Community Development Committee Meeting.

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X. New Business:

- A. Request by Fox Lake to keep retaining wall located in the Right-of-Way at 4205 Shoemaker Road.
- Carrie Nase, Esquire, of Fox Rothschild LLP, discussed details of the retaining wall within the Township's right-of-way.
 - Mr. Garton commented concerns on the wall height and that it was built within the right-of-way prior to Township's review and approval of the design plans. Ms. Nase stated that the Applicant is willing to comply with the requirements of the Township.
 - Commissioner Lavalley stated that an architectural prefabricated stone veneer surface with an associated masonry fabricated cap would be aesthetically acceptable.
 - Commissioner Lockard commented that it is a large, unattractive wall located in the right-of-way, which did not have the proper permits and approvals.
 - Bill Wisner, a resident who lives directly across the street from the property, stated that the wall should be removed and rebuilt in keeping with the neighborhood aesthetics. Ms. Nase explained that the wall will prevent soil erosion onto the sidewalk, the right-of-way measures within two feet of the existing porch and there is no area outside of the right of way to install the retaining wall. Ms. Nase stated that the owner will reduce the wall to three feet.
 - Commissioner Lavalley inquired if construction continued after notification from the Township. Mr. Purtell stated that a Stop Work Notice was issued but Fox Lake proceeded with additional work.
 - Len Polischuk, part owner of Fox Lake Realty, stated that the house sits close to the roadway, that the resident had traffic safety concerns, and he described construction of the wall. Commissioner Lavalley commented on the height, depth and weather conditions that may compromise the wall's structure.
 - Commissioner McFatrige commented that there are multiple issues with the property and the wall needs to make some transition between the sidewalk and house.
 - Commissioner Lockard agreed with Commissioner McFatrige's comments and inquired on requisites for a retaining wall.
 - Mr. Wisner stated that four feet of the front facade was backfilled and he also asked if tonight's discussion is to request a variance. Mr. Kilkenny stated that variances are discussed at Zoning Hearing Board meetings and tonight's meeting is for the Committee to consider the height and location in the right-of-way.
 - Mr. Purtell stated that an engineered design will need to be reviewed and verified by the Township before a permit is authorized to allow the wall.
 - The Committee recommended the Solicitor prepare a resolution for consideration at the August 5, 2019 Regular Meeting of the Board of Commissioners, that would allow a retaining wall in the Right-of-Way with certain conditions.
- B. Request by Jaguar Land Rover Willow Grove Dealership for a Waiver of Land Development for building addition and parking lot alterations:
- Ryan Jennings, Esquire at Buckley Brion McGuire & Morris LLP, introduced Skip Ryan, Esquire at Buckley Brion McGuire & Morris LLP, and Adam Brower, Engineer at Edward B. Walsh & Associates, Inc.
 - Mr. Jennings summarized the improvements planned at the Dealership.
 - Mr. Brower discussed details of plans that effect the service area, front of the building and parking area.

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- Mr. Ryan stated that 14-16 foot trees will be installed, similar to the ones at the Lexus Dealership.
- Commissioners Spearing and Lavelle and Mr. Brower discussed the reduction of impervious areas of the parking lot.
- Commissioner Spearing commented on runoff prevention into York Road and the grading of the driveway. Mr. Brower stated that he will review the issue to ensure minimal bypass, but there are currently two inlets and noted that curbing will be added along the new frontage.
- Mr. Kilkenny suggested that Mr. Brower and Mr. Garton discuss an agreeable inlet solution. Mr. Garton stated that there is an existing underground basin in the rear of the property and suggested adding a few water quality inlet inserts. Commissioner Lavelle stated that it would be a reasonable budgetary solution and an improvement to water quality issues.
- Commissioner Spearing commented on the direction of traffic entering the dealership. Mr. Brower stated that customers will be directed with new signage to drive directly into the service area located inside the building.
- Commissioners Lavelle and Spearing stated that the Applicant will be reducing the percentage of impervious area, while adding lawn area and will consider recommended traffic flow signage.
- The Committee directed the Solicitor to draft a resolution for consideration at the August 5, 2019 Regular Meeting of the Board of Commissioners, that would approve the request for a Waiver of Land Development for building addition and parking lot alterations.

XI. Other Items:

- A. Warminster Road Bridge Replacement Project – Update on meeting with PennDOT Officials on June 25, 2019 to review Township concerns:
1. PennDOT Sidewalk Maintenance Agreement
 - Mr. Dodies summarized that the meeting focused on safety concerns, possible elevations to the approaches, the bridge itself, improvements to connectivity, and streambank stabilization. Representatives from SEPTA were also present. PennDOT officials conveyed that additional streambank stabilization can possibly be done if the Township contacts the affected property owner for their consent for PennDOT to do the work on their property.
 - Mr. Dodies stated that the Township asked for more consideration on this particularly sensitive area involving public safety and PennDOT stated that there will be no additional changes to their design.
 - Commissioner McFatrige commented that if PennDOT were to raise the Warminster Road Bridge, the stormwater level will hit the base of the SEPTA bridge.
 - Mr. Dodies stated that if the Township does not execute the sidewalk maintenance agreement, PennDOT stated that they will not install sidewalks on the new bridge; only shoulders will be provided adjacent to the travel lanes.

XII. Redevelopment - nothing to report.

XIII. Visitor Comments - nothing to report.

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XIV. **Commissioner Comments** - nothing to report.

XV. **Adjournment** - There being no further business to discuss, the meeting was adjourned at 11:00 p.m.

Respectfully submitted by Kathleen Kristire.