



# TOWNSHIP OF ABINGTON

---

## ADMINISTRATIVE CODE AND LAND USE COMMITTEE

*Ben Sanchez, Chair  
Ken Brodsky, Vice-Chair  
Carol Gillespie  
Mike Thompson*

### **A G E N D A** **September 5, 2018** **7:00 P.M.**

---

**1. CALL TO ORDER**

**2. CONSIDER APPROVAL OF MINUTES**

- a. Motion to approve the minutes of the June 6, 2018 Administrative Code and Land Use Committee Meeting.

**3. PRESENTATION**

**4. UNFINISHED BUSINESS**

**ADMINISTRATIVE CODE AND LAND USE COMMITTEE    COMMISSIONER BEN SANCHEZ, CHAIR**

- a. **ACL-01-090518**    Consider a motion to adopt Ordinance No. 2160 repealing  
(ACL- 01-080918)    Chapter 62 - "Building Construction," Article I - "General Standards," Section 2 - "Amendments," at Subsection G; and creating an enacting Chapter 7 - "Board of Code Appeals," including Exhibit A, Chapter 7.

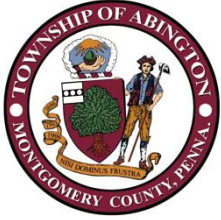
**5. NEW BUSINESS**

**ADMINISTRATIVE CODE AND LAND USE COMMITTEE    COMMISSIONER BEN SANCHEZ, CHAIR**

- a. **ACL-02-090518**    Consider a motion to approve the application for a grant for the Ardsley Wildlife Sanctuary Basin Retrofit and Stream Restoration in the amount of \$146,752.50.

**6. PUBLIC COMMENT**

**7. ADJOURNMENT**



## ADMINISTRATIVE CODE AND LAND DEVELOPMENT

### AGENDA ITEM

August 22, 2018

DATE

ACL-01-090518

AGENDA ITEM NUMBER

Administration

DEPARTMENT

#### FISCAL IMPACT

Cost > \$10,000.

Yes

No

#### PUBLIC BID REQUIRED

Cost > \$20,100

Yes

No

#### AGENDA ITEM:

Consider a motion to adopt Ordinance No. 2160 repealing Chapter 62 - "Building Construction," Article I - "General Standards," Section 2 - "Amendments," at Subsection G; and creating an enacting Chapter 7 - "Board of Code Appeals," including Exhibit A, Chapter 7.

#### EXECUTIVE SUMMARY:

On June 14, 2018 the Board of Commissioners approved the creation of the Board of Code Appeals and the advertising of saying the composition of the Board and other details or not yet outlined.

On August 8, 2018 the Board of Commissioners approved advertisement of Ordinance 2160.

#### PREVIOUS BOARD ACTIONS:

ACL-01-080819 - Board approved advertisement of Ordinance 2160.  
8/26/18 - Ordinance Advertised.

#### RECOMMENDED BOARD ACTION:

Consider a motion to adopt Ordinance No. 2160 repealing Chapter 62 - "Building Construction," Article I - "General Standards," Section 2 - "Amendments," at Subsection G; and creating an enacting Chapter 7 - "Board of Code Appeals," including Exhibit A, Chapter 7.

**TOWNSHIP OF ABINGTON,  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2160**

**AN ORDINANCE REPEALING CHAPTER 62— “BUILDING CONSTRUCTION,”  
ARTICLE I— “GENERAL STANDARDS,” SECTION 2 – “AMENDMENTS,” AT  
SUBSECTION G; AND CREATING AND ENACTING CHAPTER 7— “BOARD OF  
CODE APPEALS”**

**WHEREAS**, the Township of Abington is a Township of the First Class, duly organized and existing pursuant to the applicable laws of the Commonwealth of Pennsylvania; and

**WHEREAS**, pursuant to section 1502.44 of the First Class Township Code of the Commonwealth of Pennsylvania, 53 P.S. §56544, the Board of Commissioners has the authority to enact and amend provisions of the Abington Township Code (“Code”) at any time it deems necessary for the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of the Township and the inhabitants thereof; and

**WHEREAS**, in accordance with the First Class Township Code of Pennsylvania, 53 P.S. §§55101, et. seq., the Township is vested with various corporate powers, including but not limited to the adoption and enactment of such ordinances and regulations necessary for the proper care, management, and control of the Township; and

**WHEREAS**, the Board of Commissioners of the Township of Abington has determined that the Code of Ordinances of the Township of Abington should be amended at Chapter 62 – “Building Construction,” Article I – “General Standards,” Section 2 – “Amendments,” Subsection G, regarding an amendment to Section 121.1 of the BOCA Basic/National Building Code, 1996, Thirteenth Edition should be repealed for the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of the Township and the inhabitants thereof; and

**WHEREAS**, the Board of Commissioners of the Township of Abington has determined that the Code of Ordinances of the Township of Abington should be further amended to create Chapter 7— “Board of Code Appeals” for the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of the Township and the inhabitants thereof.

**NOW, THEREFORE**, the Board of Commissioners of the Township of Abington does hereby **ENACT** and **ORDAIN** as follows:

1. The Code of Ordinance of the Township of Abington shall be amended Chapter 62 – “Building Construction,” Article I – “General Standards,” Section 2 “Amendments” to repeal Subsection G thereto in its entirety.
2. The Code of Ordinances of the Township of Abington shall be further amended to create and enact Chapter 7— “Board of Code Appeals,” which shall read as set forth in Exhibit “A” hereto.
3. All other ordinances, portions of ordinances, or any section of the Code inconsistent with
4. this Ordinance are hereby repealed.
5. This Ordinance shall become effective five (5) days after enactment.

**ORDAINED AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

TOWNSHIP OF ABINGTON  
BOARD OF COMMISSIONERS

Attest:

\_\_\_\_\_  
Richard J. Manfredi, Secretary,  
Township Manager

By: \_\_\_\_\_  
Wayne C. Luker, President

## **Exhibit “A”**

### **Chapter 7 – Board of Code Appeals**

#### **Section 1 - Establishment**

The Township of Abington hereby establishes the Township of Abington Board of Code Appeals, which shall operate on behalf of the Township in conformity with the requirements of the relevant provisions of the Uniform Construction Code, as amended from time to time, and for the purposes set forth herein, including but not limited to interpreting provisions of the code. If at any time, enforcement and administration of the code is undertaken jointly with one or more other municipalities, the Board of Code Appeals shall be established by joint action of the participating municipalities.

#### **Section 2 - Membership of Board**

A. Qualifications. The Board of Code Appeals shall consist of five individuals, one from each of the following professions or disciplines:

1. Registered design professional with architectural experience or a builder or superintendent of building construction with not fewer than 10 years of experience, 5 of which shall have been in responsible charge of work.
2. Registered design professional with structural engineering experience.
3. Registered design professional with mechanical and plumbing engineering experience or a mechanical contractor with not fewer than 10 years of experience, 5 of which shall have been in responsible charge of work.
4. Registered design professional with electrical engineering experience or an electrical contractor with not fewer than 10 years of experience, 5 of which shall have been in responsible charge of work.
5. Registered design professional with fire protection engineering experience or a fire protection contractor with not fewer than 10 years of experience, 5 of which shall have been in responsible charge of work.

A. Initial appointment. The initial appointment of members of the Board of Code Appeals shall be for a term of office to commence upon appointment of the Board of Commissioners, on the following staggered basis wherein the term of membership shall expire on the first Monday of January in the year indicated as follows:

1. One member to be appointed for a term expiring in the year of 2020.
2. One member to be appointed for a term expiring in the year of 2021.
3. One member to be appointed for a term expiring in the year of 2022.
4. One member to be appointed for a term expiring in the year of 2023.
5. One member to be appointed for a term expiring in the year of 2024.

- B. Replacement of Board of Code Appeals appointees. Upon the expiration of the respective terms of membership of the initial appointees, including any substitutions of members by reason of vacancy, each of the subsequent terms of membership commencing on the respective expiration dates aforesaid shall be for a term of five years.
- C. Code Official. The building official shall be an ex officio member of the Board of Code Appeals but shall have no vote on any matter before the board.
- D. Alternate Members. The Board of Commissioners shall appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership and shall be appointed for 5 years, or until a successor has been appointed.

### **Section 3 – Conduct of Board of Code Appeals Meetings**

- A. Rules and Procedures. The Board of Code Appeals is authorized to establish policies and procedures necessary to carry out its duties.
- B. Chairperson. The Board of Code Appeals shall annually select one of its members to serve as chairperson.
- C. Disqualification of Member. A member shall not hear an appeal in which that member has a personal, professional or financial interest.
- D. Secretary. The Township Manager shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the Township Manager
- E. Notice of Meeting. The Board of Code Appeals shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic meetings.

### **Section 4 - Hearings**

- A. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.
- B. Procedure. The Board of Code Appeals shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.
- C. Postponed Hearing. When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.
- D. Board Decision. The Board of Code Appeals shall modify or reverse the decision of the building official by a concurring vote of two-thirds of its members.

E. Resolution. The decision of the Board of Code Appeals shall be by resolution. Certified copies shall be furnished to the appellant and to the building official.

#### **Section 4 - Compensation**

The members of the Board of Code Appeals shall serve without compensation.

#### **Section 5 - Administration**

The building official shall take immediate action in accordance with the decision of the Board of Code Appeals.



## ADMINISTRATIVE CODE AND LAND DEVELOPMENT

### AGENDA ITEM

August 28, 2018

DATE

ACL-02-090518

AGENDA ITEM NUMBER

Engineering and Code

DEPARTMENT

#### FISCAL IMPACT

Cost > \$10,000.

Yes

No

#### PUBLIC BID REQUIRED

Cost > \$20,100

Yes

No

#### AGENDA ITEM:

Delaware Watershed Conservation Fund for Ardsley Wildlife Sanctuary Basin Retrofit and Stream Restoration.

#### EXECUTIVE SUMMARY:

The Ardsley Wildlife Sanctuary is located in the Sandy Run portion of the Wissahickon Watershed and has been identified as a priority for implementation of improved stormwater control measures.

The project proposes retrofitting the existing basin to provide additional storage and extended detention. The project also proposes to stabilize the extremely eroded streambanks.

The required 100% Township match can be met using the previously awarded \$100,000.00 from DCED and \$46,752.50 from Ardsley Trail Grant from DCNR.

The Wissahickon Valley Watershed Association will assist the Township with the application process.

The Township applied for the NFWF Delaware River Restoration Fund and we were declined.

Apply for the grant of \$250,000.00 using the previously received grant of \$100,000.00 as the Township match. This project area has been identified as a high priority for the Wissahickon/Sandy Run Watershed.

#### PREVIOUS BOARD ACTIONS:

The Township applied for a DCED Grant and in November, 2017 and was approved for \$100,000.00 of the \$300,000.00 that was requested.

#### RECOMMENDED BOARD ACTION:

Consider a Motion to approve the application for a grant for the Ardsley Wildlife Sanctuary Basin Retrofit and Stream Restoration in the amount of \$146,752.50.





# pennsylvania

DEPARTMENT OF CONSERVATION  
AND NATURAL RESOURCES

## BUREAU OF RECREATION AND CONSERVATION

July 2, 2018

Andrew Oles  
Parks & Recreation Director  
Abington Township  
515 Meeting House Road  
Jenkintown, PA 19046

**RE: APPROVAL TO PROCEED WITH CONSTRUCTION**  
**Abington Township (Montgomery)**  
**Ardsley Wildlife Sanctuary – Development**  
**BRC-PRD-22-37**

**Grant Agreement: Beginning Date: 1.1.2017 Ending Date: 12.31.2020**

Dear Mr. Oles:

Based on satisfactory review of the complete design submission and executed construction contract, Abington Township has Bureau approval to proceed with construction provided all necessary approvals and permits have been secured. We are pleased to grant approval of the following contracts:

Contract	Effective Date	Amount
Think Green LLC	3.8.2018	\$46,752.50
	<b>TOTAL</b>	<b>\$46,752.50</b>

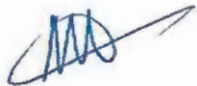
As construction proceeds, please note the following:

- A. All costs submitted for reimbursement and/or match must be directly related to the approved scope of work. Refer to the *Development – Eligible and Ineligible Grant Project Activities/Costs/Match* policy for additional guidance.
- B. The Bureau may provide partial grant payments up to 90% of the grant amount by completing the Partial Payment Request form and providing proof of incurred costs. A minimum of 10% of the grant amount will be retained for final payment and issued upon receipt of all requested close out documentation.

- C. The Grant Agreement expires on December 31, 2020; therefore, the project must be completed and all costs incurred by this date. Notify the Bureau immediately if delays will prevent this project from being completed by the expiration date.
- D. Upon completion of the project, contact Drew Gilchrist from our Southeast Regional Office to schedule a final site inspection. He can be reached at (610) 489-1586 or [agilchrist@pa.gov](mailto:agilchrist@pa.gov).
- E. The Final Payment Request form along with the documentation outlined on the form must be completed and submitted to our office within 60 days of project completion. Section II of the Final Payment Request form requires the submission of a letter from the design consultant certifying that the final construction was completed in accordance with the drawings and specifications. Upon our satisfactory review and completion of a site inspection, a final payment will be authorized.
- F. All forms and grant management documents are available at:  
[http://www.docs.dcnr.pa.gov/cs/groups/public/documents/document/dcnr\\_20033226.pdf](http://www.docs.dcnr.pa.gov/cs/groups/public/documents/document/dcnr_20033226.pdf)

Please contact me with any questions.

Sincerely,



Mark Hansford  
Chief, Community Parks and Recreation  
Department of Conservation and Natural Resources  
Bureau of Recreation and Conservation

ec: Drew Gilchrist, Recreation and Parks Advisor, BRC Southeast Regional Office