

The stated meeting of the Code Enforcement and Land Development Committee of the Board of Commissioners of the Township of Abington was held on Wednesday, October 28, 2015 at the Township Administration Building, Abington, PA., with Commissioner Sanchez presiding.

CALL TO ORDER: 7:21 p.m.

ROLL CALL: Present: Commissioners SANCHEZ, DiPLACIDO, MYERS, GILLESPIE
Excused: MARKMAN

Township Manager LEFEVRE
Township Solicitor CLARKE
Director of Code Enforcement MATTEO
Township Engineer POWERS
Community Director STROTHER

Also Present: Commissioners LUKER, KLINE, BOWMAN, KALINOSKI, SPIEGELMAN, ZAPPONE, SCHREIBER, JONES

MINUTES: Commissioner Sanchez made a MOTION, seconded by Commissioner DiPlacido to approve the minutes of the September 28, 2015 Code Enforcement and Land Development Committee Meeting.

MOTION was ADOPTED 4-0.

Ordinance No. 2100 – Storm Water Management Ordinance – Tookany/Tacony Frankford Watershed Stormwater Management Plan

Commissioner Sanchez announced that this item has been deleted from the agenda.

Ordinance No. 2102 – An Ordinance Amending Chapter 162 – “Zoning” Section 200 – Flood Plain Conservation Overlay District

Commissioner Sanchez announced that this item has been deleted from the agenda.

Commissioner Sanchez called on Vice President Kline for an update on Draft Two of the zoning ordinance, dated November 2014.

Vice President Kline said on Monday, October 19th, the ZOC (Zoning Ordinance Rewrite Committee) held a workshop for the Board of Commissioners on updated recommendations made by the Township's Planning Commission as well as the MCPC for the purpose of getting input from Board members based on their review of draft two of the zoning ordinance, so now have direction on making revisions to draft two.

After discussion with Township Solicitor, because we are doing a Township-wide rezoning, in order to hold public meetings, we are required to post almost every property in the Township since they will all be affected by rezoning. The labor and cost involved with that and with future edits that will be made to the zoning ordinance, it would not have been prudent for the Township to do that at this time.

100 hours of informal public meetings have already been held giving the public as well as Board members opportunity to make recommendations, and from those recommendations, revisions will be made to draft three of the zoning ordinance.

Commissioner Sanchez asked for any general comments relating to Code Enforcement and Land Development.

Lora Lehmann, 1431 Bryant Lane, commented that she feels "information about the revised zoning ordinance should be included in newsletters."

Commissioner Kalinoski commended Commissioner Kline for doing a great job with his work on revising the zoning ordinance.

Commissioner Bowman asked Township Solicitor for an update on the political sign issue.

Township Solicitor replied it has been consistently upheld by all Federal circuit courts throughout the United States in regards to various political sign issues and that they are speech and the Township cannot regulate speech. It has not reached the United States Supreme Court and that is because the Federal circuit courts have uniformly upheld the fact that political signs are speech.

Commercial signs such as contractor's signs are commercial speech and the Township is permitted to regulate it and put as many restrictions on it as the Township sees fit. Political speech in the form of signs cannot be regulated. They can remain on private property and right-of-ways. Lawsuits can result if there are certain restrictions placed on political signs and municipalities have been sued in Federal court and lost.

Code Enforcement Committee Meeting

October 28, 2015

ADJOURNMENT: 7:35 p.m.

Respectfully submitted,

Michael LeFevre, Township Manager

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