

The stated meeting of the Code Enforcement and Land Development Committee of the Board of Commissioners of the Township of Abington was held on Monday, February 1, 2016 at the Township Administration Building, Abington, PA., with Commissioner Sanchez presiding.

CALL TO ORDER: 7:39 p.m.

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

Township Manager LEFEVRE
Township Solicitor CLARKE
Director of Code Enforcement MATTEO
Township Engineer POWERS
Community Director STROTHER
Planning & Zoning Official PENECALE

Also Present: Commissioners LUKER, KLINE, MYERS, SCHREIBER, KALINOSKI, SPIEGELMAN, HECKER, FARREN, ROTHMAN

MINUTES: Commissioner Sanchez made a MOTION, seconded by Commissioner Markman to approve the minutes of the December 2, 2015 Code Enforcement and Land Development Committee Meeting.

MOTION was ADOPTED 4-0.

Subdivision SD-15-05 – Priceless Homes, LLC – 130 Fisher Road

Commissioner Sanchez made a MOTION, seconded by Commissioner Gillespie to approve the subdivision application of Priceless Homes, LLC, owner of the property located at 130 Fisher Road, Abington Township. The applicant proposes to subdivide the property into two lots. Lot No. 1 will contain the existing single-family dwelling on a lot of 13,108 square feet. Lot No. 2 is proposed for development and is plotted at a 12,885 square foot lot. Both lots comply with the dimensional requirements of Section 303.3 of the Zoning Ordinance. Both lots will be served by public water and sewer. The property is zoned in the (R-3) Residential District in Ward No. 4 of the Township of Abington.

This motion is subject to the following conditions:

1. Sanitary sewers are available for this project at this time. An Act 537 Exemption Application will have to be submitted prior to the building permit application. Please be aware that the Act 537 Exemption application must be signed by both Cheltenham and Abington Townships.
2. The applicant is required to provide the Township with two (2) new, executed (signed, notarized and recorded) deeds. This is a requirement of the subdivision process.
3. The items listed in the Staff Review letter dated, December 23, 2015 becomes a condition of this application.

This motion is subject to the following waivers:

1. Waiver from Section 146-11.A – Property Identification Plan.
2. Waiver from Section 146-11.B – Existing Features Plan.
3. Waiver from Section 146-11.C - Propose Layout Plan.
4. Waiver from Section 146-11.E. – Soil Erosion Controls.
5. Waiver from Section 146-11.L. – Architectural Plan.
6. Waiver from Section 146-24.D – Right-of-Way Width.

Mr. Penecale said the application is to create a second building lot that meets all dimensional requirements of the zoning ordinance. This application was presented before the Township's Planning Commission as well as the MCPC. Township's Planning Commission had two issues with the plan. They recommended that a condition be added that two additional street trees be planted along the frontage, and tonight, the applicant has provided a photograph of proposed structure showing a side-entry garage.

Originally, members of the Township's Planning Commission were not in favor of waiving the requirement for an architectural plan, but after sending out a rendering of proposed home, members of the Township's Planning Commission agreed that it would fit into the neighborhood and were satisfied with that waiver request. So the request is to remove waiver request from Section 146.11.L – Architectural Plan from the application.

The property will be served by sanitary sewer. An Act 537 Exemption Application was submitted as part of the plan and EDU's are available for this application.

Commissioner Gillespie clarified that there will be enough room for a turnaround. Is that correct?

James Zaspel, Priceless Homes, LLC, PO Box 505, Fort Washington, PA, 19034, owner of the property, referred to the rendering showing the proposed dwelling, and noted there is a driveway that will serve the side entrance to the garage.

Commissioner Sanchez questioned whether there are sidewalks in this area.

Mr. Penecale replied yes, and they are shown on the plan. He, along with Mr. Matteo spoke with Commissioner DiPlacido today since this is in his ward and he is comfortable with the plan. Notices were sent out to surrounding neighbors and Commissioner DiPlacido has not heard from any of them.

Commissioner Sanchez clarified that waiver request for an architectural plan will be removed from the application and Condition No. 4 will be added stating that two additional street trees will be planted along the frontage of the property. Is that correct?

Mr. Penecale replied that is correct.

Commissioner Kline clarified that the property owner is in agreement with Condition No. 4. Is that correct?

Mr. Penecale replied yes.

Commissioner Kline asked for the dimension from the right side of the house to the edge of the driveway.

Mr. Penecale replied approximately 30 feet.

Commissioner Kline asked for the dimension from the edge of the driveway to the property line.

Mr. Penecale replied four feet.

Commissioner Sanchez commented that he would like to see the stonework be placed a little higher on the façade of proposed home.

He asked for any public comments. There were none.

MOTION was ADOPTED 5-0.

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

For Information Only

Commissioner Sanchez announced that a Public Hearing will be held on Thursday, February 11, 2016 at 7:30 p.m. on Ordinance No. 2102, “The Flood Plain Ordinance.”

Mr. Penecale replied the Flood Plain Ordinance is an amendment to existing ordinance. Regarding the draft of the rewritten zoning ordinance; this ordinance was taken from the zoning ordinance and created as a separate ordinance because there is a timeline to adopt it, which is March 2, 2016.

Commissioner Sanchez clarified that this amendment has been vetted by Township's Planning Commission. Is that correct?

Mr. Penecale replied that is correct.

Commissioner Luker questioned whether the floodplain has been officially changed.

Mr. Powers replied yes. When this ordinance is adopted by the Board of Commissioners, it will be put into place and will affect the floodplain zones/map.

Commissioner Luker asked when will residents be able to contact their insurance company in regards to this change?

Mr. Powers replied at the beginning of March, 2016.

Commissioner Rothman asked is there a plan to let residents know they are now affected by this amendment?

Mr. Penecale replied yes, FEMA's brochures will be sent to those property owners by mid-week.

Commissioner Kline asked for a posting on Township website of the list of properties that are included in FEMA's floodplain maps.

Mr. Penecale replied properties identified in the flood zones are listed on an excel sheet.

Commissioner Spiegelman asked is there an appeals process for homeowners whose properties are now identified in the flood zones.

Mr. Penecale replied yes, FEMA has an appeals process.

Commissioner Spiegelman asked for the number of properties located in the floodplain.

Mr. Penecale replied currently there 643 properties located within the floodplain and that number will be increased to 810-812.

Commissioner Schreiber clarified that no new construction is permitted within a floodplain. Is that correct?

Mr. Penecale replied since 1996, the Township required setbacks for any new construction or accessory structure to be measured from the edge of the floodplain and that remains unchanged.

Commissioner Luker asked if a homeowners' property is now located outside of a floodplain; wouldn't they need a document to verify that to their insurance company that they no longer require flood insurance?

Mr. Powers replied they can visit his office and we will copy a portion of the map showing their property is located outside of the floodplain in which they can provide that to their insurance company.

Manager LeFevre commented that in addition to FEMA's brochures being sent to residents and a posting on Township website; staff is trying to arrange a community meeting where reps of FEMA will be there to meet with those 800 homeowners to explain the appeals process as well as the maps.

Commissioner Markman suggested asking an insurance expert to attend that meeting as well to speak about implications of being located in a floodplain.

Commissioner Sanchez asked for any public comments. There were none.

Montgomery County Comprehensive Plan Presentation

For Information Only

Jody Holton, Executive Director of the Montgomery County Planning Commission and Michael Narcowich, County Planner, gave a power point presentation on the newly adopted Montco 2040 Comprehensive Plan.

We have been working on several other county plans in which some are mandated and some are at the discretion of the MCPC, and they are as follows: Municipal Waste Plan; Cultural Arts Plan; Stormwater Management Plan; and Hazardous Mitigation Plan.

Other projects include a complete Walk-Montco Plan, which is a plan to encourage walkability in the County. We work with PennDOT on advancing transportation projects, and also as part of our mission, we create model ordinances; design publications; and trail development.

Montco Planning Smarter 2016 events will include topics on solar energy; trail development; and evolving institutional uses. There will also be courses on community planning and zoning and subdivision/land development.

We will finish out the year with the Montgomery Awards for development that defines excellence in planning and design.

We provide professional planning services to 32 municipalities within the County and we have been working on sustainability plans such as energy consumption, walk audits, etc.

A new service that the MCPC offers is School District enrollment projections that help with facility planning and potential downsizing of schools.

Our County Planner, Mr. Narcowich assists Abington Township with land development and subdivision ordinances and provides reviews.

Mr. Narcowich said the Montco 2040 Comprehensive Plan provides an overall vision for growth management that covers various topics from revitalization, transportation and environmental conservation. There are two major components; the plan – Montco's shared vision and Montco- today, which is a portrait of existing conditions, trends and forecasts. There are three overlapping themes: connected community; sustainable places; and vibrant economy that contain goals within each theme.

Shown were maps of proposed improvements areas in the Township; map of the County trail network; areas where stormwater management plans were implemented by the Township; and a map of the future land use vision for 2040 for Abington Township.

Ms. Holton noted that the County Commissioners' adopted budget includes putting \$1 million aside this year, and for each year, for the next five years for a Montco 2040 Implementation Fund.

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

Lora Lehmann, 1431 Bryant Lane, asked for the status of the zoning rewrites.

Commissioner Kline replied previously, there was a workshop/public meeting held for the Board of Commissioners to review comments made by the Township's Planning Commission. Four or five Planning Commission meetings were held to discuss/review the draft zoning ordinance and there has been follow-up discussion about revisions with our County Planner, Mr. Narcowich, who is working on that. He, along with Mr. Matteo, Mr. Penecale, and Mr. Narcowich as well as Township Solicitor has been meeting to discuss issues that needed to be resolved.

We are now working on completing the next draft in which the process will begin again. The timing for further public meetings will be by the end of February or beginning of March, 2016.

Code Enforcement Committee Meeting

February 1, 2016

ADJOURNMENT: 8:36 p.m.

Respectfully submitted,

Michael LeFevre, Township Manager

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