

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, March 1, 2017 at the Township Administration Building, Abington, PA., with Commissioner Sanchez presiding.

**CALL TO ORDER:** 7:15 p.m.

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

Township Manager LEFEVRE  
Assistant Township Manager WEHMEYER  
Township Solicitor CLARKE  
Township Engineer POWERS  
Director of Code Enforcement MATTEO

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

**MINUTES:** Commissioner Sanchez made a MOTION, seconded by Commissioner Markman to approve the minutes of the February 1, 2017 Code Enforcement and Land Development Committee Meeting.

MOTION was ADOPTED 4-0.

Subdivision SD-1701 – Nancy Posel – 1060 Mill Road Circle, Rydal, PA

Commissioner Sanchez made a MOTION, seconded by Commissioner Markman to approve the subdivision application of Nancy Posel, owner of property located at 1060 Mill Road Circle, Abington Township. The applicant proposes to subdivide the existing property of 4.26 acres into two parcels. Lot No. 1 will consist of 1.71 acres in size and is proposed to be deeded to the Township of Abington as passive deed restricted open space. Lot No. 2 is proposed to be 2.55 acres in lot area and will contain the existing single-family dwelling, swimming pool and tennis court. No additional development is proposed to either of the two proposed lots. The property is zoned within the R-1 Residential District in Ward No. 2 of the Township of Abington.

This motion is subject to the following conditions:

1. The deed restriction and easement agreement language is required to be submitted and approved by the Board of Commissioners prior to the recording of the final plan.
2. The items listed within the Staff Review letter dated, February 13, 2017 is to be taken under consideration by the Board of Commissioners of the Township of Abington.

This motion is subject to the following waivers:

1. Waiver from Section 146-11.A – Property Identification Plan – this plan is required to supply tax parcel information, owner’s name and lot area for all properties within 400 feet of the site involved in this application. Staff supports this waiver.
2. Waiver from Section 146-11.B – Existing Features Plan – The plan is required to plot the location of all utilities on the sites and within 400 feet of the properties involved in this application. Staff supports this request.
3. Waiver from Section 146.11.C – Proposed Layout Plan - the plan is required to plot the location of all existing improvements proposed to remain and be removed. Staff supports this request.
4. Waiver from Section 146.11L – Architectural Plan – an architectural plan is required to be submitted with this subdivision plan. A rendering of the proposed single-family dwelling has been submitted.
5. Waiver from Section 146.11. D – Grading Plan – this application proposes no alterations to the existing topography.

Commissioner Sanchez called on Mr. Matteo, Director of Code Enforcement.

Mr. Matteo said the lot is off of Mill Road Circle and Ms. Posel is donating 1.71 acres to the Township, so it will be passive open space to the Township. There is no proposed development for the site.

Also, he clarified that ward Commissioner, Commissioner Markman is in favor of it. Is that correct?

Commissioner Markman replied absolutely. He thanked Ms. Posel for the donation of valuable property and it is a very nice thing to do. There is a 13-acre bird sanctuary there and this property will add to this bucolic area.

Commissioner Sanchez asked for any other comments from Commissioners. There were none.

Commissioner Sanchez asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, asked will there be community access through this property?

Commissioner Sanchez replied it is connected to the bird sanctuary, so the community will have the same access as they do to the other open space.

Commissioner Markman added there are three entrances located at Mill Road Circle, Crosswicks and Pembroke Roads

MOTION was ADOPTED 4-0.

Ordinance No. 2131 – Medical Marijuana Ordinance

**For Information Only –**

Commissioner Sanchez announced that the Board of Commissioners will consider the adoption of Draft Ordinance No. 2131, an amendment to the Zoning Ordinance of the Township of Abington. Draft Ordinance No. 2131 creates use definitions for both a medical marijuana dispensary and medical marijuana grow facility. In addition, onsite parking regulations and additional separation requirements have been included in the draft. Ordinance No. 2131 was drafted to bring Abington Township into compliance with the requirements of Act 16 of 2016 of the Commonwealth of Pennsylvania. A public hearing has been scheduled for Thursday, March 9, 2017 at 7:30 p.m. in the boardroom.

Public Hearing – Zoning Ordinance Update

**For Information Only –**

Commissioner Sanchez announced that the Board of Commissioners of the Township of Abington have scheduled a public hearing for Monday, March 13, 2017 with a 7:00 PM start time to discuss the proposed updates to the Zoning Ordinance of the Township of Abington. The proposed zoning ordinance update is a comprehensive rewrite of the current Zoning Ordinance that was adopted in May, 1996.

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

Lora Lehmann, 1431 Bryant Lane, asked for a list of the major changes to the zoning ordinance before the hearing.

Code Enforcement Committee Meeting

March 1, 2017

**ADJOURNMENT:** 7:26 p.m.

Respectfully submitted,

Michael LeFevre, Township Manager

sev