

MINUTES OF MEETING
BOARD OF COMMISSIONERS
SPRINGFIELD TOWNSHIP

The Board of Commissioners of Springfield Township met in regular monthly meeting on Wednesday evening, July 12, 2023, at 7:30 PM at the Springfield Township Building for the purpose of transacting the general business of the Township. The meeting was also offered in a live streaming feature. All members of the Board were present with the exception of Mr. Standish.

Mr. Lee asked Mr. Taylor to summarize any comments that were received remotely prior to the meeting. Mr. Taylor noted that 8 comments were received via the Township website. Seven comments were related to the proposed settlement agreement for 380 Haws Lane, and one comment was a request for a copy of the proposed single use plastic bag ordinance, which was accommodated. Mr. Lee noted that the comments were distributed to the Board.

Mr. Lee asked everyone to join the Board of Commissioners in a moment of silent reflection honoring the service men and women who have placed themselves in harm's way to help preserve our safety at home and overseas.

Mr. Lee led the Pledge of Allegiance.

Motion (Wilson-Ratsavong) vote 6-0 dispensing with the reading of the minutes of the previous meeting and approving same as written and recorded in the official minute book of the Township.

Mr. Lee announced that Commissioner Standish was not in attendance due to a family obligation.

Mr. Lee announced that the Board of Commissioners conducted an executive session as part of its July 10, 2023 workshop meeting to discuss one personnel matter and two litigation matters.

Mr. Lee provided a brief history of the property at 380 Haws Lane including the various development proposals for the property. He explained how the owner/developer and the Township negotiated the Settlement Agreement that would be considered this evening, which allows for the township to purchase a portion of the property to remain as open space and allows a portion of the property to be developed with up to 16 townhomes.

Mr. Lee opened the meeting to public comment.

Mike McCann, Flourtown, with regard to 380 Haws Lane, asked how the zoning changed from Institutional to Residential. Mr. Garrity explained that the zoning did not change, but the use that is inconsistent with the current zoning is permitted by the Settlement Agreement.

Alexandra Klinger, Wyndmoor, with regard to 380 Haws Lane, asked about the timeline for submission of the Settlement Agreement to the Court. Mr. Garrity responded that a petition will be submitted to the Court immediately. The Judge will decide to either approve the

Settlement Agreement or conduct an additional hearing. Ms. Klinger thanked the Board for their efforts in preserving a portion of the property, but also expressed her disappointment that the Board did not seek the input of environmental experts.

Samantha Kuhn, Flourtown, with regard to 380 Haws Lane, inquired about tree replacement requirements. Mr. Lee explained that during negotiations, the Township drew a condemnation line to preserve as many trees as possible. Ms. Kuhn also asked about the proposed parking lot on the property. Mr. Lee said it will be a small lot for users of the park, and that the developer has agreed to pay for the installation of the lot.

Zeta Cross, Erdenheim, with regard to 380 Haws Lane, expressed her displeasure with the proposed settlement agreement. She stated her desire for no townhomes to be built on the property. She noted the environmental benefits of preserving the entire property.

Mr. Garrity stated that as recent as this past week, the developer has agreed to do more with regard to stormwater management than the ordinance requires.

Terri Hepner, Flourtown, with regard to 380 Haws Lane, appreciated the Board's efforts to preserve a portion of the property but expressed her displeasure with the Settlement Agreement and asked the Board to vote against it. She asked the Board to consider the goal of sustainable development such as pervious paving options, stricter stormwater management requirements, and efforts to reduce the loss of mature trees. She urged the Board to consult with environmental and ecological scientists on this and future developments.

Anne Lannak, Oreland, with regard to 380 Haws Lane, stated that if the Board allows for the land to be developed, it cannot be saved later.

Tim Beckam, Erdenheim, with regard to 380 Haws Lane, stated the Board has an opportunity to be an environmental leader by voting no to the Settlement Agreement.

Jen Schelter, Philadelphia, with regard to 380 Haws Lane, noted the environmental impacts of development.

Angelina Banks, Wyndmoor, with regard to 380 Haws Lane, asked the Board to vote no on the Settlement Agreement and noted the environmental impacts now and in the future. Ms. Banks also wished to comment on the single use plastic bag ordinance being considered by the Board. Ms. Banks reiterated comments she made last fall that banning plastic bags will have unintentional consequences such as an increase in crime. She suggested that instead of banning the bags, a task force could be formed to address littering, thereby reducing the amount of plastics that end up in waterways. She also recommends banning plastic political lawn signs.

Richard Metz, Erdenheim, suggested that he has conducted research on the topic of reusable plastic bags and an increase in crime. He found only one website, maintained by a plastics company, that makes those claims. No other studies have found that banning the bags will increase crime.

Beth McNamara, Flourtown, expressed her support of the ordinance banning single use plastic bags. With regard to 380 Haws Lane, Ms. McNamara recognized that the settlement agreement is a compromise and is a better alternative than other proposals offered. However, she asked that the Board consult with an environmental expert before voting on the agreement. She further asked that the Board consider landscape design and the lighting in the development. She urged the Board to consider maintaining the integrity of the neighborhood when making their decision.

John English, Oreland, addressed the Board regarding the ordinance banning single use plastic bags. He asked that the Board consider adding an exemption for the elderly.

Bill Zager, Flourtown, asked that the Board consider the increase in traffic associated with the development of 380 Haws Lane.

Angelina Banks, Wyndmoor, suggested that an additional consequence of the proposed plastic bag ordinance is the loss of jobs held by persons who bag groceries. She also commented that the proposed fee associated for paper bags is intended to legislate behavior and that it is not the job of elected officials to legislate social change.

Terri Hepner, Flourtown, regarding the development of 380 Haws Lane, commented she never heard anyone in favor of any of the development proposals. Mr. Lee reminded all that the property is privately owned, and the owner has the right to develop the property. Ms. Hepner asked that the Board vote no on the Settlement Agreement or postpone a vote to allow time to incorporate ideas put forth this evening. Ms. Hepner restated her desire for the Board to consult with an environmental expert. Ms. Ratsavong noted that the Pennsylvania Department of Conservation and Natural Resources had previously been consulted and both agencies are familiar with the property.

Samantha Kuhn, Flourtown, asked for more widely distributed information in the future. Ms. Kuhn was encouraged to sign up for the Township's website alerts.

Alexandra Klinger, Wyndmoor, with regard to 380 Haws Lane, expressed her opposition to the owner/developer constructing the parking lot and walking path. She also expressed her opposition to the current Settlement Agreement. She believes more work needs to be done.

Mr. Lee explained how the costs and values of a property play out in the condemnation process.

Felice Croul, Erdenheim, stated her property is adjacent to School District property and she is impacted by the various improvements that have been constructed by the School District over the years. She experiences flooding and extra lighting aimed at her house, and she is concerned about the development at 380 Haws Lane. She believes the township should purchase the entire property.

Anne Lannick, Oreland, noted that there are many uses for plastic bags and is not in favor of banning them.

Sherri Kreider, Oreland, with regard to the development at 380 Haws Lane, asked about the parking requirements that are spelled in out the Settlement Agreement. Messrs. Lee and Taylor explained the parking requirements. Ms. Kreider asked the Board to postpone a vote on the Setteltment Agreement in order to consider comments made tonight.

Katie Carruthers, Flourtown, asked the Board to postpone voting on the Settlement Agreement for 380 Haws Lane. She asked the Board to poll the entire community to see if residents are willing to accept a tax increase in order to purchase the entire property.

Rebecca Schock, Flourtown, expressed her support for open space and her opposition to the proposed development at 380 Haws Lane. Ms. Schock commented that children are not safe walking on the sidewalks along Haws Lane.

Matt Oxbury, Flourtown, asked what the Township's process is for notifying neighbors of important meetings and/or votes on important topics. Mr. Lee explained that process. In the event the Board votes in favor of the Settlement Agreement, Mr. Oxbury asked what would happen if the Court rejects the Settlement Agreement. Mr. Garrity responded that the developer would be able to place an institutional use on all four acres, or change the terms of the Settlement Agreement. Mr. Oxbury asked about stormwater management improvements if the property is developed as proposed. Mr. Garrity said that no stormwater management exists on the property at present, but that any new development will certainly include stormwater management facilities, over and above what is required.

Leah Blanton, Erdenheim, expressed concern for the potential development of the Harston Hall property.

Alexandra Klinger, Wyndmoor, read a statement from Ellen Stevenson, of Flourtown. The statement expressed her desire for sustainable development. It was Ms. Stevenson's opinion that the Board is ignorant as to the impact the development will have on our community if the Board votes to approve the Settlement Agreement.

Mr. Lee, Chairman of Public Safety Committee, reported:

Motion (Lee-Maxwell) vote 6-0 to enact Ordinance No. 974 to amend the Code of the Township of Springfield, Chapter 107, Vehicles and Traffic, by updating the fee schedule for parking violations from \$15 to \$25 for most violations, and by adding a new section to prohibit the use of unlicensed motor vehicles such as minibikes, minicycles, trail bikes, snowmobiles, all-terrain vehicles, golf carts and similar vehicles on any street, sidewalk, public or private property. The proposed ordinance also establishes fines and authorizes police officers to confiscate and tow motor vehicles that are operated in violation of the new regulations.

Mr. Lee announced that the Township's American Recovery Plan Act (ARPA) Spending Plan consists of fifteen (15) projects across four expenditure categories including contributions to the 3 fire companies that will be used for the replacement of Fire Apparatus. To memorialize the Township's ARPA contribution to the fire companies, a Beneficiary Agreement has been created to formalize the transactions.

Motion (Lee-Maxwell) vote 6-0 to authorize the appropriate township officials to execute a Beneficiary Agreement with the Oreland Volunteer Fire Company, No. 1 for the distribution of \$150,000 in ARPA finds to be used for the purchase of a 2024 Seagrave Pumper.

Mr. Lee announced that in May 2020 and October 2021, the Board of Commissioners designated Brandon Ford as the Designated Agent for Springfield Township to work with the Federal Emergency Management Agency and Pennsylvania Emergency Management Agency to receive Public Assistance for the COVID-19 pandemic, and damages sustained from Hurricane Ida. With the recent departure of Mr. Ford from the Township's employ, it is necessary to designate a new agent.

Motion (Lee-Ratsavong) vote 6-0 to adopt Resolution Nos. 1613 and 1614 designating Craig A. Lloyd, Assistant Manager/Finance Director, to serve as the Township's designated agent to work with the Federal and Pennsylvania Emergency Management Agencies for the disaster declaration related to the COVID-19 pandemic, and the disaster declaration for damages sustained from Hurricane Ida.

Mr. Lee reported for the Community Development Committee:

Motion (Lee- May) vote 6-0, in compliance with Section 512.1 of the Pennsylvania Municipalities Planning Code, the Board grant a waiver to the formal land development plan review process in order to permit Dennis and Nikki Murray, owners of the properties at 1220 and 1208 Bethlehem Pike, to construct two building additions and associated site improvements to their existing funeral home in Flourtown. The project includes the removal of a 535 square foot section of open porch area, and the construction of 2,263 square feet of new building, along with parking, stormwater management and lighting improvements. The waiver is conditioned upon the following:

- (1) a stormwater management plan is submitted and approved in a condition satisfactory to the Township Engineer,
- (2) a landscape plan is submitted to ensure compliance with the Township Code,
- (3) a six-foot high solid vinyl fence is installed along the shared property lines with the residential properties on Franklin and Jones Avenues,
- (4) a shared parking agreement with St. Genevieve Church and School is submitted for review and approval by the Township,
- (5) the Jones Avenue entrance driveway is designed to prohibit right hand turns from the property,
- (6) signage be installed at the Jones Avenue driveway to read "Entrance Only"
- (7) pedestal lighting be installed in the new parking area to limit light intrusion on adjacent residential properties, and

(8) in exchange for a waiver to the landscape buffer requirements between the properties at 1208 and 1220 Bethlehem Pike, the two lots shall be consolidated into one parcel.

Mr. Lee announced that at the September 14, 2022 meeting of the Board of Commissioners, the Board adopted Resolution No. 1575 authorizing the condemnation of 2.7598 acres out of 4.518 acres of property owned by 380 Haws, Limited Partnership, and located at 380 Haws Lane, Erdenheim. After resolving a number of title issues, on May 15, 2023 the Office of the Township Solicitor filed a Declaration of Taking for the condemned portion of the property. The condemnation created a subdivision of land which reduced the overall size of the property retained by 380 Haws LP to 1.6902 acres, together with an adjoining property at 402 Haws Lane for a total of 2.0202 acres.

On or about May 18, 2023, 380 Haws LP filed an Answer to the Township's Declaration of Taking alleging that the Township's condemnation action and subsequent subdivision of land rendered the remaining lands owned by 380 Haws LP completely valueless for any of the purposes permitted by the Township's zoning ordinance and demanded that the Township pay damages for the Fair Market Value of the entire acreage of the 380 Haws LP properties. After extensive negotiations, a tentative compromise has been reached to avoid additional litigation associated with the condemnation. Mr. Lee provided a summary of the material terms of the proposed settlement.

Motion (Lee-Wilson) to authorize the execution of a Settlement Agreement and Mutual Release with 380 Haws, LP in order to settle any and all disputes associated with the condemnation of a 2.7598 acre portion of property located at 380 Haws Lane, Erdenheim.

Mr. Lee stated it has been a long, sometimes difficult process. He believes that the present compromise is an imperfect but good outcome. He commended the efforts of those in community who advocated on behalf of the environment.

Ms. Ratsavong stated her appreciation for everyone's advocacy, and stated that if it wasn't for that advocacy, one of the earlier proposals would most likely have been pursued.

Mr. Cobb stated he will vote against the Settlement Agreement. He believes it sets a dangerous precedent for property acquisition. He stated that elderly residents are already being priced out of the Township due to the rising costs overall, and the township acquiring this property is adding to their financial burdens. He also stated his thoughts that there might be better opportunities in the future for the Township to acquire land to be dedicated for open space.

Vote on the motion: 5-1; Cobb opposed.

Mr. Wilson, Chairman of Environmental Resources Committee, reported:

Mr. Wilson announced that during the month of June 2023, Springfield Township residents recycled 165.3 tons of material with a householder participation rate of 72.2%. The net cost for the month was \$25,287.04.

Mr. Wilson encouraged all residents to practice “grass-cycling”. He explained that grass-cycling is the practice of leaving grass clippings on one’s lawn to naturally decompose and add nutrients. He explained the benefits of grass-cycling.

Motion (Wilson-May) to authorize the advertisement of an ordinance to regulate the distribution of single use plastic carry out bags. The proposed ordinance would amend the Code of the Township of Springfield to add a new Chapter 85 to regulate the use of single use plastic carry out bags by adding findings, definitions, requirements, enforcement provisions, penalties and exemptions relating to the distribution and use of single-use plastic carry out bags. The ordinance would become effective six (6) months after enactment and includes a mandatory fee of ten cents per bag that is to be charged by merchants that choose to supply paper bags to their customers.

Mr. Wilson commented that the EAC worked very hard on this ordinance.

Ms. Ratsavong commented that she would like the mandatory fee of ten cents per bag removed from the ordinance, and that if the proposed fee were removed, she would vote in favor of advertising the ordinance.

Vote on the motion: 4-2; Ratsavong and Maxwell opposed.

Motion (Wilson-Ratsavong) vote 6-0 to appoint Gail Farmer, Flourtown, as an Associate Member of the Springfield Township Environmental Advisory Commission. Mr. Wilson explained that Associate Members do not have voting privileges but are encouraged to attend and participate in all meetings of the commission, and to assist with educational programs, research and special projects.

Mr. Maxwell, Chairman of Public Works and Facilities Committee, reported:

Motion (Maxwell-Wilson) vote 6-0, to reappoint Tom Pryzblinski to a new, three-year term of service as a member of the Springfield Township Shade Tree Commission. Mr. Pryzblinski’s new term of service shall expire July 13, 2026.

Mr. Maxwell announced that Jamie DePaul will be resigning her position as a member of the Springfield Township Shade Tree Commission at the conclusion of her current term of service on June 13, 2023. Mr. Maxwell noted that Ms. DePaul was responsible for revising and improving the Township’s Memorial Tree program, maintains the sensory garden at Cisco Park and, along with her family, volunteers her time to water the landscape planters along Willow Grove Avenue. Mr. Maxwell thanked Jamie for her service and noted that Ms. DePaul is a valued employee of the Township.

Mr. Maxwell announced that there is now a vacancy as a member of the Springfield Township Shade Tree Commission. He outlined the purpose and responsibilities of the Shade Tree Commission, and instructed residents interested in serving on the Shade Tree Commission to submit a letter of interest to the attention of Michael Taylor, Township Manager.

Mr. Cobb, Chairman of Administrative, Fiscal Affairs and Zoning Committee, reported:

Motion (Cobb-Wilson) vote 6-0, to approve the June check reconciliation in the amount of \$982,428.96, and the July bill listing in the amount of \$574,366.18.

Mr. Cobb announced that the Springfield Township Zoning Hearing Board will meet on Monday, July 24, 2023, at 7:00 PM at the Springfield Township Building. Mr. Cobb read into the record the Zoning Hearing Board agenda and announced that copies of all applications are on file in the Code Enforcement Office and may be viewed during normal business hours.

Motion (Cobb-Wilson) vote 5-1; Cobb opposed, to authorize the Office of the Township Solicitor to represent the interests of the Board to oppose the petition of Michael DeLaurentis, owner of 2 Terminal Avenue, requesting a reduction to the required right-of-way setback from fifteen feet to zero feet in order to permit the installation of a six-foot high fence along the public right of way adjoining Terminal Avenue.

Ms. Ratsavong, Chairwoman of Parks and Recreational Resources Committee:

Motion (Ratsavong-Cobb) vote 6-0, to appoint Christine Hesser, Amy Jacoby and Katie Widmeier, Oreland residents, to serve as members of the ad hoc steering committee that has been formed to create a site master plan for the former Tank Car Corporation of America property, 1725 Walnut Avenue, Oreland.

Motion (Ratsavong-May) vote 6-0 to adopt Resolution No. 1615 recognizing July 21, 2023, as Parks & Recreation Professional's Day in Springfield Township. Ms. Ratsavong encouraged everyone to visit a local park or recreation facility, and to thank a coordinator, counselor, lifeguard, landscaper, coach or other professional responsible for maintaining or promoting leisure and recreation activities.

Mr. May, Chairman of the Cultural Resources Committee, had not report.

Mr. Lee opened the meeting to public comment.

Motion (Maxwell-Wilson) vote 6-0 to adjourn the meeting at 9:50 PM.

Respectfully submitted,

Michael Taylor
Secretary/Manager