

**MINUTES OF MEETING
BOARD OF COMMISSIONERS
SPRINGFIELD TOWNSHIP**

The Board of Commissioners of Springfield Township met in regular monthly meeting on Wednesday evening, May 8, 2019, at 7:30 PM in the Springfield Township Building for the purpose of transacting the general business of the Township. All members of the Board were present with the exception of Mr. Cobb. Mr. Harbison presided.

Mr. Harbison 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 in order to help preserve our safety.

Mr. Harbison led the Pledge of Allegiance.

Motion (Schaum-Wilson) 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. Harbison noted that Mr. Cobb was unable to attend this evening's meeting as he had to attend to a last minute obligation.

Mr. Harbison announced that the Board of Commissioners conducted an executive session following the workshop meeting held on May 6, 2019 to discuss one matter of litigation and one personnel matter.

Mr. Harbison took the opportunity to announce that the Township lost one of its preeminent residents, David Montgomery. Mr. Montgomery recently passed away. Mr. Harbison noted that Mr. Montgomery was a role model, friend, and civic leader, and a man of great integrity. He opined that the Phillies, Springfield Township and the world are all better as a result of David Montgomery.

Mr. Harbison announced that the Board of Commissioners would be conducting two public hearings this evening. The first is to receive public comment on past performance of Verizon and future cable television needs of the community as it relates to ongoing negotiations with Verizon to renew their cable TV franchise agreement. The second public hearing pertains to an amendment to the Subdivision and Land Development Ordinance related to the posting of financial security for public improvements within a development and the posting of financial guarantee for public improvements that are to be dedicated to the Township. All questions or comments related to those two matters should be held until the public hearings are conducted.

Jessica Williamson, 502 Oreland Mill Road, addressed the Board of Commissioners on her recent Aqua and Bucks County Water and Sewer Authority invoices. She recently received a new Aqua water meter and believed the incorrect invoices were related to the new meter. Aqua investigated the matter and indicated that the meter was not malfunctioning but received no further customer service. Mr. Harbison explained that the billing from Aqua for water usage is directly tied to the Bucks County Water and Sewer Authority invoicing as Bucks County receives the Aqua water utilization data. Mr. Graham indicated that he is attempting to establish a meeting with Bucks County Water and Sewer Authority open to the general public to address

recent invoicing issues. The Township will investigate the situation with Aqua, and once a procedure is understood, will distribute the information via an email blast to Township residents.

Mr. Harbison indicated that the Board asked for a presentation on a matter that is to appear before the Zoning Hearing Board later this month. The Zoning Hearing Board is the actual entity that will make a decision on the matter surrounding the proposal, however, the Board of Commissioners wished to gain an updated presentation on the proposal.

Brad McCleary, of MEH Investments LLC, provided a power point presentation on a proposed development of a 100 unit, age-restricted multi-family apartment complex at 380 Haws Lane, Erdenheim, which is the same site of an earlier approved development for a 107-unit assisted living facility known as Traditions of Springfield. Mr. McCleary provided site plans of the previous development, as well as the newly proposed development, and identified a few differences between the two plans including the main driveway being relocated from across from Wedgewood Road to across from Greenhill Road. One year ago, each floor contained 27,700 sq. ft. Currently, the proposal is 29,200 sq. ft. which evolved through additional architectural design in each unit. Mr. McCleary believes that the benefits of the new proposal include interest of the baby boomers to downsize in their living facilities, single floor living, remaining close to family, tax benefits for both the Township and School District with no impact on the schools, and reduced traffic impacts due to the reduced staffing requirements for the facility. The facility will remain four stories in height. The number of units was reduced down to 100 units, with 167 parking spaces. The focus of the building will be on the front portion as opposed to the previous rear main entrance. A detention basin was added on the lower portion of the site closer to Wedgewood Road. Mr. McCleary suggested that a full traffic study will be conducted as a part of the land development plan review process. Impervious coverage has been reduced from 60% to 54% although the ordinance maintains a maximum impervious area of 40%. The architect also increased the width of the building by 10 feet, from 70 feet to 80 feet, thereby adding approximately 2,000 sq. ft. more footprint. A meeting took place on May 7, 2019 with the area neighbors. Mr. McCleary also suggested that the development may maintain an existing building located directly on Haws Lane for use as a community building, but they wish to receive more input from the neighbors, and will also consider sight distance on Haws Lane which would be improved if the existing building would be removed. He noted that the building coverage is proposed at 15%, and 20% is permitted by the Township Code. Mr. McCleary concluded by providing renderings of the elevations of the building. Mr. Wilson expressed his opposition to the proposal stating that the property is zoned institutional and while the assisted living proposal was previously approved, the apartment use is not a permitted use. He also noted that the impervious coverage is permitted to be 40% of the property and the proposal sets forth 54%. He attended the May 7, 2019 meeting which was attended by 30 to 35 neighbors. He suggested that the building is massive and the developer would need to move approximately half the trees on the property. Mr. Wilson opined that the developer found the property with an approved use in the Institutional zoning district and is taking an opportunity to modify the use. He also reviewed the permitted uses in the Institutional zoning district, which does not include apartment buildings. He believes that the use should be more closely compared to the multi-family zoning district and cited several of those regulations. He concluded by stating that he did not believe there was much of a benefit to the neighborhood and the Township, and would therefore suggest that the Board of Commissioners send the Solicitor to the Zoning Hearing Board meeting to oppose the application.

Mr. Harbison, Chairman of Internal Affairs and Library Committees, reported:

Motion (Harbison-Schaum) vote 6-0, to approve the April check reconciliation in the amount \$495,231.18 and the May bill listing in the amount of \$597,379.66.

Mr. Schaum, Chairman of Public Works and Facilities Committee, had no report.

Mr. Standish, Chairman of Community Development Committee, had no report.

Mr. Standish announced that on Wednesday, May 22, 2019 at 7:00 PM in the Springfield Township Building the Township will host a town hall meeting and community discussion on the opioid epidemic. The organizers and panel members include County Commissioner Val Arkoosh, MD, representatives from the Montgomery County District Attorney's Office, Chief Mike Pitkow, School District Superintendent Nancy Hacker, District Justice Kate McGill, Commission Jonathan Cobb, and community members who are willing to share their experiences with how they have been impacted by opioid addition.

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

Mr. Wilson announced that during the month of April 2019, Springfield Township residents recycled 166.7 tons of materials with a householder participation rate of 80%. The net cost for the month was \$20,251.22.

Mr. Graham, Chairman of Parks and Recreational Resources Committee, reported:

Motion (Graham-Schaum) vote 6-0, to grant permission to the Arthur V. Savage American Legion Post of Wyndmoor to utilize Veterans Park for a community day event following the annual Memorial Day Parade, and to serve beer at the park as a part of the community day event. Permission was granted subject to the following: (1) the American Legion Post secures a permit for the use of the park, (2) the American Legion Post hires a police detail to be at the park when the beer is being served, and (3) the American Legion Post secures an insurance rider for the day's events naming Springfield Township as an additional insured.

Motion (Graham-Schaum) vote 6-0, to reappoint Chris Tomlinson to a new three year term of service as a member of the Springfield Township Parks and Recreation Advisory Committee. The new three year term of service shall expire May 12, 2022.

Mr. Maxwell, Co-Chairman of Public Safety Committee, reported:

Motion (Maxwell-Schaum) vote 6-0, to amend the Springfield Township Code, Section 107-32, Schedule IX, Parking Prohibited, by prohibiting parking on both sides of Haws Lane, Oreland, at its intersection with Springfield Way to a point 170 feet easterly thereof.

Motion (Maxwell-Schaum) vote 6-0, to amend the Springfield Township Code, Section 107-28, Schedule V, by authorizing the installation of a stop sign on St. Clair Road, Oreland, in a northbound direction at its intersection with Paper Mill Road.

Mr. Schaum indicated that this was the dead-end portion of St. Clair Road and the reason that the traffic safety officer believes a stop sign is necessary is that while residents may know to stop at this location, motorists from out of town might not recognize the need to stop and there is nothing to indicate that it is necessary to stop at this location.

Mr. Schaum reported on behalf of Mr. Cobb, Chairman of Zoning Committee:

Mr. Schaum announced that the Zoning Hearing Board would next meet on Monday, May 20, 2019 at 7:00 PM in the Springfield Township Building. Mr. Schaum summarized the Zoning Hearing Board Agenda.

Motion (Wilson-Graham) to authorize the Township Solicitor to attend the Zoning Hearing Board meeting in opposition to the application of 380 Haws Lane LP as it relates to a 100 unit, age-restricted multi-family dwelling development proposed for 380 and 402 Haws Lane, Flourtown.

Brad McCleary, on behalf of MEH Investments, the developer, asked for an opportunity to address the Board of Commissioners prior to the action on the motion. That opportunity was granted by Mr. Harbison. Mr. McCleary stated that he understands and respects the position of Mr. Wilson with regard to the development, but does not appreciate the characterization that the developer sought after this property which maintained an approved development in order to slip the development into place given the prior approval. He noted that the developer is going before the Zoning Hearing Board due to a previous request of the Board of Commissioners as the Township does not have an age-restricted apartment-style use. Mr. McCleary respectfully asked that the Board not send the solicitor in opposition to their application, but permit the Zoning Hearing Board to make their own decision. Mr. Harbison indicated that the developer previously met with the Board of Commissioners and asked for a Zoning Code amendment. He would prefer that the Township maintain the integrity of the existing Zoning Code and, therefore, the Board of Commissioners did direct the applicant to the Zoning Hearing Board. Mr. Harbison provided examples of zoning code amendments that took place in Cheltenham Township that did not work well due to inadvertent inclusion of other properties affected by the Zoning Code amendments. He believes the application to the Zoning Hearing Board is proper, as the Board can place specific conditions on the property and the use as a result of information received, and reminded all that the Board of Commissioners does not make the decision on the application before the Zoning Hearing Board, but that the Board may appear in support or in opposition to any application. Mr. Harbison stated that he was not in favor of Mr. Wilson's proposal noting that there are approximately 9 nursing homes already in the Township, some for profit and some non-profit. He acknowledged that the proposal was slightly larger in size and there may be more traffic generated by the residents but far less traffic generated by staff for the facility. There will be property tax benefits and no impact on the School District as there will be no children in the development. He opined that he really believes there is a need for residents to remain in the Township for reasons stated previously. Therefore, he would not support sending the Township's legal counsel to the Zoning Hearing Board and would prefer that the Zoning Hearing Board do their job based on information received.

Mr. Standish stated his agreement with the comments made by Mr. Harbison, but found no need to repeat those comments. As liaison to the Planning Commission, it is noted that over time the zoning ordinance becomes antiquated due to market changes and lifestyle changes, and needs to be revised from time to time. He provided an example of an effort by the Planning

Commission to create multi-family dwellings to retain unique buildings within the Township, but that effort will be vacated due to lack of interest in the community. With regard to the application before the Zoning Hearing Board, Mr. Standish does not believe it is necessary to send the Township Solicitor to oppose the application.

Mr. Graham remarked that at age 55 he was still working and had children in the school and, therefore, believes there will be an impact in the community if the proposal is approved. He would like to send the Solicitor to the Zoning Hearing Board in order to be assured that the developer remains within the zoning ordinance.

Mr. Maxwell suggested that he attended both meetings with the neighbors related to the proposal and the neighbors were generally in favor of the proposal. He does not believe that the developer is attempting to pull a “fast one” with changing the approved use. He does believe that the developer is trying to fill a housing need within the community and that the Zoning Hearing Board should make its own decision. Mr. Graham wished to clarify that he was not insinuating that the developer was trying to pull a fast one, but still would like the Township Solicitor to attend the Zoning Hearing Board meeting to assure compliance with the Zoning Code.

Vote on the motion 2-4; opposed – Harbison, Maxwell, Schaum, Standish. The motion did not carry.

Motion (Schaum-Wilson) vote 6-0, to recess the May business meeting in order to conduct two public hearings.

Motion (Schaum-Maxwell) vote 6-0, to reconvene the business meeting.

Motion (Harbison-Schaum) vote 6-0, to enact Ordinance No. 960, an ordinance amending the Springfield Township Code, Chapter 95, Subdivision of Land, to repeal and replace Section 95-12, Guaranty for Construction of Improvements, and to repeal and replace Section 95-16, Owner to Guarantee Material and Work Proposed for Dedication.

There being no further business, the meeting was adjourned at 8:35 PM.

Respectfully submitted,

Donald E. Berger, Jr.
Secretary

