



**Springfield Township
Planning Commission Meeting
June 4, 2024**

This is the regularly scheduled meeting of the Springfield Township Planning Commission. This meeting will start at 7:00 PM. The meeting will be held in the Boardroom of the Springfield Township Administration Building, located at 1510 Paper Mill Road, Wyndmoor, PA 19038.

Notice: The Planning Commission of Springfield Township is an advisory board appointed by the Board of Commissioners. The actions of the Planning Commission on any agenda item does not reflect a final decision. The Board of Commissioners will take final action on all agenda items.

Call To Order:

Roll Call:	Murray	Devine	Sands
	Schaefer	Blankin	Quill
	Harbison	Mascaro	Helwig

Minutes: Review the minutes from the May 7, 2024, meeting.

Commissioner's Report:

PC1: Mr. Christopher Canavan, President of W. B. Homes, Inc. will present the rendering of the front façade of the proposed townhomes to be built at 380 & 402 Haws Lane. Mr. Canavan committed to returning to the Planning Commission once the rendering had been completed.

PC2: The Springfield Township Board of Commissioners has forwarded a draft of a proposed ordinance amendment regulating amusement devices within the Township. The Planning Commission has been asked to review the proposed ordinance and provide a recommendation to the Board of Commissioners.

The next meeting of the Springfield Township Planning Commission is scheduled for Tuesday, June 18, 2024.

Adjourned:



**SPRINGFIELD TOWNSHIP
BOARD OF COMMISSIONERS**

ORDINANCE NO. 2024-_____

“Amusement Device Zoning Ordinance Amendment”

AN ORDINANCE AMENDING THE SPRINGFIELD TOWNSHIP CODE, CHAPTER 114 (ZONING), ARTICLE II (DEFINITIONS), SECTION 114-21 (DEFINITIONS AND TERMS) TO ADD THE TERM AND DEFINITION OF AMUSEMENT DEVICE, AND TO FURTHER AMEND ARTICLE XI (S SHOPPING CENTER DISTRICT), SECTION 114-113 (USE REGULATIONS) TO ADD AMUSEMENT DEVICE AS A PERMITTED USE SUBJECT TO CHAPTER 4 (AMUSEMENT DEVICE) AND ADDITIONAL REQUIREMENTS, AND TO FURTHER AMEND ARTICLE X (B2 BUSINESS DISTRICT), SECTION 114-101 (PERMITTED USES) TO ADD AMUSEMENT DEVICE AS A PERMITTED USE WHEN AUTHORIZED AS A SPECIAL EXCEPTION AND SUBJECT TO ADDITIONAL REQUIREMENTS.

The Board of Commissioners of Springfield Township does hereby **ENACT** and **ORDAIN:**

SECTION I. - Amendment to the Code.

The Code of Springfield Township, Chapter 114 (Zoning), Article II (Definitions), Section 114-21 (Definitions and terms) is hereby amended to add the following terms:

AMUSEMENT DEVICE

Any automatic, mechanical, electric or electronic machine or device, used or designed to be operated as a game, or for entertainment or amusement, by the insertion of a coin, token, key, money or other article or by the payment of money to have it activated. This definition shall not include the following devices:

- A. Jukebox.
- B. Rides.
- C. Bowling alleys.
- D. Merchandise machines which dispense beverages, food, toilet articles or other tangible personal property.
- E. Photographic machines.
- F. Any game or device maintained within a residence for the sole use of the occupants thereof and their guests.

SECTION II. - Amendment to the Code.

The Code of Springfield Township, Chapter 114 (Zoning), Article XI (S Shopping Center District), Section 114-113 (Use regulations) is hereby amended to add the following new Subsection L:

- L. Amusement Device, as an accessory use, when installed and operated in accordance with the provisions of Chapter 4 of the Code, and subject to the following requirements:
 - 1) The property line of any property on which an amusement device is located shall not be within 1,000 feet in any direction of the property line of any public, private or parochial school, day-care center family, day-care home, park, playground, community center, open space or recreation area.

SECTION III. - Amendment to the Code.

The Code of Springfield Township, Chapter 114 (Zoning), Article X (B2 Business District), Section 114-101 (Permitted uses) is hereby amended to add the following new Subsection L:

- L. Amusement Device, as an accessory use, when authorized as a special exception, in accordance with the provisions of Chapter 4 of the Code, and subject to the following requirements:
 - 1) The property line of any property on which an amusement device is located shall not be within 1,000 feet in any direction of the property line of any public, private or parochial school, day-care center family, day-care home, park, playground, community center, open space or recreation area.

SECTION IV. - Severability.

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of

the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION V. - Failure to Enforce Not a Waiver.

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION VI. - Effective Date.

This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION VII. - Repealer.

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

ORDAINED AND ENACTED by the Board of Commissioners of Springfield Township, Montgomery County, Pennsylvania, this ____ day of _____, 2024.

SPRINGFIELD TOWNSHIP

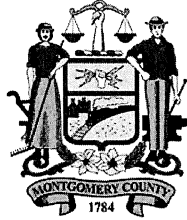
By: _____
James M. Lee, President
Board of Commissioners

Attest: _____
A. Michael Taylor, Secretary

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

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**MONTGOMERY COUNTY
PLANNING COMMISSION**

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SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

May 31, 2024

Mr. Mark Penecale, Director of Planning and Zoning
Springfield Township
1510 Paper Mill Rd,
Wyndmoor, Pennsylvania 19038

Re: MCPC # 24-0111-001
Plan Name: Amusement Device Amendment
Springfield Township

Dear Mr. Penecale:

We have reviewed the above-referenced zoning text amendment in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on May 11, 2024. We forward this letter as a report of our review.

BACKGROUND

Springfield Township is proposing to amend Article II (Definitions), Section 114-21 (Definitions and Terms) of the zoning ordinance to include the term and definition of "Amusement Device". The proposed zoning text amendment will also amend Article XI (S Shopping Center District), Section 114-113 (Use Regulations) to add amusement device as a permitted use subject to Chapter 4 (Amusement Device), and additional requirements. The proposed amendment further amends Article X (B2 Business District), Section 114-101 (Permitted Uses) to add amusement device as a permitted use when authorized as a special exception and subject to additional requirements.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal, however, in the course of our review we have identified the following issues that the applicant and Springfield Township may wish to consider prior to final plan approval. Our comments are as follows:

REVIEW COMMENTS

AMUSEMENT DEVICE DEFINITION

The township may wish to consider ensuring the definition is consistently interpreted by providing additional examples of what constitutes an "Amusement Device". Additionally, in order to avoid an interpretation that amusement devices include gambling, which is regulated by the Pennsylvania Gaming Control Board, or small games of chance, which are regulated by the State Department of Revenue, we ask the township to consider adding language to the definition of "amusement device" to clarify that the term does not include these activities.

SEPARATION DISTANCE REQUIREMENTS

Through a GIS analysis, it appears the 1,000 foot separation requirement will eliminate a significant portion of the available space, and nearly the entire B-2 Business District as a location to include such a device. For reference, we have attached a map highlighting any "public, private or parochial school, day-care center family, day-care home, park, playground, community center, open space or recreation center" with a 1,000 foot buffer and overlaying the two amended districts, B2 – Business and S Shopping. Some of these terms were subject to our interpretation as there may be day-care homes unlisted in the township. We recommend the township evaluate additional spacing distances in order to ensure there are sufficient opportunity sites where amusement devices would be permitted.

ZONING LANGUAGE

Additionally, due to the possible restrictions from the verbiage of the above amendment, it may be beneficial for the township to clarify "township owned open space" as opposed to simply "open space". Additionally, as "day care center" is already defined in the township's zoning code, the township may wish to consider changing "day-care center family" and "day-care home" to "day-care center". This may be helpful if there are not detailed records or measures in place to determine what constitutes a day-care family and day-care home.

CONCLUSION

We wish to reiterate that MCPC generally supports the proposed zoning ordinance text amendments; however, we encourage the township to evaluate the recommendations described above.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body adopt this proposed zoning ordinance amendment, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,

Margaux Petruska

Margaux Petruska, Community Planner II
Margaux.petruska@montgomerycountypa.gov – 610-278-3728

c: Michael Taylor, Springfield Township Manager
Amanda Helwig, Chair, Springfield Township Planning Commission
Andrew R. Freimuth, Solicitor, Springfield Township

Attachment A: 1,000 foot buffer and Zoning District Overlay