

**LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING
TUESDAY, MAY 28, 2019**

SUPERVISORS PRESENT:

Kathleen Hunsicker, Chair
Dr. J. Richard Booth, Vice-Chair
Mark Grey

ATTENDANCE VIA PHONE:

Edward J. Brandt
Stephen Paccione

STAFF:

Craig T. McAnally, Township Manager
Jamie Worman, Assistant Township Manager
Carole Culbreth, Assistant Secretary
James J. Garrity, Esq., Solicitor
Paul Kenny, Police Chief
Mike DeStefano, Public Works Director
Ken Amey, Zoning Officer
Jim Hersh, Township Engineer

Call to Order and Pledge of Allegiance

The Chair called the meeting to order at 7:00 p.m. in the Lower Gwynedd Township Municipal Building and led those in attendance in the pledge of allegiance. The Chair stated the Board of Supervisors met in an Executive Session before the meeting on personnel matters.

BUSINESS & FINANCE

Receipt of Invoice History - April, 2019

The Board of Supervisors received the Invoice History for April, 2019 in the amount of \$434,372.58. The Chair asked if there were any questions or comments. There were none. Dr. Booth made a motion, seconded by Mr. Grey to approve the Invoice History for April, 2019 in the amount of \$434,372.58. The motion carried 5 - 0.

Receipt of April, 2019 Budget Report and Balance Sheet

The Board of Supervisors received the April, 2019 Budget Report and Balance Sheet. The Chair asked if there were any questions or comments. There were none. Dr. Booth made a motion, seconded by Mr. Paccione to approve the April, 2019 Budget Report and Balance Sheet. The motion carried 5 - 0.

PUBLIC COMMENTS

The Chairman opened the meeting for public comment for items not on the agenda.

Linda Sacks, distributed to the Board a summary with photos of the issues she is dealing with at 921 A & B Bethlehem Pike. She is hoping the Supervisors will get involved with these zoning violations.

Ken Baker, 1034 Radcliff, asked the Board of Supervisors for better communication with residents regarding the DOW Property (SHIP) and, stated communications be expanded to residents outside of the 500 feet requirement.

There were no other comments.

BUILDING AND ZONING

Ordinance No. 522: Foulkeways - Map and Text Amendment, (Decision Only)

Ms. Hunsicker summarized the hearing that was held on April 9th regarding Ordinance No. 522: Foulkeways - Map and Text Amendment. She stated the hearing was closed at the end of the meeting and we are ready to render a decision tonight. Mr. Garrity stated an ordinance that rezones parcels of ground which are currently zoned A Residential to be included in the MF-3-A Multi-Family Residential District and includes revisions to the text of the MF-3-A Multi-Family Residential District. Ms. Pionzio, attorney for Foulkeways, stated Foulkeways has listened to and has been transparent with the neighbors. Ms. Hunsicker made a motion, seconded by Dr. Booth to adopt Ordinance No. 522: Foulkeways - Map and Text Amendment. Mr. Grey stated his concern was with the tree removal. Mr. Brandt stated Foulkeways is an excellent neighbor and has listened to the surrounding neighbors. Mr. Paccione stated the map and text amendment proposed under the leadership of Mike Peasley will be a great addition to Foulkeways. Mr. Garrity asked for public comment. There was no public comment. The motion carried 5 - 0.

Ordinance No. 523: D-1 Special Use District Amendments (MRA)

Ms. Hunsicker summarized the hearing of May 14, 2019 regarding Ordinance No. 523; D-1 Special Use District Amendments on certain uses not permitted such as a restaurant and a fitness center. She stated Larry Stuardi, Dan Fuchs and Attorney Nate Fox were present representing MRA and an eight-minute video was presented to those in attendance. She stated residents from Warren Road, Spring House Farms and McKean Road voiced their concerns which the Board took under advisement. Ms. Hunsicker Reported that since the hearing a resident meeting was held and she asked for feedback from the meeting from those in attendance.

Residents were concerned with a meeting held on Thursday, May 24, 2019 which was not communicated to all the neighbors. Ms. Hunsicker stated this was not a Township meeting but one requested by Mike Twersky and hosted by MRA. Ms. Hunsicker thanked MRA for holding the meeting.

Mr. Fuchs stated approximately ten residents attended and traffic calming methods were discussed. Mr. Grey stated that he was stunned that the D-1 Special Use District Amendments was back on the agenda without receiving any additional information or traffic study. Mr. Stuardi stated a traffic study is not required now; but rather only during the conditional use process. They will provide the required traffic study during the conditional use process. Mr. Stuardi explained we need to keep the process moving because the tentative hotel has backed out and another lease may back out. Residents expressed concern over the Board's transparency related to the speed of approvals for MRA. Mr. Grey stated the D-1 Special Use District Amendments was a surprise agenda item and now the Chair wants a vote tonight. Ms. Hunsicker explained that she wanted time to absorb the comments of the last meeting which she has; and when a full Board was confirmed for the evening, the item was added. Ms. Hunsicker stated MRA has been here for some time; they have improved the trails, initiated a fitness court, and opened their doors to the community. She made a motion to adopt Ordinance No. 523 D-1 Special Use District Amendments (MRA) seconded by Dr. Booth. Mr. Paccione stated nothing has changed; he asked MRA for a traffic analysis to be presented to the neighbors. He stated MRA ignored the Planning Commission's four points. He said residents want answers. Mr. Brandt disagreed with Mr. Paccione. He stated this is a special opportunity for the Township. He commends MRA and their willingness to improve McKean Road. Mr. Brandt is in favor of Ordinance No. 523. Mr. Grey stated this is a mischaracterization and the problems are not fixed on McKean Road. Ms. Hunsicker asked for a copy of a resident's email list which was being circulated. Residents asked why only some residents get the public notice of the Board meeting discussing MRA. Mr. Cameron, 1737 McKean Road, said he put the information into the resident's mailboxes. He stated a traffic study is needed. Mr. Fuchs stated the text amendment as written adds the proposed uses but requires approval of such by conditional uses which requires a traffic study. He stated MRA has the by right use to reuse buildings with a permit; and we do not need a traffic study today. Mr. Fuchs restated that utilizing 750,000 square foot of office space that is there now would not need a traffic study. Mr. Stuardi stated this is not a threat just facts; and he fully believes this is a community asset. The motion carried 3 ayes (Ms. Hunsicker; Dr. Booth and Mr. Brandt) - 2 nays (Mr. Paccione and Mr. Grey).

Mr. Garrity explained a requirement of the Conditional Use advertisement is a public notice sent to anyone within 500 feet of MRA. He stated we will go beyond that requirement and send it to anyone within 1000 feet of MRA by first class mail. He stated then we will require a traffic study.

OTHER BUSINESS

Authorize Contribution to Community Ambulance Association of Ambler; Wissahickon Volunteer Fire Company; North Penn Volunteer Fire Company

Mr. McAnally asked for authorization to contribute the following donations from the Township: the Community Ambulance Association, Ambler (\$18,896); the North Penn Volunteer Fire Company (\$30,000); and the Wissahickon Volunteer Fire Company (\$70,000). Mr. Grey made a motion, seconded by Dr. Booth to approve the donations as itemized above. The motion carried 5 - 0.

Mr. Brandt exited the meeting at 8:45 p.m.

Authorize Advertisement of the Culvert Work Phase I - 2015 Multi-Modal Grant

Mr. McAnally asked for authorization to advertise the Culvert Work Phase I - 2015 Multi-Modal Grant. Dr. Booth made a motion, seconded by Mr. Grey to authorize the advertisement of the Culvert Work Phase I - 2015 Multi-Modal Grant. The motion carried 4 - 0.

Request for Extension of Time for Appointment of Traffic Engineer

Mr. McAnally asked for an additional thirty days for the appointment of the Traffic Engineer. He stated a Request for Proposals was advertise and proposals were received. Dr. Booth made a motion, seconded by Mr. Grey to approve an additional thirty days for the appointment of the Traffic Engineer. The motion carried 4 - 0. Mr. Garrity stated the bidders need to be notified.

2019 Addendum to Curbing on Road Program

Mr. DeStefano stated both he and Gilmore Associates marked the concrete curbing and driveway depressions and encountered additional curbing needs to be replaced that wasn't originally accounted for. The additional 175 lineal feet of additional curbing is due to the storm inlet tops and pipe that were replaced or adjusted in preparation for the road program. He stated the additional cost is \$7,350. Mr. Grey made a motion, seconded by Dr. Booth to approve the additional curbing in the amount of \$7,350. The motion carried 4 - 0.

Sale of Vehicles and Equipment

Mr. DeStefano stated the Public Works Department asks permission to advertise and receive bids and sell the items listed below through Municibid and placed on the June 25 Boards of Supervisors agenda.

- Fiberglass Truck Cap
- 2009 Chevrolet Tahoe
- 1994 International Landscape Trailer
- 2009 GMC Pick Up with Plow

Mr. Grey made a motion, seconded by Dr. Booth to authorize the advertisement and sale on Municibid of the items listed above. The motion carried 4 - 0.

MANAGER'S REPORT

Report from the Manager - Municipal activities, projects

Mr. McAnally stated he will be out of the office May 26, 27, and 28.

Mr. McAnally, Mike Peasley, CEO Foulkeways, is retiring on May 31st. He stated the Township appreciates his input throughout the years.

Board of Supervisors Minutes
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There being no further questions or comments, the meeting was adjourned at 8:50 p.m. until the next Regular Meeting scheduled on June 25, 2019 at the Lower Gwynedd Township Building.

Respectfully submitted,

Carole Culbreth
Assistant Secretary