

**LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING
TUESDAY, DECEMBER 13, 2022**

SUPERVISORS:

Danielle A. Duckett, Chairman
Michael Twersky, Vice Chair
Janine Martin
Kathleen Hunsicker
Tessie McNeely

STAFF:

Mimi Gleason, Interim Township Manager
Jamie Worman, Assistant Township Manager
Michelle Farzetta, Assistant Secretary
Neil Stein, Esq., Solicitor
James Hersh, Gilmore Associates Township Engineer
Chad Dixson, McMahan Traffic Engineer
Fred Zollers, Director Public Works

Call to Order and Pledge of Allegiance

The Chair called the hybrid meeting to order at 7:05 p.m. at the Lower Gwynedd Township Building and virtually on Zoom and led those in attendance in the pledge of allegiance.

ANNOUNCEMENTS AND PRESENTATIONS

The Board of Supervisors met in executive session prior to tonight's meeting to discuss matters of personnel and litigation.

PUBLIC COMMENTS

There was no public comment

BUILDING AND ZONING

Approval of a Decision and Order for the Wissahickon School District conditional use application for wetland encroachment to construct a turf field

A Conditional Use Hearing was held on November 22 for wetland encroachment to construct turf fields for Wissahickon School District. The Board had no questions or comments. Ms. Duckett made a motion, seconded by Ms. Hunsicker to approve the decision and order for wetland encroachment. Motion passed 5-0.

Resolution #2022-29 Preliminary/final approval of the Wissahickon School District land development plan to construct a turf field

The Wissahickon School District is proposing to remove the existing baseball and softball fields and replace them with synthetic turf fields. An additional multi-use field will be added, as well. Paved walking paths, areas for spectators and a detention basin are also included. Waivers have been requested for installing curb

and sidewalk, for installing streetlights and to modify the size of an outfall pipe. These plans were reviewed by both the Lower Gwynedd Planning Commission and the Montgomery County Planning Commission. Both the Lower Gwynedd Planning Commission and the Township Engineer support the requested waivers. Ms. Duckett made a motion, seconded by Mr. Twersky, to approve Resolution 2022-29 granting preliminary/final land development approval to construct the turf fields. Motion passed 5-0.

Presentation of preliminary/final 2-lot subdivision for 1501 Cedar Hill Road (#22-02SUBD)

Robert Jordan from Woodrow spoke on behalf of Robert and Cheryl Mastromatto. This proposed project will subdivide the property into two 3.37-acre parcels. The existing house and garage will remain as lot 1. The new home will be lot 2 with an access drive off of Cedar Hill Road. The ZHB granted variances permitting a reduced side yard on lot 1 and an access strip of a flag lot to exceed the maximum length of 300 feet with the condition that the cartway access drive be no less than 16 feet wide. Mr. Jordan reviewed Gilmore's letter. Various items were discussed including road improvements, the 26-foot cartway, the tree waiver, pedestrian trail on the opposite side, sidewalk improvements and street lighting. Mr. Jordan stated that they are seeking preliminary/final approval. Ms. Hunsicker made a motion, seconded by Mr. Twersky, to authorize Neil Stein to draft a resolution for this property. Motion passed 5-0.

Presentation of preliminary/final 7-lot subdivision 1500-1524 Cedar Hill Road (#22-05SUBD)

Robert Jordan from Woodrow presented this proposed project for Cedar Hill Development Group. It is for a 7-lot single family residential sub-division of three existing properties totaling 11.8 acres on Cedar Hill Road. These properties would be consolidated and divided into 7 new lots. Two of the existing homes will be removed and one will remain as lot #4. Six new homes will be constructed on the remaining lots. Stormwater management is proposed through individual rain gardens. Trails are proposed along the front of the properties in lieu of sidewalks and common open space will be in the rear of the properties. The house on lot #4 will require a variance from the ZHB for encroachment into the required side yard. They are seeking waivers for tree planting as they are 105 trees short. They would like a partial waiver to plant bigger caliper trees to help meet this shortage. Mr. Hersh said they would accept the equivalent, but it has to meet the 75% native tree requirement. Mr. Twersky stated shrubs are not a substitute. Mr. Stein asked who will be responsible to maintain the open space. Mr. Jordan stated that they are proposing that the homeowners be responsible. Mr. Twersky asked if there will an association. Mr. Jordan stated if the Board would like one, they could. Mr. Twersky stated he would be comfortable with an association. The requested waivers were then reviewed. There was also a discussion regarding installing a trail versus a sidewalk. Mr. Hersh stated that since a trail already exists in an adjacent development, it makes sense to install a trail and connect to the existing one. Regarding streetlights, they are installed based on discretion of the Board. Mr. Hersh stated that he does not feel lights are required, as there are no lights currently. Ms. Duckett thanked Mr. Jordan for his presentation and stated that further steps would be taken once the applicant has gone in front of the ZHB.

Approval of settlement terms with 545 N. Bethlehem Pike, LLC

Mr. Stein explained that there had been a zoning issue with the township which initiated a citation to be issued. A settlement has been reached, therefore eliminating the need for a hearing. From a legal standpoint, Mr. Stein finds the terms acceptable. The Board received the settlement agreement and had no questions. Ms. Duckett made a motion, seconded by Ms. Martin, to approve the terms of the agreement. Motion passed 5-0. Mr. Stein thanked Mr. Twersky for all his work helping to reach this settlement.

Authorization to advertise amendment to Lower Gwynedd Township Code, Title IV, Subdivision and Land Development Ordinance Regulations relating to tree preservation, maintenance and replacement for subdivisions and land developments

Ms. Duckett would like to table this item until the next meeting due to questions and concerns other board members have that they would like to discuss with our solicitor. Ms. Duckett made a motion, seconded by Ms. Martin. Motion passed 5-0.

Appointments to Comprehensive Plan Steering Committee

The township has started the process of revising the Comprehensive Plan with the Montgomery County Planning Commission. Part of this process is creating a Comp Plan Steering Committee. The following individuals were recommended for appointment...Danielle Duckett, Mike Twersky, Craig Melagrano, Rich Valiga, Neil Trueblood, Greg Harth, John Burns, Robert Rosenthal, Kathy Morris and Charlotte McKines. Ms. Duckett made a motion, seconded by Ms. Hunsicker, to appoint these individuals. Motion passed 5-0.

Appointments to Transportation Impact Fee Advisory Committee

In compliance with Act 209, an Impact Fee Advisory Committee is being created to begin the process of updating the township's traffic impact fee. The following people were recommended for appointment: Steve Paccione, Tim Woodrow, David Goldstein, Ken Amey, Rusty Beardsley, Maureen Nunn and Matt Siegel. Ms. Duckett made a motion, seconded by Ms. Hunsicker, to appoint these individuals. Motion passed 5-0.

GENERAL BUSINESS

Discussion of options for attempting to improve cell phone service

Ms. Duckett stated there are gaps in our cell service that the township has been made aware of via residents. Ms. Gleason reviewed the three options that have been explored. First is crowd-sourced mapping of gaps in service, which does not appear to be helpful, as it is not developing into a viable business service. Second is changing the zoning ordinance to permit telecommunications infrastructure in more locations. Third is using township properties for telecommunication infrastructure.

Ms. Worman elaborated on the third option, stating that there are thirty parcels owned by the township that are potential locations, but most have deed restrictions. There are only a small number with no restrictions and those parcels are not necessarily located in dead zones for cell service, nor are they located in the overlay district where the zoning ordinance permits cell towers. Ms. Worman stated that we can have towers outside of the overlay district, but we would need approval from the Zoning Hearing Board. Additionally, while not owned by the township, the Janssen and Beacon properties are alternative locations for cell infrastructure that may address the dead zones and are located in the overlay district. The board had an active conversation regarding the areas to consider. Mr. Twersky wants to make sure that residents have input regarding cell towers being installed; not everyone will want a cell tower in their neighborhood. Ms. Duckett agreed, however said that before asking residents for input about cell towers or other infrastructure, we need to first find out if Rise Up could find carriers that would even be interested in using any of these parcels. The final decision was to ask Rise Up to explore carrier interest in eight township properties, with the caveat that the township would seek resident input about any property where there is interest before proceeding further.

Adoption of 2023 Final Budget

The board received and reviewed the proposed 2023 budget over the course of several meetings in October and November. The preliminary budget was advertised with one change for the EAC tree give-away. No comments from the public were received. Ms. Duckett made a motion, seconded by Mr. Twersky to approve the 2023 budget. Motion passed 5-0. Mr. Twersky thanked the staff for all their work getting the budget put together.

Resolution 2022-30 Real Estate Tax Resolution (no change in millage)

A resolution of the Township of Lower Gwynedd levying a tax on all real property within Lower Gwynedd Township subject to taxation for the fiscal year 2023. There were no comments. Ms. Duckett made a motion to approve Resolution No. 2022-30, seconded by Ms. Hunsicker. Motion passed 5-0.

Springhouse Phase 2 Roadway Improvement Project:

Approval of McMahon proposal for construction management and inspection

Phase one of this project has been completed. Phase two will consist of widening Norristown Road to add a travel lane on Sumneytown Pike, adding a right turn lane to Bethlehem Pike and related traffic signal, driveway and sidewalk modifications. Phase two is estimated to cost \$3 million, which will be funded by two multi-modal grants totaling \$1,964,316 and transportation impact fees paid by developers.

Construction is expected to start in the spring of 2023. Ms. McNeely asked if it would be wise to wait until the comp plan is completed to see if any additional or different suggestions are made. Mr. Dixon stated that due to a large portion of this project being funded by grants we are not able to wait, as the grants will expire. This is Phase 2 and there will probably be a phase three. This is not the last time that this intersection will be looked at. The comp plan can address upcoming phases. Ms. Duckett made a motion, seconded by Ms. Hunsicker, to approve McMahon's proposal. Motion passed 5-0.

Authorization to advertise the bid for construction

The Board of Supervisors voted on authorization to advertise McMahon's bid for construction. Ms. Duckett made a motion, seconded by Ms. Hunsicker. Motion passed 5-0.

Resolution #2022-31 PA Small Water and Sewer grant application

Ms. Worman is completing the application for a PA Small Water and Sewer grant in the amount of \$300,180 from the Commonwealth Financing Authority to be used for Lower Gwynedd Township's Sewer Upgrade and Extension Project. This resolution allows Ms. Worman and Ms. Duckett to execute all documents and agreements related to this grant. Ms. Duckett made a motion, seconded by Ms. Martin. Motion passed 5-0.

Resolution #2022-32 - tax collection penalty waiver request required by PA Act 57 of 2022

This Resolution implements a requirement from a recent amendment by the Pennsylvania legislature to the Local Tax Collection Law. The Resolution allows taxpayers who fail to receive a tax notice during their first year of occupancy of a new home the opportunity to receive a waiver for any penalties and additional costs from the tax collector. Ms. Duckett made a motion, seconded by Ms. Martin, to approve Resolution #2022-32. Motion passed 5-0.

Resolution #2022-33 - Wissahickon Clean Watershed Partnership IGA extension

This resolution authorizes the extension of the intergovernmental agreement with other Montgomery County and Philadelphia County municipalities and wastewater treatment plant operators to complete a water quality improvement plan. Ms. Duckett made a motion, seconded by Mr. Twersky, to approve Resolution #2022-33. Motion passed 5-0.

Resolution - signatories for retirement accounts

The former Township Manager and Finance Director were the signers for the pension accounts with U.S. Bank. Approval of this resolution will allow Jamie Worman and Mary Trocino to be signers to these accounts. Ms. Duckett made a motion, seconded by Mr. Twersky, to approve this resolution. Motion passed 5-0.

Approval of minutes - November 22, 2022 (D. Duckett, K. Hunsicker, J. Martin only)

The Board of Supervisors received the November 22, 2022 meeting minutes There were no comments. Ms. Duckett made a motion, seconded by Ms. Hunsicker, to approve the meeting minutes. The motion passed 5-0.

COMMITTEE REPORTS

Human Relations Commission- The HRC held their first meeting and chose the chair and secretary. They are going to be reaching out to other HRC's in the area to see how they started and will be putting information together for the township website. They will be meeting monthly starting in the new year on the first Thursday of the month at 7:00 p.m.

STAFF UPDATES

Ms. Gleason stated that the chief wanted to let everyone know that Kayin Nix will graduate from the Montgomery County Community College Police Academy tomorrow night.

SUPERVISORS COMMENTS

Ms. McNeely questioned why the Supervisor meetings were going to be held on Monday's in January through March. Ms. Duckett responded that the Tuesday meetings conflicted with personal responsibilities for some supervisors those months.

Ms. Hunsicker wished everyone Happy Holidays.

Ms. Martin wished everyone Happy Holidays and thanked everyone who has helped her throughout the year, as this was her first year as supervisor.

Mr. Twersky had no comment.

Ms. Duckett wished everyone Happy Holidays.

Adjournment

Ms. Duckett made a motion to adjourn the meeting, seconded by Ms. Hunsicker. Meeting was adjourned at 8:40 pm.

Respectfully submitted,

Michelle Farzetta
Assistant Secretary