

**Towamencin Township
Board of Supervisors
Monthly Meeting
January 10, 2024
7:00 PM**

Present:

H. Charles Wilson III, Chairman
Laura Smith, Vice Chair
Joyce F. Snyder, Secretary
Kofi Osei, Asst. Treasurer/Asst. Secretary

Staff:

David G. Kraynik, Township Manager
Robert J. Iannozzi, Jr., Esq., Township Solicitor
Mary Stover, Township Engineer
Niral Modi, IT Director
Timothy Troxel, Chief of Police

Present Remotely:

Colleen Ehrle, Manager of Administration, Communication & Human Resources

Absent:

Kristin Warner, Treasurer

Chairman Wilson called the meeting to order at 7:01 PM and led the assemblage in the Pledge of Allegiance.

Opening Comments

- This Board meeting is provided live via zoom for residents, who are unable to attend in person but wish to view and hear the meeting remotely. Public comments submitted by 4:30 pm on the day of the meeting will be read at the start of the meeting. For those physically present, public comment will be held at the beginning of the meeting.
- The first public meeting for the Comprehensive Plan Update will be held in two sessions on Thursday, January 18th, in the Township Meeting Hall. The first session will be held from 4 - 6 pm and the second from 7 - 9 pm.
- Towamencin has partnered with the Montgomery County-Norristown Public Library to provide additional library services to our residents in 2024. A story time for preschoolers is the first offering and is scheduled for Wednesday, January 24th at 11:30 am in the Meeting Hall's classroom. Stay tuned for monthly programming by visiting our website and Facebook page.

- A reminder to residents – when prompted for questions - to come up to a microphone. Zoom does not pick up voices from the audience.
- Reminder there are several vacancies on Township committees, interested parties may complete the form on our website. Prior to the next Board meeting, the Board will meet to discuss potential appointments and determine if some committees may be dissolved.

Public Comments – Emailed/mailed submissions:

Resident Joe Rumsey asked Supervisors Wilson, Warner, and Smith to cancel the sewer sale, continuing the sale will make many residents broke, hurt home values, and that no residents want a sewer bill the size of a homeowner association fee.

In-Person Comments

Resident Jen Foster referenced state grants recently issued to neighboring communities for water, wastewater, and stormwater improvements, noticing Towamencin was not included. She noted at a previous meeting, Supervisors Wilson and former Supervisor Marino discussed the need for stormwater funding, questioning whether the Township applied for any of these grants.

Chairman Wilson responded the grants referenced were not for stormwater, and that the Township applies regularly for grants; unfortunately, grants are distributed in cycles and the Township does not get one each time. He continued all Township consultants are instructed to apply for available grant opportunities. The Skippack Creek Interceptor current project phase is grant funded, with a pending application to fund the next segment of the project.

Resident Joe Silverman commended the Township for doing a nice job on the roads with the recent storm. However, he took issue with the roads being brined on Friday and felt they should have been done on Saturday morning before the storm hit. He also asked that the volume of salt be reduced. He added PennDOT did not do a good job. Mr. Silverman then referenced the electric car charging stations on the agenda and asked the Board to consider space for tractor trailers and that the charging stations be situated close to the Turnpike exit.

Resident Paul Andrews seconded Mr. Silverman's comments on the electric car charging stations, as he feels this is the way of the future. He shared he was disturbed that several citizens, including a sitting board member, are involved in a lawsuit to take away people's right to vote, because of errors on mail-in ballot envelopes. He referenced a previous election with the same insistence, in which the court ruled ballots should be counted, and further added that PA legislature is currently discussing revising the election code for this reason. He finds it disturbing that people are trying to prevent someone from voting after they made the effort to do so. Lastly, he asked folks to vote yes to the upcoming NPSD special referendum election.

Bonnie Davis (non-resident) referenced absentee ballot news from today. She wanted to discuss the sewer sale and offered comments from her experience with Springfield Township's sewer sale. She encouraged residents to keep asking questions through this process.

Approval of Minutes

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board approved the December 13th minutes.

Voting Yes: H. Charles Wilson, III, Laura Smith, Joyce Snyder, Kofi Osei
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Zoning, Subdivision and Land Development

Caracausa Acquisitions, LP (Belfair Square) Preliminary/Final Land Development Review

Cornerstone Premier Homes is proposing to consolidate nine separate parcels into a single 3.94-acre development site, located along Welsh Road, between Vernon Court and Grist Mill Road, within the MRC – Mixed Residential Cluster and RBP – Residential Business Professional Overlay Zoning Districts. The applicant is proposing to develop the property into 16 townhouses with public and site improvements. The applicant, David Caracausa, presented, along with Alex Hughes, P.E., and Lisa Thomas, landscape architect to review the latest updates to the Belfair Square plans, including waiver requests.

On a motion by Supervisor Snyder, seconded by Supervisor Osei, the Board Authorized staff to prepare preliminary/final land development resolutions for Caracausa Acquisitions, LP.

Voting Yes: H. Charles Wilson, III, Laura Smith, Joyce Snyder, Kofi Osei
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Conditional Use Hearing - Caracausa Acquisitions, LP (Belfair Square)

Conditional Use was granted to Caracausa Acquisitions, LP on January 12, 2022, which permitted the construction of 16 townhomes (Use R-5 - Townhouse Dwelling) with a carport in the Residential Business and Professional (RBP) Overlay Zoning District subject to the condition that the development and use of the subject property be in accordance with the testimony and exhibits presented at the hearing. The applicant has requested the Board reaffirm the January 12, 2022, conditional use order and is modifying the approval for the following:

1. To allow for the disturbance of steep slopes as required by the Zoning Ordinance Section 153-616.B.5.c.4, and;
2. To modify the prior testimony which had stated that the applicant would meet all landscape requirements since various landscape waivers are being requested.

Township Solicitor Robert Iannozzi, Jr. presented the associated hearing exhibits. David Caracausa was present, to explain the requested modifications, and offer additional feedback to the Board of Supervisors. A court reporter was present to make a complete and formal record of

the hearing. The Solicitor asked the applicant David Caracausa if he would comply with all engineering comments, Mr. Caracausa agreed.

On a motion by Supervisor Osei, seconded by Supervisor Smith, the Board approved the applicants request to reaffirm and modify the conditional use order for the Belfair Square Development.

Voting Yes: H. Charles Wilson, III, Laura Smith, Joyce Snyder, Kofi Osei
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Consider Conditional Use Approval Extension Request - High Street/Delp Drive

The Board of Supervisors originally approved Verus' Conditional Use Application for the project (relating to steep slope disturbance) on March 10, 2022, followed by obtaining conditional Preliminary/Final Land Development approval on April 27, 2022. In May 2022, Verus sold the subject property and project to High Street. The Board has granted multiple extensions, the latest at their October 25, 2023, meeting extending the conditional use approval until January 23, 2024. To allow the applicant the necessary time to finalize its land development plans and obtain building permits for the project, the applicant requests the Board of Supervisors extend the January 23, 2024, deadline to April 23, 2024.

Greg Davis, Esq. of Saul Ewing, Law Firm, accompanied by Mike Ruin, and Robert Martin of High Street were present to answer questions from the Board. Chairman Wilson asked why another extension was required. Mr. Davis explained the extension is the result of issues surrounding an emergency access agreement from a third party. It has since been resolved, and this is expected to be their final extension request.

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board approved the conditional use time extension for High Street/Delp Drive until April 23, 2024.

Voting Yes: H. Charles Wilson, III, Laura Smith, Joyce Snyder, Kofi Osei
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Consider Authorizing Advertising the Electric Vehicle Charging Stations Ordinance

The Township Planning Commission has reviewed several iterations and has agreed on the current draft ordinance. The draft ordinance has also been reviewed by the County Planning Commission and Township Solicitor. The language was developed based on examples from Whitemarsh Township, Phoenixville Borough, and Warrington Township. Will Brugger, Director of Planning, Zoning and Code Enforcement, presented a summary of the ordinance and how it affects the various Zoning Districts, Residential Districts and Commercial and Industrial Districts.

Supervisor Snyder asked why no canopies are permitted. Mr. Brugger offered various scenarios and examples, including appearance.

Resident Jenn Foster asked if this resolution accounts for private community associations. Mr. Brugger said it did.

Resident Paul Andrews asked if there was language included to compel private community associations to install charging stations. Mr. Brugger explained the Township would not trump association restrictions.

Supervisor Osei asked if charging stations counted towards parking minimums. Mr. Brugger explained it differs from residential and commercial zoning, offering an example of a commercial property that has 50 spots and converts 7 to electric charging spaces; that owner would be required to add 7 additional non-charging spaces somewhere to account for the parking requirement. Supervisor Smith followed up asking was the Planning Commission's decision a firm stance or was it more universal adherence. Mr. Brugger was unable to provide a response but will investigate Supervisor Smith's inquiry.

Chairman Wilson asked about advertising and if any form would be permitted. Mr. Brugger confirmed no advertising of any kind is permitted.

On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board authorized staff to advertise the electric vehicle charging stations ordinance.

Voting Yes: H. Charles Wilson, III, Laura Smith, Joyce Snyder, Kofi Osei
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

2060 Detwiler Road – Zoning Variance

The applicant 23-06, Detwiler Road Holding Company, LLC, is requesting a use variance from section 153-414(A)(1) of the Township Zoning Ordinance to permit a place of worship (Use E-9). The parcel in question is zoning LI-Limited Industry and is located at 2060 Detwiler Road. A place of worship use is not a use permitted by right, condition, or special exception in the LI district.

Chairman Wilson explained the Board is being asked if they prefer to remain neutral on the application or if the Solicitor should be directed to attend and oppose the zoning hearing board for this application.

Bill Dione, Esq., Silverang, Rosenzweig & Haltzman, on behalf of the property owner Detweiler Holding Company, was joined by Keystone Fellowship Church representatives. Mr. Dione offered materials to the Supervisors for review and a brief explanation of the applicant's proposed use – a place of worship - via a zoning variance, adding a text amendment request with be sought as well.

The Township Solicitor explained the Township is party to all zoning applications, and often remains neutral. The Board must determine if they intend to remain neutral or to be an active participant. Chairman Wilson asked the Solicitor his thoughts on the matter. Solicitor Iannozzi suggested the applicant move forward with the variance application, and added their secondary approach may be an option if they are unsuccessful under zoning application.

Chairman Wilson suggested that the Township not have the Solicitor attend the associated Zoning Hearing Board meeting on the zoning application. It was the consensus of the Board to remain neutral on the application.

Review/Approve Comprehensive Plan Public Survey

Simone Collins, the consultant tasked with updating the Township's Comprehensive Plan, has prepared a draft online public survey for the Board's review and comment. PJ (Pankaj Jobanputra) of Simone Collins was present to review the survey process and answer any questions. Mr. Jobanputra advised the first meeting will be held on January 18th. Two sessions would be offered at 4 pm and 7 pm to obtain community feedback and determine the Township's future, such as housing, economic development, parks, and recreation. Mr. Jobanputra also announced the survey will be conducted online as well.

Old Business

None

New Business

Consider Approving Grist Mill Park Phase 1 Improvement Proposals

- a) Construction & Bidding Document Preparation**
- b) Survey & Design Services**

The Township continues to advance plans for improvements at Grist Mill Park, which include: a pavilion, an inclusive playground, 2 basketball courts, handicapped parking area, and a perimeter trail. To date, the Township has been awarded a \$250,000 grant by PA Department of Conservation and Natural Resources.

In conjunction with the Grist Mill Park Phase 1 Improvements, proposals have been received by Simone Collins Landscape Architecture for construction and bidding document preparation and from CKS Engineers for site/topographic survey services, grading and stormwater management plans and erosion and sediment control plans. The two firms will collaborate on the project as noted. The combined proposals total \$55,000, with the following breakdown:

- Simone Collins - Construction & Bidding Document Preparation \$34,850 - Reimbursable expenses \$650
- CKS Engineers - Survey & Design Services \$19,500

On a motion by Supervisor Smith, seconded by Supervisor Osei, the Board approved the Grist Mill Park Phase 1 improvement proposal for engineering and design services for \$55,000.

Voting Yes: H. Charles Wilson, III, Laura Smith, Joyce Snyder, Kofi Osei
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Public Works Report

The Public Works Committee meets monthly to scope projects and identify efficiencies related to Township infrastructure, properties, and equipment. The Committee met December 21st. Supervisor Smith provided the Committee's report summarizing the following topics:

- The Weikel Road Project
- Central Drive Storm Sewer Repairs
- Bocce Courts at Fischer's Park
- 2023 & 2024 Road Paving Project
- 2023 ADA Project
- Landscape Signage at the Turnpike
- Kerr Road Widening Project
- Forty-Foot Road Pedestrian Bridge Remediation
- Green Lane Park Soccer Fields
- Drinnon Park Improvements
- Welsh/Orvilla Road Intersection Improvement Project
- Route 309 Connector/Sumneytown Pike Improvements
- Forty Foot/Newbury Way – PSDC Traffic Signal
- Fischer Park Improvement Plan
- Electric Vehicle Charging Stations
- Grant Opportunities - PennDOT Green Light Go and Central Drive Storm Water Improvements
- MS4 Permit Requirements
- Montgomery County Bridge on Rittenhouse Road
- 2024 Repaving Issue on Sunny Ayr Way
- Lighting along the Township driveway & walkway

Consider Proposal – Engineering Services Grist Mill Detention Basin Conversions (MS4 Project)

The Township Engineer submitted a proposal for engineering services required to prepare design plans, construction specifications, regulatory agency permits applications, bidding documents, and to provide bid administration services for a future MS4 Project that will convert two stormwater basins in the Grist Mill Neighborhood to "dry extended detention basins" that will provide an increased water quality benefit and reduce sediment into the streams. The basin conversions may include: clearing the existing vegetation, regrading the bottom of the basin, providing riprap aprons

or level spreaders at the inflow locations, repairing, replacing, or modifying the outlet structures to control both small, frequent storm events and large, more infrequent storm events. The total proposal amount is a lump sum fee of \$31,000. Township Engineer Mary Stover provided a brief summary of the proposed project within the scope of the overall future MS4 projects.

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board approved CKS' engineering services proposal for Grist Mill detention basin conversions in the amount of \$31,000.

Voting Yes: H. Charles Wilson, III, Laura Smith, Joyce Snyder, Kofi Osei

Voting No: N/A

Abstaining: N/A

Absent: Kristin Warner

Finance Committee Report

The Township Finance Committee meets monthly throughout the year to monitor economic indicators and the pulse of the Township's revenues and expenditures. They also address various requests and concerns that may arise. The Committee met on December 20th. Chairman Wilson provided the Committee's report summarizing the following topics:

- 2023 November Financials
- General Fund expenditures, revenues, and balance
- December 2023 commercial and residential sewer billings processed/balance
- Sewer collection process, and shut off process
- Transition of residential sewer billings from annual to quarterly 2025
- 2019-2022 Pension Audit
- Long term financial forecasting/planning
- Impact fees received
- Scheduled meetings with volunteer fire company

Supervisor Osei commented he is happy to see the 5-year long term planning.

Acceptance of Police Donations

The Police Department recently received donations from the following:

- Living Branches, Dock Woods Campus - \$3,500
- Wilbur Eastlack for \$200

The Board must consider acceptance of these gifts in accordance with the Township's donation policy.

Supervisor Snyder asked what would happen if they were to say no to the donations. Chairman Wilson explained this process was put into place so that the Township could record all donations received.

On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board approved acceptance of the donations to the Police Department.

Voting Yes: H. Charles Wilson, III, Laura Smith, Joyce Snyder, Kofi Osei
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Additional Business

Supervisor Osei made a motion to authorize staff to prepare an ordinance to terminate the sewer sale, and have it placed on the January 24, 2024 meeting agenda.

On a motion by Supervisor Osei, seconded by Supervisor Snyder, the motion to authorize staff to prepare an ordinance to terminate the sewer sale did not carry with a 2:2 vote.

Voting Yes: Joyce Snyder, Kofi Osei
Voting No: H. Charles Wilson, III, Laura Smith
Abstaining: N/A
Absent: Kristin Warner

There being no additional business, the meeting adjourned at 8:53 pm.

Respectfully submitted,



Colleen Ehrle
Director of Administration