

**Towamencin Township
Board of Supervisors
Work Session Meeting
December 9, 2009
7:30 p.m.**

Present:

Daniel M. Littley, Chairman
Dr. Thomas Hollenbeck, Vice Chairman
H. Charles Wilson, III
James P. Sinz
John V. Gottschall

Staff:

Robert A. Ford, Township Manager
John T. Dooley, Esquire, Township Solicitor
Russell Benner, P.E., Township Engineer
Joseph Leis, Director of Community Planning
P. Tim Dickinson, Chief of Police

Chairman Littley called the meeting to order at 7:33 p.m. and led the assemblage in the pledge of Allegiance.

5 Chairman Littley announced the Board held an executive session prior to this evening's meeting as well as November 23, 2009 and December 2, 2009 to discuss personnel and legal issues.

10 Chairman Littley announced the Holiday Festival of Lights at Fischer's Park this weekend December 11th and 12th which features the annual surrey rides throughout the park. The events run from 5:30 p.m. to 8:30 p.m. and everyone is encouraged to please bring a non-perishable item for the local food bank.

15 Chairman Littley noted that Santa will be arriving on Saturday, December 19th with the Towamencin Volunteer Fire Company. Approximately 9 a.m. Santa will be driving around the Township visiting every street and development. You will know Santa is near as the Fire Trucks will announce his arrival by sounding their siren.

20 Chairman Littley stated that the Township received a notice from FEMA that the Township has received a \$75,000 grant for an emergency generator for the Emergency Operations Center and thanked Congresswoman Schwartz for shepparding it through.

Approval of Minutes – November 18, 2009

25 On motion of Mr. Wilson, seconded by Mr. Sinz, the Board approved the minutes of November 18, 2009 as written.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson,
John V. Gottschall

Voting No: N/A

Abstaining: N/A

5 **Absent:** N/A

Magic Shine Car Wash – Authorization to Prepare Preliminary Plan Resolution

10 Chairman Littley stated that this plan is for a proposed land development of an existing car wash located at 1045 Allentown Road. The applicant received Conditional Use approval at the Board's October 23, 2009 meeting to expand the existing car wash use by the addition of car detailing bays.

15 Chairman Littley noted the Planning Commission recommends the Board of Supervisors approve land development application #773 Magic Shine Car Wash as well as the waiver and conditions on the sign and fence easement agreement.

20 Carl Weiner, Esquire, representing the applicant, noted the applicant will comply with all comments in the Township Engineer's review letter.

Mr. Weiner advised that they were seeking three waivers from the Subdivision and Land Development Ordinance: (1) requirement of a traffic study; (2) separation of driveways by 200 feet; and (3) setback of five feet from property lines for grading.

25 Supervisor Gottschall questioned why an existing propane tank facility could not be removed to another location on the site. Mr. Weiner stated that the new traffic pattern made it safer.

30 On motion of Mr. Wilson, seconded by Dr. Hollenbeck, the Board voted three to two to authorize the preparation of a preliminary plan resolution for adoption at a later Board meeting.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, H. Charles Wilson

Voting No: James P. Sinz, John V. Gottschall

Abstaining: N/A

35 **Absent:** N/A

PSDC – Town Square IIB – Authorization to Prepare a Preliminary Plan Resolution

PSDC – Town Square IIC – Authorization to Prepare a Preliminary Plan Resolution

40 Chairman Littley stated this project is located at the intersection of Sumneytown Pike and Towamencin Avenue. It is for a proposed Office/Retail Building. He noted the Planning Commission recommends the Board of Supervisors approve the land development application for the Town Square Stage II-B, subject to and conditioned upon compliance with the items as outlined in the Staff and Township Engineers review letters.

45 Marc Davis, Esquire, representing the applicant, advised the board that he would be presenting both the Town Square IIB and Town Square IIC at the same time as they are mirror applications.

Mr. Davis noted that they were seeking no waivers from the Subdivision and Land Development Ordinance on either application.

5 Supervisor Gottschall questioned the parking analysis. He also noted that there were street lights on islands in the middle of Towamencin Avenue. Mr. Gottschall asked the applicant to agree to remove them in the future if needed, as was agreed to for the Town Square Stage I.

Mr. Davis said they would agree to do so.

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Town Square IIB

On motion of Mr. Sinz, seconded by Mr. Gottschall, the Board authorized the administration to prepare a preliminary plan resolution for adoption conditioned upon having the same language in the Resolution as in Stage I to remove items within the street.

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Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson,
John V. Gottschall

Voting No: N/A

Abstaining: N/A

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Absent: N/A

Town Square IIC

On motion of Dr. Hollenbeck, seconded by Mr. Wilson the Board authorized the preparation of a preliminary plan resolution for adoption conditioned upon having the same language in the Resolution as in Stage I to remove items within the street.

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Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson,
John V. Gottschall

Voting No: N/A

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Abstaining: N/A

Absent: N/A

Thorndale Subdivision

35 Chairman Littley stated the project is for a proposed 126 cottage home development located along Allentown Road adjacent to the North Penn Water Company facility that received preliminary plan approval from the Board earlier this year. The applicant has requested to appear before the Board to informally present an alternative plan.

40 Chris Canavan and Bill Bonenberger of W.B. Homes were present to discuss their proposal.

Mr. Bonenberger presented a summary of new and existing homes sales trends, noting that home building has hit bottom from a 2006 high. Additionally, home buyers are looking for smaller homes than three years ago.

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Mr. Bonenberger opined that W.B. Homes could get the Thorndale project started sooner than later based on an alternative to the plan that received preliminary plan approval.

5 Mr. Canavan noted that the proposed change would keep the same road pattern, site layout and number of buildings, but would increase the number of dwelling units from 126 to 168.

Dr. Hollenbeck had questions about traffic impact fees and associated traffic concerns in the area.

10 Supervisors Sinz and Gottschall commented that the applicant must be sensitive to the existing neighborhoods and seriously consider the placement of a traffic signal at Reinert and Allentown Roads.

15 The Board advised that they would like to think the proposal over, but would agree to hear additional information.

Ordinance 09-08: Change of Occupancy Inspections

20 Chairman Littley stated the Township Administrative Code, §59-3, requires that an inspection be conducted and a certificate be issued for a change in occupancy of residential dwelling units. Staff is recommending that we inspect the property but in a more limited capacity.

Mr. Leis summarized how the proposed inspection would work.

25 On motion of Dr. Hollenbeck, seconded by Mr. Sinz, the Board adopted Ordinance 09-08 amending the occupancy inspection regulations.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson,
John V. Gottschall

30 **Voting No:** N/A

Abstaining: N/A

Absent: N/A

First Amendment to Reimbursement Agreement (Carroll Road Sewer Project)

35 Chairman Littley noted the original reimbursement agreement required the homeowners to post \$15,000 as security during the post construction maintenance period. The project has been completed and the homeowners have requested that the amount of financial security be reduced to \$5,000. This request has been reviewed by the Township's Sanitary Sewer Engineer and has
40 been determined to be appropriate.

On motion of Mr. Wilson, seconded by Mr. Gottschall, the Board authorized the amendment to the Reimbursement Agreement.

45 **Voting Yes:** Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson,
John V. Gottschall

Voting No: N/A
Abstaining: N/A
Absent: N/A

5 **Zoning Hearing Board Application 2009-11: CFC Towamencin Properties – Intersection of Forty Foot Road and Welsh Road**

Chairman Littley stated the applicant is seeking various relief regarding signs for a proposed convenience store with gasoline sales. The convenience store received Final Land Development Approval from the Board earlier in 2009.

After a brief discussion, it was the consensus of the Board not to send the Township Solicitor to the Zoning Hearing Board to oppose the application.

15 **Zoning Hearing Board Application 2009-12: W. Group Real Estate Development – Welsh Road**

Chairman Littley stated the applicant is seeking relief to construct a two story dwelling with a new driveway, stormwater seepage beds, and tie in to existing sanitary sewer and public water.

After a brief discussion, it was the consensus of the Board not to send the Township Solicitor to the Zoning Hearing Board to oppose the application.

25 **Authorization to Prepare an Agreement for Construction within the Sanitary Sewer Easement – Raymond Lipsky – 103 Lakeview Drive**

Chairman Littley stated the owner of the property has submitted a permit for a patio that will be within a sanitary sewer easement. The applicant is asking the Board of Supervisors for permission to allow the patio within the easement.

On motion of Mr. Sinz, seconded by Mr. Gottschall, the Board authorized the administration to prepare an agreement to construct within the sanitary sewer easement.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson, John V. Gottschall

Voting No: N/A
Abstaining: N/A
Absent: N/A

40 **Waiver of Land Development – Metro: Towamencin Collocation - Old ATT Site Off Sumneytown Pike**

Chairman Littley stated Metro PCS, LLC has submitted a request to the Board of Supervisors not require the submission of a land development application for a proposed addition of an antenna on an existing cell tower. The application also includes an equipment cabinet that will be located within the existing fenced enclosure.

35,910 square foot pervious parking lot with an infiltration bed and bio-retention basins at Fischer's Park to reduce the runoff of suspended solids, nitrates and phosphorous into Towamencin Creek.

- 5 Russ Benner, Township Engineer advised that there were some minor grade changes and walking location modifications.

Authorization to Execute Indemnity Agreement – PA-1 Call System

10 Chairman Littley announced the Pennsylvania One Call System is a non-profit Pennsylvania corporation created to protect the underground facilities before anyone begins to disturb the earth. Requests are received from excavators, contractors, and the general public to find out where underground lines are located. Pennsylvania One Call notifies member underground facility owners of the intent to excavate. The member underground facility owner then marks where their lines are located.

15 PA-1 Call System provides a “Member Web Mapping” application that displays a map and provides tools to draw where the Township wants to be notified.

20 The Public Works Director recommends that Towamencin Township use the “Member Web Map” application as it will help reduce man-hours on unnecessary inspections where the Township does not have underground facilities. A completed Indemnity Agreement must be approved by the Township and on file with PA-1 One Call System, Inc. before we can utilize this application.

25 On motion of Mr. Gottschall, seconded by Mr. Sinz, the Board authorized the execution of the Indemnity Agreement.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson, John V. Gottschall

Voting No: N/A

30 **Abstaining:** N/A

Absent: N/A

2010 Budget – Authorization to Advertise and Release for Public Inspection

35 Chairman Littley noted this action will authorize the release of the proposed budget for public inspection for the 2010 budget that is scheduled for adoption by the Board on December 30, 2009.

40 Mr. Ford provided a Power Point summary for everyone in attendance. He noted that the 2010 Budget includes a 1.50 millage increase in Real Estate taxes.

On motion of Mr. Gottschall, seconded by Mr. Sinz, the Board authorized the advertisement of the 2010 Budget for adoption at the December 30, 2009 meeting.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson,
John V. Gottschall

Voting No: N/A

Abstaining: N/A

5 **Absent:** N/A

Additional Business

10 Chairman Littley would like to wish everyone, residents, Staff and Board members to have a happy holiday and encouraged all to make time to relax and enjoy.

Dr. Hollenbeck indicated that he would like to see a dedication of the Boorse Plaza in the spring.

15 There being no additional business, the meeting adjourned at 9:30 p.m.

Respectfully submitted,

20 Robert A. Ford
Township Manager

25 RAF/sl

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