

- 6:30 PM G Public Hearing for Zoning Map Amendment Ambler Road
 6:45 PM H Conditional Use Hearing on 325 Pennsylvania Avenue

**STATED MEETING AGENDA
 BOARD OF COMMISSIONERS OF UPPER DUBLIN TOWNSHIP
 TUESDAY, OCTOBER 11, 2022 7PM**

CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

CORRESPONDENCE AND ANNOUNCEMENTS

- 25 Years of Service Award: Courtney Harris achieved September 22, 2022
- Announce Appointments for November and December
- Public Hearing on Riparian Buffer Ordinance on November 9, 2022
- Revision to Grading Ordinance on November 9, 2022

PRESENTATION

- Presentation by the Upper Dublin Youth Football Club

COMMITTEE REPORTS

- Economic Development & Finance Committee, next meeting November 1, 2022
- Public Safety, Works & Services Committee, next meeting November 1, 2022
- Planning, Parks & Library Committee, next meeting October 25, 2022

MUNICIPAL AUTHORITY REPORT

- F Project Status Report

STANDARD BUSINESS

- A Move to accept minutes of September Stated Meeting without reading.
- B Move to approve the Tax Collector's Report for the month of September.
- C Call on Township Engineer for his report.
- D Call on the Manager for his monthly report, Questions, Move to accept.
- E Move to accept the disbursements from the various Township accounts for the month of September.

DISCUSSION ITEMS

- I Discuss Zoning Hearing Board Cases & Planning Commission Agenda for October.
- J Discuss Budget Timeline

PUBLIC COMMENT/QUESTIONS – ITEMS NOT ON AGENDA

ACTION ITEMS

- G Consider motion to approve Ordinance #22-1376 to amend Zoning Map for Ambler Road.
- H Consider action on Conditional Use Application of Condor Fort Washington Real Estate LLLP for the property known as 325 Pennsylvania Avenue.
- K Consider motion to approve Resolution #22-2471 Waiver of Land Development

- Request by Condor Fort Washington Real Estate LLLP for the property known as 325 Pennsylvania Avenue.
- M Consider motion to authorize staff to proceed with Design and Bidding of Option 2 for a 3-bay garage with an estimated project budget of \$12,869,975 for the Public Works Building and an Option 3 for a 5-bay bid alternate with an estimated project budget of \$14,051,835 for the Public Works Building.
- N Consider motion to authorize staff to execute a contract with DEI, in an amount not to exceed \$555,000, to provide Construction Management Services for the reconstruction of the Public Works Building.
- O Consider motion to authorize staff to execute a contract with GKO, in an amount not to exceed \$466,500, to design the Public Works Building.
- P Consider motion to authorize staff and DEI to proceed with an RFP for Architectural Design Firms to submit concept designs for Option 2 for the Township Building.
- Q Consider motion to authorize staff to execute a contract with DEI to provide Pre-Design Construction Management Services for the reconstruction of the Township Building at a cost not to exceed \$35,000.
- R Consider motion to approve early notification for 2024 Road Paving Program.
- S Consider motion to approve Planning Module for 1250 Virginia Drive Dublin Metro Development.
- T Consider motion to approve Resolution #22-2472 authorizing a PA DCNR C2P2 grant application for a Sunny Willow Swim Trail & Conservation Easement in the amount of \$375,000.
- U Consider motion to approve Resolution #22-2473 authorizing a PA DCNR C2P2 grant application for 5 Pickleball Courts at Twining Valley Park in the amount of \$105,000.
- V Consider motion to approve Resolution #22-2474 approving Execution of PCSM Plan Declaration for Twining Valley Park.
- X Consider motion to accept Lowest Responsible Bid for 2023 Rock Salt as bid by Montgomery County Consortium.

BOARD AND COMMISSION APPOINTMENTS

- Z Consider action on appointments to:
 Environmental Protection Agency Board
 Building Code Board of Appeals

NEXT MEETING November 9, 2022 7:00 PM (Moved due to Election Day)

ADJOURN to Executive Session to discuss personnel matters

Agenda posted 10/7/2022.

A Stated Meeting of the Board of Commissioners (BOC) of Upper Dublin Township (UDT) was held on Tuesday, October 11, 2022, at 7:00 P.M. in person at 520 Virginia Drive Auditorium with Ira Tackel presiding following a Public Hearing at 6:30 PM for Zoning Text Amendment Ambler Road and a Conditional Use Hearing at 6:45 PM on 325 Pennsylvania Avenue.

In attendance were Commissioners Ira Tackel, Liz Ferry, Meredith Ferleger, Alyson Fritzges, Robert McGuckin, Cheryl Knight and Gary Scarpello. Also present were Kurt Ferguson, Township Manager; Jonathan Bleemer, Assistant Township Manager and Finance Director; Tom Fountain, Township Engineer; Gil High, Township Solicitor; and Chief of Police, Fran Wheatley.

PLEDGE OF ALLEGIANCE:

Mr. Tackel dispensed in reciting the pledge of allegiance to the flag as it was done previously at the Hearing.

ROLL CALL:

Mr. Tackel called the roll call and received responses that all seven of the Commissioners were in attendance.

CORRESPONDENCE AND ANNOUNCEMENTS:

Mr. Tackel announced that Courtney Harris received 25 years of Service Award on September 22, 2022.

Mr. Tackel announced that at the Board of Commissioners Stated Meeting on November 9, 2022, the Board will be appointing members to the following Boards and Commissions:

- Human Relations Commission – two three-year terms ending November 30, 2025

Applications should be made online at www.upperdublin.net/government/boards-commissions/ and submitted by October 26, 2022 for consideration at November's Stated Commissioners' meeting.

Mr. Tackel then announced that at the Board of Commissioners Stated Meeting on December 13, 2022, the Board will be appointing members to the following Boards and Commissions:

- Historical Commission – two three-year terms ending December 31, 2025
- Municipal Authority – one five-year term ending January 1, 2028
- Pension Boards – one one-year term ending December 31, 2023
- Planning Commission – two four-years term ending December 31, 2026
- Civil Service Commission – one six-year term ending December 31, 2028
- Vacancy Board – one one-year term ending December 31, 2023

Applications should be made online at www.upperdublin.net/government/boards-commissions/

and submitted by November 29, 2022 for consideration at December's Stated Commissioners' meeting.

Mr. Tackel announced there will be a Public Hearing on the Riparian Buffer Ordinance on November 9, 2022 and a revision to the Grading Ordinance will be considered on November 9, 2022.

PRESENTATIONS:

The Upper Dublin Youth Football Club presented the Upper Dublin Board of Commissioners and Township Staff with a personalized football jersey as a thank you for their assistance and cooperation following the tornado in September 2022.

COMMITTEE REPORTS:

Economic Development and Finance Committee (EDF):

Mr. McGuckin reported that they did not meet this month. The next meeting will be November 1, 2022.

Public Safety, Works and Services Committee (PSWS):

Mr. McGuckin reported that they did not meet this month. The next meeting will be November 1, 2022.

Planning, Parks and Library Committee (PPL):

Ms. Ferleger reported that they did not meet this month. The next meeting will be October 25, 2022.

Tab F - Municipal Authority Report:

Mr. Bleemer reported that bids were open for the traffic signal at Camp Hill and Virginia and the contract was awarded to Armour and Sons.

STANDARD BUSINESS:

Tab A – Move to Accept the Minutes of the September Stated Meeting without reading:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to accept the minutes of the September Stated Meeting without reading.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab B – Motion to Approve the Tax Collector's Report for the month of September 2022:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to accept the Tax Collector's Report for the month of September 2022.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab C – Call on Township Engineer for his Report:

Mr. Fountain submitted his written report for the month of September 2022 and highlighted the following:

Mr. Fountain: The pace of construction has slowed considerably, there are a number of jobs wrapping up. HyView Townhouses will be opening their model after many years of ongoing construction. We are working on completing the Grading Ordinance for consideration next month.

Mr. McGuckin: Are there any updates on the Goodman Tract?

Mr. Fountain: No.

Tab D – Call on Township Manager for his Report:

Mr. Ferguson submitted his written report for the month of September 2022, and highlighted the following:

Mr. Ferguson: Last month, I discussed the township finalizing a program with Horsham Township where we received state funding. We have finalized a joint application with Horsham Township and are waiting on DCED for a final agreement. My hope is to have that by the end of the week, so the application process could open within 30 days. We are also assisting Horsham with the implementation of this program. The total grant is for \$1.5 million which will be split with Upper Dublin receiving \$975,000 and Horsham receiving \$525,000. Details will be made available when ready.

Ms. Ferleger: When you do begin processing and coordination with Horsham, would there be a way to notify via mail or email those under the current framework?

Mr. Ferguson: That has been suggested and is currently being worked on.

Mr. McGuckin motioned, with Dr. Scarpello seconding, to accept the Manager’s Report for the month of September 2022 without reading.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab E – Motion to accept the Disbursements from the Various Township Accounts for the Month of September 2022:

Ms. Knight motioned, with Dr. Scarpello seconding, to accept the disbursements from the various Township accounts in the amount of \$4,119,866.46 as follows:

Total of Proposed Disbursements	\$2,510,405.90
Estimated Payroll	\$1,200,000.00
Interim Check Run Expenses	\$409,460.56
Grand Total	\$4,119,866.46

Mr. McGuckin asked why the disbursements seemed to be higher than normal. Mr. Bleemer answered that it was due to costs associated with the Road Paving Program.

VOTE ON MOTION

ALL YES

MOTION CARRIED

DISCUSSION ITEMS:

Tab I - Discuss Zoning Hearing Board (ZHB) Cases and Planning Commission (PC) Agenda for October 2022:

Ms. Giles reviewed the October 24, 2022 Zoning Hearing Board meeting agenda that has the following matters scheduled for discussion:

#2430 for 1618 Benjamin Drive, Ambler

This matter was continued from last month's Zoning Hearing Board meeting. A variance and special exception are needed for the construction of a screened-in porch. The Property is Zoned A Residential.

#2407 for 700 Prospect Avenue, Fort Washington

This is an extension of time request for a March 22, 2022 variance and special exception.

#2454 for 1028 Denston Drive, Ambler

Two variances and a special exception are needed for the installation of a proposed inground pool and associated equipment. The property is Zoned A-1 Residential.

#2455 for 124 Cheston Lane, Ambler

Three variances and a special exception related to un-permitted construction of an addition and patio by a previous owner are needed to bring the subject property into compliance. The Property is zoned A Residential.

#2457 for 2 Shalimar Lane, Ambler

A variance is needed to allow the installation of a 6-foot high in the front yard setback where no fence over 4 feet high is permitted. The Property is Zoned A Residential and is a corner lot.

#2453 for "0" Dillon Road, Maple Glen

This Applicant is requesting an interpretation of Zoning Code Section 255-142 relating to the buildability of the lot and/or that a change in use from a vacant lot to a single-family home use is permitted pursuant to Section 255-148. In the alternative, the Applicants request a variance to allow a zoning permit to be issued to construct a structure on a lot that has a width at the building line that is less than the required width of 120 feet, and a variance to erect a building that does not abut a public street. The Property is Zoned A Residential.

Mr. Fountain: There is a question about the Deed, and staff is requesting you authorize sending the Solicitor in opposition.

The question is, is it better to allow a variance for a non-frontage lot or better to create a subdivision of non-conforming lots in dimensional ways.

Ms. Ferleger: There is currently a single-family house on $\frac{3}{4}$ acre that fronts on Dillon Road, there is also land behind that lot that is also $\frac{3}{4}$ acre which is 0 Dillon.

Ms. Fritzges: I would need more information before I would vote to oppose this application.

Ms. Giles: I will forward you the complete application for your review.

#2436 for 525 Virginia Drive, Fort Washington (Proposed “Luxor” Apartment Development)

Several variances related to the proposed construction of a 237-unit apartment development within a FEMA delineated floodplain are requested. The Property is zoned GFW- Greater Fort Washington District and is within the Floodplain Conservation Overlay District.

Mr. Fountain: We request the Solicitor attend in opposition. I have reviewed two sets of calculations from the applicant, neither set meets my standard for issuing a positive recommendation.

#2434 for “0” Belmont Ave., Oreland

The Applicants have amended their application to include several appeals of the Zoning Officer’s determination related to the required lot size and width for the construction of a single-family home, and for the construction of a patio in the front yard setback. In the event the determinations are upheld, the Applicants are seeking dimensional variances to allow the construction of a single-family home on an undersized lot and to allow a patio in the front yard setback. They have withdrawn their variance request related to constructing a greenhouse in the rear yard setback.

Marc Jonas,
Attorney for
Protesting
Neighbors: There are some anomalies that warrant township participation at the Zoning Hearing. For 67 years this was one big property, and is now being considered an undersized lot. Another anomaly is they have now appealed a determination that was never made. We feel these anomalies warrant the solicitor to attend.

Ms. Fritzges: Mr. High, what is the legal position for opposition?

Mr. High: I do not have enough facts about this application.

Mr. Jonas: There is a question as to whether this is a lawful lot.

Mr. Tackel: The determination of that would be by the Zoning Hearing Board.

Courtney Lauer,
211 Rech
Avenue: I would like to also request the Board send the solicitor in opposition. Since 1937 it was handled as one parcel, in 1954 they requested a variance. At that time the parcel became nonconforming and now they are asking for relief.

Janine Asher,
215 Belmont
Avenue:

1. Lot size is less than half of that required for A-residential.
2. Many of us in the area have multiple tax parcels, it is not unusual.
3. Sandy Run side of Belmont has flooding issues, adding another property will only make that worse.

I am requesting you send the solicitor in opposition.

Alfred
Fasshauer, 200
Belmont
Avenue:

I have lived here for many years. A number of years ago, they attempted to change the zoning which would allow the building of more homes and it was denied. It is a great neighborhood, we do not need more density.

The Board continued discussion on whether or not to send solicitor in opposition to this application.

Mr. High:

It is in the townships best interest to determine whether lots are properly created. If the lot is lawfully created and the applicant is seeking a variance to build on it that is not something we would normally participate in. If there is an effort made to construct a house on a lot that has not been properly created then it is in the townships best interest to present that to the ZHB and say the applicant hasn't proved that they have a lawful lot. We do not want to create nonconformity.

Ms. Ferleger:

The solicitor should be sent to the Zoning Hearing Board with the explicit instruction that his opposition is strictly based on the lot creation itself. If that issue is resolved, then his participation should remain neutral. There is a substantial township interest in confirming that lots are not created nonconforming.

Tom Pollock,
216 Belmont
Avenue:

Why would we want to limit the solicitor to just that one issue, if other issues were to come up?

Ms. Ferleger:

Mr. High expressed what the concern of this Board representing the township should be, and that concern should be limited to the lawful creation of the lot. After that issue is resolved, it would be up to the Zoning Hearing Board. The variance is not something this Board should weigh in on.

Ms. Ferry:

My concern is that this would set a precedent for other residents to do the same thing.

Mr. Pollock:

There is a lot of precedence set here. Once it is approved to build on these smaller lots, it will dramatically change the nature of the neighborhood.

The Board continued discussion on whether or not to send solicitor in opposition to these applications.

The Board approved sending the Solicitor in opposition to the 0 Belmont application and the 525 Virginia Drive application.

Zoning Hearing Board- Updates from August/September 2022:

Application #2422 for the Property at 722-734 Loch Alsh Ave. in Ambler:

This item was heard on Thursday, August 25, 2022. The decision, announced at the start of the hearing on September 19, is as follows: The appeal of the Zoning Officer's determination was **denied**; the special exception to expand a non-conforming use was **denied**; the variance from the requirements that the exterior architecture design be of residential character was **denied**; the special exception to permit a public utility use in A Residential was **granted with conditions**; the variance request that, if granted, would allow the property to be used for the storage of equipment and vehicles was **withdrawn**. A copy of the decision with addendum is attached.

Ms. Giles reviewed the October 18, 2022 Planning Commission meeting agenda. This meeting has the following matters scheduled for discussion:

Review Waiver of Land Development for Ambler Borough PFAS Facility at Loch Alsh Reservoir

As a reminder, Ambler Borough is proposing to construct a PFAS/PFOS water treatment facility at the Loch Alsh Reservoir/Dam at 722-734 Loch Alsh Road. This would involve the installation of a vault, treatment tank, and a building that is approximately 1,100 square feet and 32 feet high.

The Applicants first appeared in front of the Planning Commission in April 2022 for a Request for Waiver of Land Development. Many nearby residents attended and voiced their questions and concerns. The Commission abstained from making a recommendation on the Request for Waiver of Land Development application and instead encouraged the applicants to return after their appearance in front of the Zoning Hearing Board.

At the August 25th Zoning Hearing Board meeting, the Applicants withdrew the variance request related to the requirement that the property not be used for the storage of equipment or vehicles. Several surrounding property owners were in attendance including two or three who filed to obtain party status to the matter. At the conclusion of hearing, the matter was closed, and the Board announced it would render a decision at the start of September 19th, 2022 meeting. The decision is outlined above in the Zoning Hearing Board updates section of this report and a copy with addendum is attached.

The Applicants are now returning to the Planning Commission for a second review of their Request for Waiver of Land Development. The Zoning Department has requested that they submit any revisions to the original plans no later than October 7th. If the project receives a recommendation of approval from the Commission, the matter would appear on a future Board of Commissioner's agenda for formal vote of approval.

Review of Floodplain Request for 525 Virginia Drive- Proposed Apartment Development

This Applicant appeared at the September 20th Planning Commission meeting to give a presentation on the hydrology reports submitted the Township for review. No action was taken by the Planning Commission. The Township Engineer is reviewing the reports for accuracy. The Applicants are scheduled to appear again at the October meeting for a formal recommendation.

Review of Land Development Application for 1501 N Limekiln Pike/Church of Latter-Day Saints

1501 N Limekiln Pike is a 4.1-acre property that contains a building of approximately 16,000 square feet occupied by the Church of Jesus Christ of Latter-Day Saints. The property is located within the A Residential district, where churches are permitted by special exception. The proposed land development entails the construction of an open-air, detached pavilion in the rear yard containing an area of approximately 1,800 square feet, and a stormwater trench adjacent to the pavilion.

The Applicants are also expected to appear in front of the Zoning Hearing Board in November to request a special exception for the expansion of a use that is permitted by special exception, a special exception for expanding a nonconforming use with respect to existing nonconforming impervious coverage, and a variance for exceeding impervious coverage limits. The Planning Commission will review the proposed project for recommendation at the October 18th 2022 meeting. If the project receives a recommendation of approval, the Applicant would eventually appear before the Board of Commissioners for a formal vote of approval on a final plan.

Review of Tentative Sketch Plan for Tai Tract/1635 N. Limekiln Pike, UD #19-01

This development was first presented to the Township in early 2019 and has since gone through several different versions. The site is located within the Dresher area of the Township. The site's two properties total 3.14 acres in size and contain a combination of Zoning District designations – MD Multi-Dwelling, A Residential, and the Dresher Overlay.

The latest proposed development depicted on the plan consists of a 22-unit townhouse development, the layout of which has been revised since the previous submission in May 2022. The sketch plan also identifies that access to the development will be from the construction of a new road off Limekiln Pike that goes through the proposed development and connects to existing Daniel Drive.

The sketch plan application is scheduled for **presentation and feedback only** during the October 18th, 2022 Upper Dublin Township Planning Commission meeting. No action will be taken during the Planning Commission meeting. It is uncertain at this time if and when this development will appear before the Board of Commissioners for approval, or if Zoning relief will be necessary.

Tab J – Budget Timeline:

Mr. Bleemer: The 2023 Budget Season is approaching, the question I have is whether or not you want to have a Saturday Budget Hearing with follow up meetings if necessary.

Mr. Tackel: We have been successful with that process in the past.

Mr. Bleemer: That would be Saturday, November 19.

PUBLIC COMMENT/QUESTIONS - ITEMS NOT ON AGENDA:

None.

ACTION ITEMS:

Tab G – Consider motion to approve Ordinance #22-1376 to amend Zoning Map for Ambler Road:

Ms. Ferry motioned, with Dr. Scarpello seconding, to approve Ordinance #22-1376 to amend Zoning Map for Ambler Road.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Tab H – Consider action on Conditional Use Application of Condor Fort Washington Real Estate LLLP for the property known as 325 Pennsylvania Avenue:

Ms. Ferleger motioned, with Dr. Scarpello seconding, to approve Conditional Use Application of Condor Fort Washington Real Estate LLLP for the property known as 325 Pennsylvania Avenue.

Roland Lindh, 309 Summit Avenue: I will follow this meeting up with a letter containing a few other questions, but one question I have is to clarify if there will be 98 people allowed inside and 68 people outside totaling 166 people. Is that correct?

Mr. Fountain: That is incorrect. It is 93 inside and 68 outside for a total of 161.

Mr. Lindh: I thought they stated there would be 71 parking spaces required. That would be 141 patrons if 2 people per car, I don't think that is consistent.

Mr. Tackel: The determination of parking spaces is determined by square footage of the property.

Mike Schaffer, 109 Summit Avenue: My biggest concern is the noise. I would like the Board to consider enforceable limits on noise, and consider the neighbors when making this decision.

Mr. Tackel; We do not have a noise ordinance at this time. It is something we should discuss and consider as a Board.

Mr. Schaffer: I am unclear if that includes the disposal of trash off hours?

Andrew Kane, 113 Fort Washington Avenue: I will say the neighbors are all in favor of a restaurant. I do agree with Mr. Schaffer that noise is a primary concern. We have been told the applicant will keep noise to a reasonable limit. I do like the idea of a set limit. Is the landscaping plan available to the public?

Ms. Giles: Yes, it is on the website.

Mr. Kane: There have been many different proposals for this site over the years, I do think this proposal can be a positive for our neighborhood. I do want there to be some level of responsibility from the applicant to maintain the noise levels and light levels. I also wanted to make sure the easement for my property has been incorporated into these plans.

Mr. Fountain: Yes, it is on the plan. If there is a noise issue, is there any recourse residents have to ensure this isn't something we are stuck with.

Mr. Tackel: In the absence of the township having a noise ordinance, it would fall to the LCB standard.

Mr. McGuckin: And that would be enforceable by calling the police.

Mr. Kane: Are the 75 decibels allowed by LCB standard, at edge of property line?

Mr. Tackel: Yes.

Ms. Fritzges: Are we voting on this tonight without the conditions being written?

Michael Clarke, Attorney: Everything is on the record tonight of what we have agreed to. I would ask you approve this this evening.

Ms. Ferry: This is hard to vote on now because we have not agreed on the issue of trees.

The Board continued discussion on this Conditional Use Application.

Ms. Ferleger motioned, with Dr. Scarpello seconding, to table action on Conditional Use Application of Condor Fort Washington Real Estate LLLP for the property known as 325 Pennsylvania Avenue, to later in the agenda.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab K – Consider motion to approve Resolution #22-2471 Waiver of Land Development Request by Condor Fort Washington Real Estate LLLP for the property known as 325 Pennsylvania Avenue:

Ms. Ferleger motioned, with Dr. Scarpello seconding, to approve Resolution #22-2471 Waiver of Land Development Request by Condor Fort Washington Real Estate LLLP for the property known as 325 Pennsylvania Avenue.

Ms. Fritzges: I am concerned with the landscaping in the rear as a buffer, not so much with the landscaping in the parking lot.

Ms. Knight: I agree it is more about buffering around the edges.

Mr. McGuckin: Does this application warrant a waiver of Land Development or should it be considered as a full Land Development application?

The Board continued discussion on the landscaping for this proposal.

Mr. Schaffer: I would welcome any additional plantings along the Summit Avenue side and buffering the trash area.

Mr. Kane: I am much more concerned with trees as a buffer, not within the parking lot.

Mr. Tackel: What do you propose to satisfy staff and residents to ensure there is sufficient sound buffering beyond which is on the plan?

Mr. Clarke: I believe the landscaping plan does address sound buffering. The plan also includes buffering directly around the patio.

Ms. Knight: Is the buffer for sound or visual?

Mr. Tackel: I believe it is for sound.

Mr. Fountain: Trees do not buffer sound.

Ms. Ferleger: The applicant has addressed these concerns by agreeing to the decibel limit. If they meet the decibel limit, the rest of this becomes irrelevant.

Ms. Ferry: I am raising these questions because this is our opportunity to address our concerns and to ensure the property is beautiful and keeps consistent with Elliger Park.

Ms. Knight: I want to clarify that this a waiver of Land Development, and we are limited in what we can do.

Ms. Ferry: I think we can ask them to reduce parking spaces and put in more trees.

Ms. Ferleger: What were the conditions you would not agree to?

Mr. Clarke: Conditions 3, 4 and 5.

Ms. Ferleger amended the motion, with Dr. Scarpello seconding, to approve Resolution #22-2471 Waiver of Land Development Request by Condor Fort Washington Real Estate LLLP for the property known as 325 Pennsylvania Avenue, removing Conditions 3, 4 and 5.

Michael Hass,
EPAB: Contrary to what I have heard tonight, street trees aren't just pretty they reduce the ambient heat of the area. Were we to consider a proposal like this the EPAB would ask for tree installation within the lot itself not only for the shade but also for infiltration of rain water from the parking lot. Trees have values over and above just visual.

Mr. Lindh: I would ask you not to agree to this waiver or at least table until these issues are resolved.

Mr. Haas: I would ask the applicant to plant trees elsewhere in the township.

ROLL CALL VOTE ON MOTION YES COMMISSIONERS TACKEL,
SCARPELLO, MCGUCKIN,
KNIGHT, FERLEGER, FRITZGES

NO FERRY

MOTION CARRIED

The Board revisited the original motion made by Ms. Ferleger and seconded by Dr. Scarpello, to approve Conditional Use Application of Condor Fort Washington Real Estate LLLP for the property known as 325 Pennsylvania Avenue.

ROLL CALL VOTE ON MOTION YES COMMISSIONERS TACKEL,
SCARPELLO, FERRY, KNIGHT,
FERLEGER, FRITZGES,
MCGUCKIN

MOTION CARRIED

Tab M – Consider motion to authorize staff to proceed with Design and Bidding of Option 2 for a 3-bay garage with an estimated project budget of \$12,986,975 for the Public Works Building and an Option 3 for a 5-bay alternate with an estimated project budget of \$14,051,835 for the Public Works Building:

Mr. Tackel motioned, with Ms. Ferleger seconding, to authorize staff to proceed with Design and Bidding of Option 2 for a 3-bay garage with an estimated project budget of \$12,986,975 for the Public Works Building and an Option 3 for a 5-bay alternate with an estimated project budget of \$14,051,835 for the Public Works Building.

Arif Fazil, D’Huy Engineering, presented on the rebuild of the Public Works Garage.

Mr. Tackel: There was significant damage due to tornado. It would be unacceptable to put back what was there before because it was inadequate then. This is an opportunity to set this right at an additional cost above the insurance claim.

Ms. Knight: I would like that the environmental renewable energy to be looked at down the line.

Mr. Fazil: The infrastructure for electrical will be looked at for future use. There is not a whole lot to do for the existing garage.

Mr. Ferguson: The Township will engage our energy consultant in regards to the Public Works Building and the Township Building.

Mr. Haas: I am part of the Renewable Energy Team that wrote a 66-page Renewable Energy Plan. I urge you to use the energy consultant as the Township Manager has recommended.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab N – Consider motion to authorize staff to execute a contract with DEI, in an amount not to exceed \$555,000, to provide Construction Management Services for the reconstruction of the Public Works Building:

Mr. Tackel motioned, with Dr. Scarpello seconding, to authorize staff to execute a contract with DEI, in an amount not to exceed \$555,000, to provide Construction Management Services for the reconstruction of the Public Works Building.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab O – Consider motion to authorize staff to execute a contract with GKO, in an amount not to exceed \$466,500, to design the Public Works Building:

Mr. Tackel motioned, with Dr. Scarpello seconding, to authorize staff to execute a contract with GKO, in an amount not to exceed \$466,500, to design the Public Works Building.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab P – Consider motion to authorize staff and DEI to proceed with an RFP for Architectural Design Firms to submit concept designs for Option 2 for the Township Building:

Mr. Tackel motioned, with Dr. Scarpello seconding, to authorize staff and DEI to proceed with an RFP for Architectural Design Firms to submit concept designs for Option 2 for the Township Building.

Arif Fazil, D'Huy Engineering, presented on the options for the Township Building.

Mr. Tackel: Given the timeframe we are looking at, couldn't we be well served if we simply picked a firm rather than spend four months.

Mr. Fazil: We took that road on the Public Works Building. That architectural design is very utilitarian. We felt this was the face of Upper Dublin Township. We felt that four months looking at that, plus finding multiple concepts.

Ms. Ferleger: Given the overall timeline, four months to do this right seems reasonable.

Mr. Fazil: We will work with staff on the RFP process.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab Q – Consider motion to authorize staff to execute a contract with DEI to provide Pre-Design Construction Management Services for the reconstruction of the Township Building at a cost not to exceed \$35,000:

Mr. Tackel motioned, with Dr. Scarpello seconding, to authorize staff to execute a contract with DEI to provide Pre-Design Construction Management Services for the reconstruction of the Township Building at a cost not to exceed \$35,000.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab R – Consider motion to approve early notification for 2024 Road Paving Program:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to approve early notification for 2024 Road Paving Program.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab S – Consider motion to approve Planning Module for 1250 Virginia Drive Dublin Metro Development:

Ms. Ferleger motioned, with Dr. Scarpello seconding, to approve Planning Module for 1250 Virginia Drive Dublin Metro Development.

Ms. Ferleger amended the motion, with Dr. Scarpello seconding, to approve Resolution #22-2475 approving revision to the Upper Dublin Sewage Facilities Planning in favor of Dublin Metro to allow the connection of the Dublin Metro Residential Development.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab T – Consider motion to approve Resolution #22-2472 authorizing a PA DCNR C2P2 grant application for a Sunny Willow Swim Trail & Conservation Easement in the amount of \$375,000:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to approve Resolution #22-2472 authorizing a PA DCNR C2P2 grant application for a Sunny Willow Swim Trail & Conservation Easement in the amount of \$375,000.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab U – Consider motion to approve Resolution #22-2473 authorizing a PA DCNR C2P2 grant application for 5 Pickleball Courts at Twining Valley Park in the amount of \$105,000:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to approve Resolution #22-2473 authorizing a PA DCNR C2P2 grant application for 5 Pickleball Courts at Twining Valley Park in the amount of \$105,000.

Ms. Ferry: My wish is that Twining would remain a natural space. I do not think the Pickleball Courts are what I envision for Twining Valley and they will require maintenance.

Ms. Fritzes: I am ok with approving these grant applications, but that does not mean that at budget we approve additional funds.

Mr. Ferguson: Mr. Dureka is actually looking for other options and to utilize that grant for other grants.

Ms. Ferleger: Mr. Dureka did an excellent job in getting the opinion of our residents and what they would like to see done with that park. There is a balance in responding to what residents would like to see there.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab V – Consider motion to approve Resolution #22-2474 approving Execution of PCSM Plan Declaration for Twining Valley Park:

Ms. Ferleger motioned, with Dr. Scarpello seconding, to approve Resolution #22-2474 approving Execution of PCSM Plan Declaration for Twining Valley Park.

Mr. Fountain: This is an agreement that you will take maintenance over on stormwater controls at Twining Valley Park.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab X – Consider motion to accept Lowest Responsible Bid for 2023 Rock Salt as bid by Montgomery County Consortium:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to accept Lowest Responsible Bid for 2023 Rock Salt as bid by Montgomery County Consortium.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab Z – Consider action on appointments to the following Boards and Commissions:

Mr. McGuckin motioned to appoint Andrew Kamnik to the Building Code Board of Appeals for an unexpired alternate term ending June 30, 2023.

Dr. Scarpello motioned to close.

VOTE ON MOTION ALL YES MOTION CARRIED

Mr. Kamnik was appointed to the Building Code Board of Appeals for an unexpired alternate term ending June 30, 2023.

Mr. McGuckin motioned to appoint Shahjabin Alam to the Environmental Protection Advisory Board for an unexpired term ending June 30, 2024.

Dr. Scarpello motioned to close.

VOTE ON MOTION ALL YES MOTION CARRIED

Mr. Alam was appointed to Environmental Protection Advisory Board for a three-year term ending June 30, 2024.

NEXT MEETINGS:

Wednesday, November 9, 2022 Stated Meeting at 7:00 PM, moved due to Election Day.

ADJOURNMENT:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to adjourn the meeting to Executive Session to discuss personnel matters from which they will not return.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Respectfully submitted,



Jesse Conte, Recording Secretary

ATTEST:



Ira S. Tackel, President