

6:30 PM I Public Hearing on Ordinance Amendment for Solar Panel Placement

STATED MEETING AGENDA
UPPER DUBLIN TOWNSHIP BOARD OF COMMISSIONERS
TUESDAY, APRIL 11, 2023 7:00 PM

CALL TO ORDER

ROLL CALL

CORRESPONDENCE AND ANNOUNCEMENTS

Announce appointments to be made at the May Stated Meeting

PRESENTATION

Status Update on Township Building by D'Huy Engineering

COMMITTEE REPORTS

Economic Development & Finance Committee, next meeting Tuesday May 2, 2023

Public Safety, Works & Services Committee, next meeting Tuesday May 2, 2023

Planning, Parks & Library Committee, next meeting Tuesday, May 23, 2023

MUNICIPAL AUTHORITY REPORT

F Project Status Report

STANDARD BUSINESS

- A Move to accept the minutes of March Stated meeting without reading.
- B Move to approve the Tax Collector's Report for the month of March.
- 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 March.

DISCUSSION ITEMS

G Discuss Zoning Hearing Board Cases & Planning Commission Agenda for April.

PUBLIC COMMENT/QUESTIONS – ITEMS NOT ON AGENDA

ACTION ITEMS

- I Consider action on Ordinance #23-1385 Solar Panel Placement Amendment.
- J Consider motion to approve the site plan layout presented April 11, 2023 for the Township Public Works/Township Building Project.
- K Consider motion to approve the general floor plan with reduced total square footage to approximately 53,000 sq. ft. as presented April 11, 2023 for the Township Building.
- L Consider motion to approve rooftop solar as an alternate bid for the Township Building Project.
- M Consider motion to approve a geothermal HVAC system for the Township Building.
- N Consider action on Resolution #23-2501 to Proclaim April 23-29, 2023, National Library Week.
- O Consider action on Resolution #23-2502 to approve a plan revision to the Act 537 plan regarding the Craig-Y-Nos public sewer mandate.

- P Consider action on Resolution #23-2503 to approve a DCED Grant Application for the Willow Manor Drainage Project.
- Q Consider action on Resolution #23-2504 for recognition as an Audubon Bird Town.
- R Consider motion to approve Boles Smyth Limekiln Pike Sidewalk Proposal dated March 2, 2023, not to exceed \$31,000.00.
- NEXT MEETING** Tuesday, May 9, 2023 at 7:00 PM
- ADJOURN** to Executive Session to discuss litigation.

Agenda posted: 4/10/2023

A Stated Meeting of the Board of Commissioners (BOC) of Upper Dublin Township (UDT) was held on Tuesday, April 11, 2023, at 7:00 P.M. in person at 520 Virginia Drive Auditorium with Ira Tackel presiding following a Public Hearing on Ordinance Amendment for Solar Panel Placement held at 6:30 PM.

In attendance were Commissioners Ira Tackel, Cheryl Knight, Alyson Fritzges and Gary Scarpello. Absent was Commissioner Robert McGuckin. Commissioner Meredith Ferleger attended the meeting late. Commissioner Liz Ferry attended the meeting via Zoom. Also present were Kurt Ferguson, Township Manager; Jonathan Bleemer, Assistant Township Manager and Finance Director; Tom Fountain, Township Engineer; and David Brooman, Township Solicitor.

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 dispensed in the roll call as it was done previously at the Hearing.

CORRESPONDENCE AND ANNOUNCEMENTS:

Mr. Tackel announced that at the Board of Commissioners Stated Meeting on May 9, 2023, the Board will be appointing members to the following Boards and Commissions:

- Historical Commission – one three-year term ending December 31, 2025

Applications should be made online at www.upperdublin.net/government/boards-commissions/ and submitted by April 25, 2023 for consideration at May's Stated Commissioners' meeting.

PRESENTATIONS:

Status Update on the Township Building:

Arif Fazil, D'Huy Engineering, and Kevin Godshall, GKO Architects, presented on the updates to the Township Building design.

Ms. Ferleger attended the meeting.

Ms. Ferry expressed her concern that we are \$25.6 million over budget and there has been no discussion on how to pay for that. Ms. Ferry is hesitant to approve items with those unknowns and would like to have more conversation to discuss how to pay for the township building.

Mr. Ferguson explained the multiple possible funding options to bridge the gap.

Michael Haas, 107 Orlando Avenue, asked if EV charging stations were part of the proposed plan.

Mr. Fazil replied that the infrastructure for future charging stations is proposed to be included.

The Board of Commissioners continued discussions on the proposed cost of the new township building.

Jack Smyth, Boles Smyth Engineers, explained the location of the west driveway.

COMMITTEE REPORTS:

Economic Development and Finance Committee (EDF):

Mr. Tackel reported that they did not meet this month. The next meeting will be May 2, 2023.

Public Safety, Works and Services Committee (PSWS):

Mr. Tackel reported that they did not meet this month. The next meeting will be May 2, 2023.

Planning, Parks and Library Committee (PPL):

Ms. Ferleger reported that they did not meet this month. The next meeting will be May 23, 2023.

Ms. Ferleger did want to announce that the library is currently seeking responses to a survey regarding their strategic planning process. The survey is on the library website.

Tab G - Municipal Authority Report:

Mr. Ferguson: The Municipal Authority held a ribbon cutting event on March 24, which was well attended by many of our local elected officials.

STANDARD BUSINESS:

Tab A – Move to Accept the Minutes of the March 14, 2023 Stated Meeting without reading:

Dr. Scarpello motioned, with Ms. Ferleger seconding, to accept the minutes of the March 14, 2023 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 March 2023:

Dr. Scarpello motioned, with Ms. Ferleger seconding, to accept the Tax Collector’s Report for the month of March 2023.

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 March 2023 and highlighted the following:

Mr. Fountain: Updates on 1055 Virginia Drive Self-Storage is expected to open in September. J @ Dresher 1125 Virginia Drive sitework is underway. 1250 Virginia Drive Metropolitan Management Group we will be meeting with next week. Redstone has pushed their opening to Labor Day. Increase in residential pool permits.

Ms. Fritzges: When will we see a plan for 530 Virginia Drive?

Mr. Fountain: May.

Dr. Scarpello: How is the Zip Ramp progressing?

Mr. Smyth: We have a meeting tomorrow with DVRPC, who is in the process of doing the weave analysis. Two other elements required are the maintenance agreement and the interchange signage. We are targeting this year to go to construction through our coordination with the Turnpike Commission.

Tab D – Call on Township Manager for his Report:

Mr. Ferguson submitted his written report for the month of March 2023, and highlighted the following:

Mr. Ferguson: There is a Resolution on the agenda tonight regarding the Craig Y Nos sewer project, which is procedural in nature. We are amending our Act 537 to be in compliance with DEP acknowledging that project will move forward. We would anticipate in the next couple of months having a layout of where the sewer pipes will be installed. We have been working to identify possible funding opportunities. We will continue to communicate information as it becomes available.

Regarding the Highland Drive access, I have met with residents with our Natural Resource Manager. We have put together a planting plan for the buffer. We have met with the landscaper for 500 Virginia Drive who has expressed willingness to replant that area.

Dr. Scarpello motioned, with Ms. Ferleger seconding, to accept the Manager’s Report for the month of March 2023 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 March 2023:

Ms. Knight motioned, with Dr. Scarpello seconding, to accept the disbursements from the various Township accounts in the amount of \$2,908,121.80 as follows:

Total of Proposed Disbursements	\$1,396,761.20
Estimated Payroll	\$1,200,000.00
Interim Check Run Expenses	\$311,360.60
Grand Total	\$2,908,121.80

VOTE ON MOTION ALL YES MOTION CARRIED

DISCUSSION ITEMS:

Tab F - Discuss Zoning Hearing Board (ZHB) Cases and Planning Commission (PC) Agenda for April 2023:

Ms. Giles reviewed the April 24, 2023 Zoning Hearing Board meeting agenda (moved to 7:00 PM) that has the following matters scheduled for discussion:

Application #2464 for the Property at 1410 E. Butler Pike, Ambler:

The Applicant is appealing the Zoning Officer's determination regarding Upper Dublin Township Zoning Code Section 255-82.S. In the alternative, they are seeking a variance to allow two new apartment buildings and associated parking lots to be constructed in an area that contains woods, streams, and open space areas which are required to be preserved or incorporated where possible. The Property is Zoned AHS- Apartment House Special District, and falls within the Floodplain Conservation District. This matter has been postponed since January; the Applicants appeared at the March hearing but could not present due to a full agenda. *See plan attached. This application has been postponed until the May Zoning Hearing Board meeting.*

Application #2472 for 131 Anbury Lane, Willow Grove:

Side yard and rear yard setback variances are needed for the construction of a detached pavilion and for the installation of a shed. The Property is Zoned B Residential.

Application #2475 for 1510 Dillon Rd., Ambler:

A variance is needed to allow a front yard setback of 38 feet 6 inches where 50 feet is required for the construction of a covered front porch, and a special exception to allow the expansion of a nonconforming structure with respect to the existing front yard setback. The Property is Zoned A Residential.

Application #2476 for 1357 Hope Circle, Fort Washington:

A variance is needed to allow a rear yard setback of 43 feet where 50 feet is required for the construction of a roof over an existing deck. The Property is Zoned A-1 residential.

Application #2477 for 1224 Hartranft Avenue, Fort Washington:

A variance is needed to allow a front yard setback of 30 feet 6 inches where 35 feet is required for the construction of a single-family home. The Property is Zoned B Residential.

Zoning Hearing Board Update from March 27, 2023:

Application #2436 for the Property located at 525 Virginia Drive, Fort Washington

At the March 27th Zoning hearing Board meeting, all the requested variances were granted with conditions; *see attached decision.*

Ms. Giles reviewed the April 18, 2023 Planning Commission meeting agenda. This meeting has the following matters scheduled for discussion:

Review of Conditional Use Application for 525 Virginia Drive- Proposed Apartment Development:

Commerce Pursuit Capital/Westrum Development is proposing a 225-unit apartment development on a property that has a total area of 10.3 acres and is situated across the from the UDT Library. The development, branded as “Luxor”, will contain mostly studio and 1-bedroom units and a smaller portion of two-bedroom units. The proposed height is 63 feet, with a parking garage on the bottom floor in addition to an on-site parking lot. The development, if eventually approved, would count towards the 900-apartment unit cap in the GFW, leaving 194 units available.

They are scheduled to appear at the April 2023 Planning Commission meeting for review of their Conditional Use requests to permit an apartment development within the GFW, to permit stormwater facilities within the Floodplain Conservation District, and to permit stormwater facilities (i.e., the detention basin) to be located within the floodplain on the property. This Application is currently expected to be heard by the Board of Commissioners at a formal hearing the night of the May 9th Stated meeting. The project, which is still in the Tentative Sketch phase, must still go through the Land Development process.

Presentation: Twining Valley Park Presentation, Derek Dureka, Director of UDT Parks and Recreation

PUBLIC COMMENT/QUESTIONS - ITEMS NOT ON AGENDA:

Sean Black, 1424 Highland Avenue, asked what part of the 530 Virginia Drive parcel is being considered to sell. Mr. Fountain explained the different parts of the parcel and what portion was being considered to sell. Mr. Ferguson stated that there would be further discussion regarding the plan for this parcel at the May Board of Commissioners meeting.

Mr. Black continued to express his concern with the development of that parcel and potential flooding issues. Mr. Black suggested using that parcel for a permacultural fruit forest.

ACTION ITEMS:

Tab I – Consider action on Ordinance #23-1385 Solar Panel Placement Amendment:

Ms. Ferleger motioned, with Dr. Scarpello seconding, to approve Ordinance #23-1385 Solar Panel Placement Amendment.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab J – Consider motion to approve the site plan layout presented April 11, 2023 for the Township Public Works/Township Building Project:

Mr. Tackel motioned, with Dr. Scarpello seconding, to approve the site plan layout presented April 11, 2023 for the Township Public Works/Township Building Project.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab Q – Consider action on Resolution #23-2504 for recognition as an Audubon Bird Town:
Dr. Scarpello motioned, with Ms. Ferleger seconding, to approve Resolution #23-2504 for recognition as an Audubon Bird Town.

VOTE ON MOTION ALL YES MOTION CARRIED

Tab R – Consider motion to approve Boles Smyth Limekiln Pike Sidewalk Proposal dated March 2, 2023, not to exceed \$31,000.00:

Dr. Scarpello motioned, with Ms. Ferleger seconding, to approve motion to approve Boles Smyth Limekiln Pike Sidewalk Proposal dated March 2, 2023, not to exceed \$31,000.00.

VOTE ON MOTION ALL YES MOTION CARRIED

NEXT MEETING:

Tuesday, May 9, 2023 Stated Meeting at 7:00 PM.

ADJOURNMENT:

Dr. Scarpello motioned, with Ms. Ferleger seconding, to adjourn the meeting to Executive Session to discuss litigation from which they will not return.

VOTE ON MOTION

ALL YES


MOTION CARRIED

Respectfully submitted,



Jesse Conte, Recording Secretary

ATTEST:



Ira S. Tackel, President