

#20-2021  
October 19, 2021

The hybrid meeting of the Whitpain Township Board of Supervisors was held beginning at 6 p.m. on Tuesday, October 19, 2021. Supervisors Michele Minnick, Kimberly J. Koch, Frederick R. Conner, Jr., Jeffrey Campolongo and Joyce M. Keller were in attendance, along with Township Manager Roman M. Pronczak, P.E., Assistant Township Manager David J. Mrochko, Township Solicitors Michael P. Clarke, Esq., and Gregory N. Heleniak, Esq., Police Chief Kenneth Lawson, Director of IT Nicole M. Leininger, Code Enforcement Officer Michael E. McAndrew, Finance Director Christine M. Bauman, HR Director Kathleen Yackin, Township Engineer James E. Blanch, P.E., Parks and Recreation Director Kurt W. Baker, Fire Marshal David M. Camarda, Public Works Director Thomas Farzetta and Recording Secretary Virginia Papale. There were three in-person attendees and two remote attendees.

Chair Michele Minnick welcomed everyone to the meeting and announced that beginning this evening, the video of the meetings will be close-captioned. This will be an auto-generated application through Zoom, and it is not 100% accurate - subject to misinterpretations and misspellings. This will not replace the official minutes of any meeting, which are approved by the Board of Supervisors at subsequent meetings. She then asked all to stand for the Pledge of Allegiance.

A motion was made by Supervisor Conner, duly seconded by Supervisor Koch to approve the Consent Agenda as follows:

- a. Minutes of the Board of Supervisors' meetings of September 21 and October 5, 2021.
- b. September Voucher List in the amount of \$535,464.51, check sequence #74038 through #74247.
- c. Authorize advertisement of the 2022 Budget Work Sessions scheduled for November 3 at 6 p.m. (during the regularly scheduled Board work session meeting) and November 10 at 5 p.m. Sessions will be held in a hybrid format.
- d. Acknowledge receipt by the Board of Supervisors of the 2022 Minimum Municipal Obligation for the Police and Non-Uniformed Pensions Plans, and the Defined Contribution Plan for Whitpain Township as per Act 205 of 1984.
- e. Pass Resolution No. 1471 authorizing the 2021 allocation of \$551,687.49 from the General Municipal Pension System State Aid Program to be deposited to the various Pension Plans as follows:

\$259,053.26 to the Police Pension Plan

\$292,634.23 to the Non-Uniform Pension Plan

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- f. Authorize the release of \$163,878.26 to the Centre Square Fire Company Relief Association which represents one hundred percent (100%) of the 2021 allocation to Whitpain Township from the Pennsylvania Foreign Fire Insurance Premium Tax.
- g. Piggyback the COSTARS contract for sodium chloride (bulk road salt) for the contract period August 2021 through July 2022 at the contract price of \$61.88 through Cargill, Inc. of North Olmsted, OH. Last year's contract price was \$57.87/ton.
- h. Authorize the final release of all remaining funds from the escrow fund for the Waiver from LD – Centre Square Commons Shopping Center & Centre Square Fire Company Access Driveway project located at 1290 and 1298 Skippack Pike (W-06-20). This release in accordance with the Traffic Improvement Escrow Agreement between Whitpain Township and Centre Square Commons, L.P. A maintenance bond to guarantee the public improvements will be posted for a period of 18 months.
- i. Approve the Certificate of Completion for the Waiver from LD for the 1777 & 1787 Sentry Parkway West Driveway Improvements. The Certificate of Completion is required as part of the Land Development and Financial Security Agreement executed between Whitpain Township, 16-18 KPG III Sentry, LLC, and Sentry KPG III, L.P.
- j. Authorize the Township Manager to readvertise Ordinance No. 380, an ordinance amending and restating Part II, Section 126 [Streets and Driveways] of the Township's Code 1) renaming Chapter 126 "Streets, Driveways, Sidewalks, Curbs and Aprons"; and 2) amending Chapter 126 to create a new Article V to provide for the maintenance of sidewalks, curbs and aprons.
- k. Confirm Supervisor Jeffrey Campolongo as a voting delegate at the PSATS Annual Business Meeting on October 15, 2021.

Chair Minnick called for any discussion. There was none. Chair Minnick called for public comment. There was none. She then took a roll-call vote: Vice-Chair Koch, aye; Supervisor Conner, aye; Supervisor Campolongo, aye; Supervisor Keller, aye and Chair Minnick also voted in favor. The motion carried.

A motion was made by Supervisor Conner, duly seconded by Supervisor Koch to pass Resolution No. 1472 to approve preliminary/final subdivision plans titled "Subdivision Plan for 651 Cathcart Road" located at 651 Cathcart Road, Sheet 1 of 3 through 3 of 3, prepared by ProTract Engineering, Inc., plans dated August 6, 2021 and last revised September 13, 2021 in accordance with Section 509 (b) of the Pennsylvania Municipalities Planning Code conditioned upon compliance with the recommendations contained in the

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motion from the Township Planning Commission, planning module approval and the resolution of items in the review letters from the Township Engineer dated August 23, 2021 and September 23, 2021. Chair Minnick called for any discussion by the Board or any public comment. There was none. She then took a roll-call vote: Vice-Chair Koch, aye; Supervisor Conner, aye; Supervisor Campolongo, aye; Supervisor Keller, aye and Chair Minnick also voted in favor. The motion carried.

A motion was made by Supervisor Campolongo, duly seconded by Supervisor Koch to pass Resolution No. 1473 to approve preliminary/final subdivision plans titled "Subdivision Plan for 1533 Skippack Pike" located at 1533 Skippack Pike, Sheet 1 of 2 through 2 of 2, prepared by Kimley-Horn and Associates, Inc., plans dated November 10, 2020 and last revised September 3, 2021 in accordance with Section 509 (b) of the Pennsylvania Municipalities Planning Code conditioned upon compliance with the recommendations contained in the motion from the Township Planning Commission, planning module approval and the resolution of items in the review letters from the Township Engineer dated June 28, 2021 and September 21, 2021. Chair Minnick called for any discussion. There was none. She called for public comment. There was none. Chair Minnick then called a roll-call vote: Vice-Chair Koch, aye; Supervisor Conner, aye; Supervisor Campolongo, aye; Supervisor Keller, aye and Chair Minnick also voted in favor. The motion carried.

A motion was made by Supervisor Campolongo, duly seconded by Supervisor Conner to appoint Supervisors Jeffrey Campolongo and Michele Minnick to the Reed Restaurant and Bar Committee. This Committee, along with the solicitor, engineer and planning consultant will meet to discuss any future development proposals for the site. Chair Minnick called for any discussion, after noting that the developer who was interested in the property is no longer considering it, and the Township is receiving inquiries from other developers. She added that it has been a practice that the Board appoint a committee to review larger land development issues. Chair Minnick said that the normal process of applications being reviewed before the Planning Commission and then presented to the Board of Supervisors will not change. She called for any discussion. There was none. Chair Minnick then took a roll-call vote: Vice-Chair Koch, aye; Supervisor Conner, aye; Supervisor Campolongo, aye; Supervisor Keller, aye and Chair Minnick also voted in favor. The motion carried.

A motion was made by Supervisor Conner, duly seconded by Supervisor Campolongo to appoint Supervisors Kimberly J. Koch and Joyce M. Keller to the Blue Bell Springs Committee. This Committee, along with the Township Manager and the Assistant Township Manager will discuss and review issues related to the Blue Bell Springs community. Chair Minnick called for any discussion. There was none. She then called a roll-call vote: Vice-Chair Koch, aye; Supervisor Conner, aye; Supervisor Campolongo, aye; Supervisor Keller, aye and Chair Minnick also voted in favor. The motion carried.

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The Board took no action on the following Zoning Hearing Board cases scheduled for October 21<sup>st</sup>:

**NO. 2289-21 – FREDERICK AND MICHELE OSKANIAN** request a special exception pursuant to Article XXV, Section 160-175.E related to Uses Permitted by Special Exception. Applicants also request variances from Article XXV, Section 160-176(A) and (B) related to Application for Special Exception or Variance and Article XXVIII, Section 160-214.C related to Green Area Regulations with respect to their property located at 1505 Skippack Pike, Blue Bell, PA in the Township's R-2/FP Residential District/Floodplain District. Applicant's requested relief, if granted, will allow Applicants to install a driveway in the floodplain without having to comply with the zoning ordinance which requires detailed engineering studies in order to do so and will allow the green area to be reduced to 58,728 square feet when the Ordinance requires 60,689 square feet.

**NO. 2291-21 – SALY A. GLASSMAN REVOCABLE TRUST** requests a variance pursuant to Article XXVI, Section 160-191.A related to Schedule of Sign Uses with respect to its property located at 901 Morris Rd., Blue Bell, PA in the Township's R-5 Agricultural/Rural Residential District. Applicant's requested relief, if granted, will allow Applicant to install a 16.6 square foot, free standing identification sign for the Kindle Hill Foundation between the legal and ultimate right of way on Morris Rd. when the Ordinance prohibits same.

**NO. 2292-21 – LEANNE LENTZ** requests a variance pursuant to Article V, Section 160-17 related to Side Yards for Single Family dwellings with respect to her property located at 1391 Jolly Rd., Blue Bell, PA in the Township's R-1 Residential District. Applicant's requested relief, if granted, will allow Applicant to install a new addition and covered porch onto her existing residence which will decrease one side yard width to less than 45 feet and the aggregate side yard width to less than 100 feet when the Ordinance prohibits same.

A motion was made by Supervisor Keller, duly seconded by Supervisor Campolongo to send the Solicitor to appear before the Zoning Hearing Board in opposition to the following application scheduled to be heard October 21, 2021:

**NO. 2293-21 (revised notice) – TERRY HUGHES** requests variance pursuant to Article V, Section 160-17 related to Side Yards for Single Family Dwellings, Article V, Section 160-21 related to Accessory Buildings, Article XXVIII, Sections 160-202 related to Residential Projections into Front Yard, Section 160-203 related to Residential Projections into Side Yards and Section 160-207 related to kitchens in Residential units with respect to the property located at 997 Stoneybrook Drive, Blue Bell, PA in the Township's R-1 Residential District. Applicant's requested relief, if granted, will allow Applicant to install 24' by 24' one and a half story detached garage with loft space to the front/side of the existing home along Stoneybrook Drive at 5 feet off the side yard lot line which will: (1) reduce the required minimum front

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yard to 35 feet and project into the front yard when the Ordinance prohibits same; and (2) permit a kitchen to be installed in the garage when the Ordinance prohibits same; and (3) allow a 24' by 16' covered patio to be installed on the side of the house set back 30 from the side yard property line when the Ordinance prohibits same.

Chair Minnick called asked Mr. Pronczak to explain the application. He replied that the owner would like to add a free-standing structure to include plumbing, electric and a kitchen, which is prohibited. Chair Minnick called a roll-call vote: Vice-Chair Koch, aye; Supervisor Conner, aye; Supervisor Campolongo, aye; Supervisor Keller, aye and Chair Minnick also voted in favor. The motion carried.

A motion was made by Supervisor Koch, duly seconded by Supervisor Minnick to send the Solicitor to appear before the Zoning Hearing Board in support of the Zoning Officer's Determination of September 20, 2021. The case is scheduled to be heard October 21<sup>st</sup>:

**NO. 2294-21 – BRAD S. TABAKIN AND DEBRA TABAKIN** request the following relief: an appeal of the September 20, 2021 determination of the Zoning Officer pursuant to Article XXXI, Section 160-237 related to Powers of Board, variances from Article XII, Sections 160-61.C, E, F and G relating to Area Regulations, variance from Article XXVII, Section 160-203 relating to Residential Projections into Side Yards, variance from Article XXVII, Section 160-204 relating to Residential Rear Yard Intrusions and a variance from Article XXIX, Section 160-227 related to Destruction of building by fire or condemnation to allow them to demolish the existing residence located at 801 Morris Rd., Blue Bell, PA in the Township's R-5 Agricultural-Rural District and construct a new residence thereon. Applicant's requested relief, if granted will overturn the determination by the Zoning Officer that a variance from Article XXIX, Section 160-227 is required to demolish the residence; and will permit (1) the present non-conforming lot area to be 37,035 square feet when the Ordinance requires a minimum of 80,000 square feet; and (2) the present non-conforming rear yard depth to be 41 feet when the Ordinance requires a minimum of 75 feet; and (3) the aggregate side yard width to be less than 100 feet when the Ordinance prohibits same; and (4) the side yard width to be 17.90 feet when the Ordinance requires a minimum of 40 feet; and (5) the new additions to project into the side and rear yards when the Ordinance prohibits same; and (6) Applicants to demolish the existing residence when no fire or condemnation has occurred as required by the Ordinance.

Supervisor Campolongo asked if we are sending the Solicitor because the applicant is challenging the determination of the Zoning Officer when they could have amended their application to seek a variance. This was confirmed by Mr. Pronczak. Chair Minnick called a roll-call vote: Vice-Chair Koch, aye; Supervisor Conner, aye; Supervisor Campolongo, aye; Supervisor Keller, aye and Chair Minnick also voted in favor. The motion carried.

Chair Minnick turned the meeting over to Vice-Chair Koch for public comment. There was none, and the meeting returned to Chair Minnick, who asked if any of the Board members

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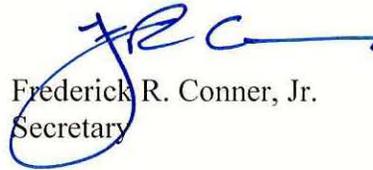
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wished to make a comment. Supervisor Campolongo reminded everyone that election day is before our next meeting, and he encouraged everyone to exercise their right to vote and be heard. Either in person, or by mail, by November 2<sup>nd</sup>. Supervisor Conner noted that before we meet again the Halloween hayrides will be held at Prophecy Creek Park on the eve of the 244<sup>th</sup> anniversary of the Army encampment at Prophecy Creek Park, this Friday and Saturday, and the weather should be fine. He added that he was privileged to attend the WRA dinner on Saturday with Kurt Baker and Courtney, that was held at the field house at Centre Square Park. Those in attendance expressed gratitude and appreciation for the support the Township gives and has given over the years. There were no additional comments

With no additional comments, a motion was made by Supervisor Conner, seconded by Supervisor Koch to adjourn the meeting at 6:19 p.m.

Respectfully submitted,



Frederick R. Conner, Jr.  
Secretary

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