

**WHITPAIN TOWNSHIP
BOARD OF SUPERVISORS' AGENDA #02-2021
JANUARY 19, 2021
7 PM**

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1. Salute to the Flag.

Minute of Silence in remembrance of lives lost to COVID-19.

ANNOUNCEMENT

The Board of Supervisors met in executive session on Tuesday, January 12, 2021 to discuss matters of potential litigation.

2. Proclamation – Susan Kasper
3. As advertised, the Board of Supervisors to consider Ordinance No. 386, an Ordinance amending the Whitpain Township Code of Ordinances at Chapter 108 “Parks and Playgrounds”.
4. As advertised, the Board of Supervisors to consider Ordinance No. 387, an Ordinance of Whitpain Township authorizing execution of a Cable Franchise Agreement between Whitpain Township and Verizon Pennsylvania, LLC.
5. As advertised, the Board of Supervisors to consider Ordinance No. 388, an Ordinance of Whitpain Township Code of Ordinances at Chapter 36 “Human Relations Commission” to allow for appointment of an alternate member by resolution.
6. Motion to pass Resolution No. 1422 to appoint _____ as an alternate member on the Human Relations Commission for a three-year term ending December 31, 2023.

7. Consent Agenda:

- a. Motion to approve the minutes of the Board of Supervisors' meetings of December 15, 2020 and January 4, 2021.
- b. Motion to approve the final December 2020 Voucher List totaling \$986,256.48, check sequence #71917 through #72226.
- c. Motion to approve the November 2020 Treasurer's Report.
- d. Motion to authorize Chambers Associates, Inc. to proceed with professional engineering and survey services for the 2021 ADA Ramp Modification Project in the amount of \$23,010 in accordance with their proposal dated October 21, 2020.
- e. Motion to advertise for all road resurfacing projects for 2021 and to include the Montgomery County Consortium of Communities and any member municipality or municipal authority of the Montgomery County Public Works Association. This motion will allow the same communities to piggyback our bids in 2021.
- f. Motion to participate in the Montgomery County Consortium contracts for purchasing materials and piggyback awarded contracts for goods and services bid by other communities in 2021.
- g. Motion to extend the 2019 Curb Line Milling Contract with Roto-Mill, Inc. for one year. This is the second of two extensions per the contract documents.
- h. Motion to extend the 2019 Leaf and Lawn Waste Contract with Republic Services for one year. This is the second of two extensions per the contract documents.
- i. Motion to extend the agreements with Armour and Sons for the inspection of traffic signals through the Township in accordance with PennDOT requirements, and for traffic signal maintenance for one year through March 2022 in accordance with the rate schedule submitted January 21, 2020.
- j. Motion to sponsor, establish, participate in or administer a cooperative purchasing agreement for the procurement of any goods, materials and equipment or services with another public procurement unit as defined in the Commonwealth Procurement Code. This includes, but is not limited to the following cooperative purchasing programs:

- the PA General Services Contract Program (Costars) for 2021. This includes the purchase of highway materials, road salt, vehicles, equipment and supplies, and services as needed.
 - Sourcewell, formerly (NJPA) National Joint Powers Alliance for the calendar year of 2021.
 - TIPS-USA, the Inter-local Purchasing System Contract for the calendar year of 2021.
 - H-GAC (Houston-Galveston Area Council) for cooperative purchases for 2021.
 - Keystone Purchasing Network for the purchase of goods and services.
 - GSA cooperative purchasing program for the purchase of goods and services.
- l. Motion to authorize the use of PennBid for advertising and bidding of projects.
- m. Motion to authorize Whitpain Township to dispose of Township personal property by public auction for the calendar year 2021 utilizing Municibid, JJ Kane Auctioneers or PennBid for the sale of surplus equipment, supplies and decommissioned vehicle disposition.
- n. Motion to pass Resolution No. 1420, adopting social media policies.
- o. Motion to approve the 2020 Planning Commission Annual Report per requirements of the PA Municipalities Planning Code Article II Section 207(a).
- p. Supervisors to approve a request from Patellie, LLC. for a waiver from the requirement of preparing a land development plan to construct a temporary stone parking area and associated circulation modifications to the existing parking areas at the Whitpain Tavern located at 1529 DeKalb Pike. The waiver from land development is conditioned upon the review and approval of the site plan by the Township Engineer. The applicant requested a temporary approval of one year for these improvements; therefore, the Waiver from LD approval expires one year from the date of final approval. Any improvements associated with this waiver from land development must be removed one year after final approval.

- q. Motion to pass Resolution No. 1421 authorizing the Township Manager to sign an Application for Traffic Signal Approval to be submitted to the PA Department of Transportation. The application is required in order to install a flashing beacon at the Wentz Road crossing for the PECO trail.
 - r. Motion to authorize McMahon Associates to proceed with engineering and surveying services related to Centre Square Park Access Improvements at the intersection of S.R. 0202 and Jolly Road in accordance with their supplemental work authorization form dated January 8, 2021 at a cost not to exceed \$8,500.00.
 - s. Motion to approve an Addendum to the Manor House Agreement subject to a final review of documents by the Township Solicitor.
 - t. Motion to approve the tax assessment appeal stipulation for parcel 66-00-01615-00-2 (1015 DeKalb Pike); said settlement will result in the taxpayer providing an underpayment to the Township of approximately \$16,092.04.
 - u. Motion to approve the tax assessment appeal stipulation for parcel 66-00-06740-00-7 (1905 Skippack Pike); said settlement will result in the Township providing a refund of approximately \$4,186.24.
 - v. Motion to approve the tax assessment appeal stipulation for parcel 66-00-06079-85-7 (350 Sentry Pkwy., Bldg. 630); said settlement will result in the Township providing a refund of approximately \$5,307.91.
 - w. Motion to approve the tax assessment appeal stipulation for parcel 66-00-08212-50-6 (1720 Walton Road); said settlement will result in the Township providing a refund of approximately \$3,421.59.
 - x. Motion to approve the tax assessment appeal stipulation for parcel 66-00-06079-82-1 (350 Sentry Pkwy., Bldg. 660); said settlement will result in the Township providing a refund of approximately \$7,327.40.
8. Does the Board of Supervisors wish to take any action on the following Zoning Hearing Board cases scheduled for January 21, 2021?

NO. 2262-20 – BADRISH AND SHRITA M. PATEL request variances from Article XII, Section 160-66.A.7, Section 160-66.A.9 and Section 160-66.B.3.b.1 relating to Special Regulations for Rural Cluster Subdivisions, and from Article XXVIII, Section 160-214.C.1 relating to Green Area Regulations to allow Applicants to install a shed and construct a 240 s.f. addition onto their residence located at 1412 Royal Oak Drive, Blue Bell, PA in the Township's R-5

Residential District. Applicant's requested relief, if granted, will: (1) allow an aggregate side yard width of 44.5 feet when the Ordinance requires a minimum of 45 feet; and (2) allow an existing shed on the property to remain 3 feet from the lot line when the Ordinance requires a minimum of 5 feet; and (3) allow a total non-green space of 6,969 s.f. when the Ordinance permits a maximum non-green space of only 6,552 s.f. and (4) allow Applicants to install the shed thereby using 9% of the Deed restricted open space of their property when the Ordinance allows a maximum of 5% use of that area.

NO. 2264-20: 720 PENLLYN PIKE, LLC requests the following variance relief from the Whitpain Township Zoning Ordinance, as amended: (1) Article V, Section 160-14 relating to lot area and width requirements in the R-1 Residence District; (2) Article V, Section 160-15 relating to front yard setback requirements in the R-1 Residence District; (3) Article V, Section 160-17 relating to side yard requirements for single family dwellings requirements in the R-1 Residence District; (4) Article XXIII, Section 160-157 relating to IN Institutional District use regulations; (5) Article XXIII, Section 160-158(A) relating to area and width regulations requirements in the IN Institutional District; (6) Article XXIII, Section 160-158(D)(4) relating to required setbacks in the IN Institutional District when abutting a residential use or district; (7) Article XXIII, Section 160-158(E) relating to required buffering of parking in the IN Institutional District; (8) Article XXIII, Section 160-160 relating to IN Institutional District additional controls for exterior lighting and setbacks; (9) Article XXXI, Section 160-241 relating to expiration of special exceptions and variances.

Applicant proposes a 4-lot residential subdivision and development on the property located at 720 and 730 Penllyn Pike (further identified as Tax Parcel Nos. 66-00-05374-00-5 and 66-00-05371-00-8) within the Township's R-1 Residence and the IN Institutional Districts. Proposed lots 1 and 2 shall be located partially in the R-1 District and partially in the IN-Institutional District. Proposed lots 3 and 4 shall be located in the IN District.

Applicant's requested relief, if granted, will:

1. Allow Lot 1 to have a lot width of 141 feet when the Ordinance requires a minimum lot width of 150 feet;
2. Allow Lot 2 to have a minimum front yard width of 30 feet when the Ordinance requires a minimum of 50 feet;
3. Allow Lots 1 and 2 to have a minimum side yard width of 30 feet when the Ordinance requires a minimum of 45 feet and an aggregate side yard width of 60 feet when the Ordinance requires a minimum of 100 feet;

4. Allow all four lots to be used for single family detached dwellings when the Ordinance prohibits same in the IN-District;
5. Allow Lot 4 to have 31,823 s.f. of developable acreage when the Ordinance requires a minimum of 4 acres and Lots 3 and 4 to have 142 feet of lot width when the Ordinance requires a minimum of 150 feet;
6. Allow all four lots to have less than the required 100 foot setback from a residential use district;
7. Allow no buffering between like uses when the Ordinance requires 50 feet along residential zoned districts;
8. Allow for R-1 Residential District lighting regulations to apply instead of the IN-District lighting regulations;
9. Allow Lots 2 and 3, which are both flag lots, to have a lot area of less than 1.5 times the minimum required for the zoning district and allow Lot 2 to have an area of 39,002 s.f. when the Ordinance requires a minimum of 45,000 s.f. and Lot 3 to have an area of 34,668 when the Ordinance requires a minimum of 6 acres;
10. Allow the Applicant to have 18 months to obtain a building permit instead of the 6 months provided for in the Ordinance.

NO. 2265-20 – JOHN J. IMPRIANO, JR. requests variances from Article XXVI, Section 160-183.B.2 and 183.B.3 relating to General Sign Specifications, Article XXVI, Section 160-188.A relating to Permitted Signs and Article XXVI, Section 160-189.F relating to General Regulations with respect to his property located at 1662 and 1664 DeKalb Pike, Blue Bell, PA 19422 in the Township's C-Commercial District. Applicant's requested relief, if granted, will allow Applicant to install an off-premises identification sign on the property located at 1684 Dekalb Pike, Blue Bell, PA when the Ordinance prohibits same.

9. Public Comment.
10. Old Business/New Business/Closing Comments (Supervisors).