

WHITPAIN TOWNSHIP
BOARD OF SUPERVISORS' AGENDA #08-2021
April 20, 2021
6:00 PM

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1. Salute to the Flag.
2. Consent Agenda:
 - a. Motion to approve the minutes of the Board of Supervisors' meetings of March 16 and April 6, 2021.
 - b. Motion to approve the March Voucher List in the amount of \$635,753.40, check sequence #72622 through #72837.
 - c. Moton to approve the February Treasurer's Report.
 - d. Motion to pass Resolution Nos. 1442 through 1446, Declarations of Emergency for April 2021.
 - e. Motion to authorize the disposition of public records as follows, in accordance with Resolution No. 1004, adopted March 19, 2013:

TROP files from 1988-2013. All files have been scanned.
 - f. Motion to authorize the Solicitor to draft an ordinance regarding political signs.

- g. Motion to authorize McMahon Associates to proceed with traffic engineering services for safety improvements in accordance with their proposals at the following intersections:
- Rt. 73 and School Road traffic signal evaluation – estimated cost \$5,200
 - Wentz and Jolly Roads concept plan for low-cost improvement such as signage and line striping to eliminate turning move conflicts and improve yield condition – estimated cost \$4,000
 - Rt. 202 and Cherry Road/Cherry lane conceptual plans for alternative(s) for realignment options – estimated cost \$6,500
 - Walton Road/Stenton Avenue (both intersections) refine roundabout concept plans and assist with DCED/CFA grant application – estimated cost \$7,500
 - Stenton Avenue/Penllyn Pike concept plan for low-cost safety improvements including potential signing/striping on the approach curves on Stenton Avenue at Penllyn Pike – estimated cost \$4,000
- h. Motion to accept the resignation of Daniel Ronca from the Zoning Hearing Board effective May 21, 2021.
- i. Motion to accept the resignation of Natalie Macy from the Planning Commission.
- j. Motion to approve the tax assessment appeal stipulation for Parcel #66-00-01648-01-4 (777 DeKalb Pike); said settlement will result in the Township providing a refund of approximately \$1,517.
- k. Confirming motion to approve the tax assessment appeal stipulation for Parcel #66-00-01828-01-4 (686 DeKalb Pike); said settlement will result in the Township providing a refund of approximately \$1,619.76.
- l. Motion to authorize Dawood Engineering, Inc. of King of Prussia, PA to proceed with engineering design services associated with streambank stabilization for the Pulaski Drive Bridge over Stony Creek, in accordance with their supplemental work authorization proposal dated March 26, 2021 at a cost not to exceed \$19,651.99.
- m. Motion to authorize the Township Manager to advertise for bids for replacment and/or upgrades to ADA accessible curb ramps in the area of Yost Road, Pulaski Drive and adjacent streets.

3. Motion to pass Resolution No. 1448 to appoint Mark Eberle as Alternate #1 on the Shade Tree Commission.
4. Motion to appoint terms of office on Township Boards and Commissions as follows:
 - a. Kent Conway to fulfill a vacancy left by Daniel Ronca on the Zoning Hearing Board effective May 22, 2021 with a term expiring December 31, 2024.
 - b. Kurt Zintner to fulfill a vacancy left by Kent Conway on the Planning Commission effective May 22, 2021 with a term expiring December 31, 2022.
 - c. John Miller as Alternate #1 on the Planning Commission with a term expiring December 31, 2021.
5. Motion to consider Resolution No. 1447 to approve final plans titled "Final Land Development Plans for 1950 Skippack Pike, LP" located at 1950 Skippack Pike, Sheets 1 of 30 through 30 of 30, prepared by Robert E. Blue Consulting Engineers, plans dated September 11, 2019 and last revised February 5, 2021 in accordance with Section 509 (b) of the Pennsylvania Municipalities Planning Code conditioned upon execution of a Development Agreement, posting of financial security, planning module approval, receipt of all necessary permits from the Pennsylvania Department of Transportation and the Pennsylvania Department of Environmental Protection, compliance with the recommendations contained in the motion from the Township Planning Commission and the resolution of items in the review letters from the Township Engineer dated March 24, 2020, May 18, 2020, October 20, 2020 & February 24, 2021.
6. Motion to authorize the Township Solicitor to execute a Stipulation of Conditions with Beach Realty Associates for Application No. 2246-20 before the Zoning Hearing Board and the Township Manager to accept a Declaration of Restrictive Covenants by Beach Realty Associates and Maine Merchant Bank, LLC in favor of Whitpain Township regarding the use of Parcel Nos. 66-00-05323-002 and 66-00-05320-00-5.
7. Does the Board of Supervisors wish to take any additional action on the following Zoning Hearing Board case scheduled to be heard April 22, 2021?

The Board previously authorized the Solicitor to appear before the Zoning Hearing Board on behalf of the Township in opposition to certain provisions; however, continuances were granted and modifications and/or additions to the application are being provided.

NO. 2246-20: BEACH REALTY ASSOCIATES owns six parcels of real estate, being known as 998, 1086, 1089, 1150, 1224 and 1298 Penllyn Blue Bell Pike in the Township's R-5 Residential District. Applicant intends to consolidate two parcels into one and then subdivide the resulting 5 parcels into 14 separate Lots. Thereafter, Applicant plans to construct residential dwelling units on the five lots in conformity with all township zoning Ordinances.

The Applicant requests the following variances:

1. Variance from Article XII, Section 160-60 relating to Use Regulations. Applicant's requested relief, if granted, will allow Applicant to use an accessory structure (playhouse) on Lot K and an accessory structure on Lot M (a stable) to be used without a primary dwelling unit on the respective Lot when the Ordinance prohibits same; and
2. Variance from Article XII, Section 160-61.B relating to Area Regulations. Applicant's requested relief, if granted, will permit Applicant to have a front yard set-back on Lot K of 55 feet when the Ordinance requires a minimum of 75 feet; and
3. Article XII, Section 160-62 relating to Accessory Structures. Applicant's requested relief, if granted, will allow the Applicant to:
 - A. Have an existing accessory structure on Parcel A (a shed) to be located in the front yard and be 59.31 feet from the front yard lot line when the Ordinance prohibits both; and
 - B. Have an existing accessory structure on Lot I (a pool house) be located 2.25 feet from the side lot line when the Ordinance requires a minimum of 10 feet; and
 - C. Have an accessory use playhouse on Lot K without a primary dwelling unit on the said Lot when the Ordinance prohibits same; and
 - D. Have an accessory use stable on Lot M without a primary dwelling unit on the said Lot when the Ordinance prohibits same.

4. Article XXVIII, Section 160-216.D relating to Flag Lot (Rear Lot) Requirements. Applicant's requested relief, if granted, will allow Applicant to classify Lot M as a Stacked Lot in accordance with Article XXVIII, Section 160- 216.D where an access easement is being proposed on Lot K for Lot M.

In addition, the Applicant requests a determination by the Zoning Hearing Board that the present use of Parcel L, which is being used by Applicant's consultants as a place to meet with family members of the owner of Beach Realty Associates to discuss family business, is not a commercial office use and is in conformity with the Use Occupancy provided by Whitpain Township dated October 1, 1999.

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