

**WHITPAIN TOWNSHIP
BOARD OF SUPERVISORS' AGENDA #10-2022
May 18, 2022
6 PM**

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1. Salute to the Flag.

ANNOUNCEMENT

The Board of Supervisors met in executive session following the Work Session meeting of May 3, 2022.

2. As advertised, the Board to consider enactment of Ordinance No. 395, an Ordinance amending the Code of the Township of Whitpain at Part II [General Legislation], Chapter 83 [Disturbing the Peace], by amending and restating Article I [Nuisance Disturbance by Noise], amending and restating Sections 83-3 and 83-4 as Article II [Loitering], restating Article II [Commercial Generator Noise] as Article III and creating Article IV [Nuisance Disturbance by Lighting] to provide for standards and penalties related to disturbances of the peace.
3. Consent Agenda:
 - a. Motion to approve the minutes of the Board of Supervisors' meetings of April 19th and May 3rd.
 - b. Motion to approve the April Voucher List totaling \$1,182,583.47, check sequence #75663 through #75887.
 - c. Motion to approve the March Treasurer's Report.

- d. Motion to authorize the Township Manager to advertise Ordinance No. 396, an Ordinance amending the Code of the Township of Whitpain at Part II [General Legislation], Chapter 142 [Vehicles and Traffic], Article IV [Stopping, Standing and Parking], Section 132 [Parking Prohibited at All Times in Certain Locations] to add a new parking prohibition on both sides of Narcissa Road between Township Line Road and Skippack Pike and to remove the formerly established boundaries of the prohibited parking locations along Narcissa Road; and repealing Ordinance No. 336 in its entirety, which formerly established the boundaries of the prohibited parking locations along Narcissa Road.
- e. Motion to authorize the Township Manager to advertise Ordinance No. 4-259, an Ordinance amending the Code of the Township of Whitpain at Part II [General Legislation], Chapter 160 [Zoning], by amending and restating Article XIX [C Commercial Districts], Section 160-119 [Use Regulations] and Article XXII [I Limited Industrial Districts], Section 160-142 [Use Regulations] to prohibit on-premises use of medical marijuana at a medical marijuana dispensary or grower/processor.
- f. Motion to authorize the Township Manager to advertise Ordinance No. 397, an Ordinance of the Township of Whitpain, Montgomery County, Pennsylvania, amending the Whitpain Township Code of Ordinances at Chapter 37 to provide for the creation of the Whitpain Township Environmental Advisory Council.
- g. Motion to award the contract for the 2022 Curb Line Milling Project to Rota-Mill, Inc. of Oley, PA in the low bid amount of \$201,335, subject to the review of the Township and the Solicitor.
- h. Motion to award the contract for the 2022 ADA Ramp Modification Project to Breezecon, LLC of King of Prussia, PA in the low bid amount of \$97,269.43, subject to the review of the Township and the Solicitor.
- i. Motion to pass Resolution No. 1499 authorizing the submission of a grant application to the PA Department of Community and Economic Development's Greenways, Trails & Recreation Program (GTRP) requesting \$177,354.20 to provide funding for the installation of Renewable Energy Solar Lights and Poles to the Wentz Run Park Parking Lot areas.
- j. Confirming motion to sign an Agreement for Determining Hydric Floodplain boundaries between Whitpain Township and William and Heidi Jeitner, owners of 805 Longfield Drive, Blue Bell, PA.

- k. Motion to authorize the final release of all remaining funds from the escrow fund for the Montgomery County Community College Health Sciences Center land development project located at 340 DeKalb Pike (LD-02-14). The final release is contingent on the issuance of the NPDES Notice of Termination for the land development project.
- l. Motion to authorize Carroll Engineering Corporation to proceed with construction observation services related to the Pulaski Drive Bridge Replacement Project in accordance with their proposal dated April 8, 2022 and revised April 27, 2022 at a cost not to exceed \$42,320.00 (Tasks include technical observation of foundation subgrade & concrete placement, technical observation of reinforcement placement & culvert installation, concrete testing, overall site inspections, and office support/administration).
4. Motion to approve a Memorandum of Understanding between Whitpain Township and the Whitpain Township Police Association subject to final review by labor counsel.
5. Motion to accept the resignation of Celia Cameron from the Shade Tree Commission.
6. Motion to elevate Mark Eberle from Alternate No. 1 to full member of the Shade Tree Commission with a term expiring December 31, 2024.
7. Motion to elevate Nilza Lozada to Alternate No. 1, and Timothy Knowles to Alternate No. 2, with terms expiring December 31, 2024.
8. Motion to consider Resolution No. 1500 to approve plan titled "Preliminary/Final Subdivision Plans for 830 North Wales Road" located at 830 North Wales Road, Sheets 1 of 4 through 4 of 4, prepared by Woodrow & Associates, Inc., plans dated September 24, 2021 and last revised November 3, 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 Environmental Protection, compliance with the recommendations contained in the motion from the Township Planning Commission and the resolution of items in the review letter from the Township Engineer dated November 15, 2021.
9. Motion to establish a flag policy for flying commemorative flags as directed by the Chair.

10. Does the Board of Supervisors wish to take any action on the following Zoning Hearing Board cases scheduled for May 19, 2022?

2316-22 – CRESCO YELTRAH, LLC – requests a variance from Article XXVI, Section 160-191.D related to Schedule of Sign Regulations with respect to its property located at 28 W. Skippack Pike, Blue Bell, PA, in the Township’s C-Commercial District. Applicant’s requested relief, if granted, will allow Applicant to install a second illuminated façade sign of 29.95 square feet on the exterior of its facility when the Ordinance permits only one such sign.

2317-22 – UNIVEST FINANCIAL CORP. - requests a variance from Article XX, Section 160-130.C(2)(c) related to Special Regulations with respect to its property located at 649 Dekalb Pike, Blue Bell, PA, in the Township’s VC-Village Commercial District. Applicant’s requested relief, if granted, will allow Applicant to install a façade sign on the exterior of its facility which will be: (1) at a height of 22 feet 9 inches above grade when the maximum height allowed by the Ordinance is 15 feet above grade; and (2) measuring 49.875 square feet when the Ordinance allows a maximum of 40 square feet and installed.

2318-22 – ANDREW AND JESSICA SOBEL - request variances from Article VII, Section 160-33 related to Front Yards on Corner Lots, Article VII, Section 160-34 related to Side Yards for One Family Detached Dwellings, Article XXVII, Section 160-202 related to Residential Projections in Front Yards and Article XXVII, Section 160-204 related to Residential Projections into Side Yards with respect to their property located at 833 Ivy Rd., Ambler, PA in the Township’s R-2 Residential District. Applicant’s requested relief, if granted, will allow Applicant to construct a 1,240 square foot new addition onto their residence which will: (1) project into the side and front yards when the Ordinance prohibits same; and (2) reduce the two front yard setbacks to 45 feet and 25 feet, respectively, when the Ordinance requires a minimum of 50 feet; and (3) reduce one side yard setback to 19.7 feet when the Ordinance requires a minimum of 25 feet.

11. Public Comment.

12. Old Business/New Business/Closing Comments (Supervisors).