

WORK SESSION  
October 6, 2009

A Work Session of the Whitpain Township Board of Supervisors was held on Tuesday, October 6, 2009 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA at 7:30 PM for the purpose of reviewing the agenda of the October 6, 2009 Supervisors' Meeting. Chairman Joseph J. Palmer was present with Supervisors Anthony F. Greco, William L. McKernan III, and Adam D. Zucker. Solicitor James J. Garrity, Township Manager Phyllis C. Lieberman, Assistant Township Manager/Township Engineer Roman M. Pronczak, Director of Finance John Marcarelli, Police Chief Mark Smith, Director of Public Works Ronald J. Cione, Director of Code Enforcement Michael E. McAndrew, and Fire Marshal David M. Camarda, and Director of Parks and Recreation Kurt W. Baker were also present. Seven members of the public were present. Supervisor Brian W. Young was absent.

The Supervisors reviewed the agenda discussing the motion to advertise Budget Work Sessions for October 19, October 22, October 27, and October 29, approval of the minutes of September 15, 2009, approval of all items on the September 2009 Voucher List, authorization to send the Township Solicitor to represent Whitpain Township at the Zoning Hearing Board meeting which will be held on Thursday, October 22, 2009, in support of the Code Enforcement Officer's preliminary opinion regarding Case # 1771-08, Appeal of Wings Concerned Citizens, several Zoning Hearing Board applications, and a Conditional Use Hearing filed by Keystone Lands, Inc. to permit twenty-five townhouse units with a density of 2.5 dwelling units per developable acre at 1860 Skippack Pike/Ashford Lane.

Mrs. Lieberman and Mr. Cione then told the Board that they had been contacted by WRA about placing portable lights on the field at Stony Creek School. There is a process that they have to go through with the Code Enforcement Department and they haven't been given permission by the school district yet, but Mrs. Lieberman wanted to bring it to the Board's attention, because of the possible reaction of the neighbors. Mrs. Lieberman said that she had heard from Bud Hanson, Jr. that they won't have time to move forward with the project this season.

Mrs. Lieberman and Mr. Pronczak reported that they had attended a meeting with the County Transportation Planner, PennDot, and the other communities in the 600 section of Route 202 where they were advised that the plan now is to try to get that section started in 2014. They suggested that the municipalities contact their State representatives and get their commitment to support that start date. We were supposed to be the next section done after 700, which is being built now, but PennDot substituted Section 300 in Chester County, because they were very vocal about getting their section done. They took our patience as a sign that we didn't care. The plan is for us to host a meeting with the other

townships and invite all the Representatives to let them know how important this is to us and to get their commitment to push for this.

Mrs. Lieberman and Mr. Cione told the Supervisors that they and Mr. Young are going to host a meeting with the residential waste haulers to look into having one contractor serve the Township. The question has been asked by several residents recently. Also, we want to ask how they are handling recycling. There were several questions from the Supervisors regarding why we would want to do this. Besides the questions from the residents, it is something that we had thought about doing before and part of our decision making process for when the agreement with the County ends in 2014. Mr. Young thought it was worth looking into at this time. Mr. Greco and Mr. Zucker said that they would be interested in attending. Once the meeting is scheduled, they will decide who will attend.

The Supervisors then discussed a personnel matter.

The Supervisors then left for the public meeting.

The Work Session was reconvened at 8:30 PM.

The Supervisors continued the discussion on the personnel matter.

At approximately 9:00 PM the Work Session was adjourned

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Phyllis C. Lieberman  
Whitpain Township Manager

## #17-2009

The regular meeting of the Whitpain Township Board of Supervisors was held Tuesday, October 6, 2009 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA. Supervisors Joseph J. Palmer, Anthony F. Greco, Adam D. Zucker, and William L. McKernan, III were present. Township Manager, Phyllis C. Lieberman, Township Engineer/Assistant Township Manager Roman M. Pronczak, Township Solicitor James J. Garrity, Finance Director John Marcarelli, Police Chief Mark A. Smith, Code Enforcement Officer Michael E. McAndrew, Public Works Director Ronald J. Cione, Fire Marshal David M. Camarda, Park and Recreation Director Kurt W. Baker, and Recording Secretary Michele Alifano were also present. There were approximately ten members of the public in attendance. Supervisor Brian W. Young was absent.

Following the Pledge of Allegiance, Chairman Palmer called the meeting to order.

A motion was made by Mr. McKernan, duly seconded by Mr. Zucker and unanimously passed to approve the advertisement of upcoming Budget Work Sessions scheduled for Monday, October 19, 2009 at 9:00 AM, Thursday, October 22, 2009 at 9:00 AM, Tuesday, October 27, 2009 at 9:00AM, and Thursday, October 29, 2009 at 9:00 AM. The sessions are open to the public for observation.

A motion was made by Mr. McKernan, duly seconded by Mr. Zucker to approve the minutes of the September 15, 2009 Supervisors' meeting. Chairman Palmer called for any discussion regarding this item. There being none, the motion unanimously passed.

A motion was made by Mr. Greco, duly seconded by Mr. Zucker to approve all expenditures on the Voucher List for the month of September, 2009, which totaled \$1,240,847.72. Chairman Palmer called for any discussion regarding this item. There being none, the motion unanimously passed.

A motion was made by Mr. McKernan, duly seconded by Mr. Greco to authorize the Township Solicitor to represent Whitpain Township at the Zoning Hearing Board meeting which will be held on Thursday, October 22, 2009, in support of the Code Enforcement Officer's Preliminary Opinion regarding Case #1771-08, Appeal of Wings Concerned Residents. Chairman Palmer called for any discussion regarding this item. There being none, the motion passed unanimously.

The Board of Supervisors then considered the following applications to the Zoning Hearing Board:

**NO: 1842-09:** Application filed by Liberty Towers, LLC as tenant of the property located at 1998 Skippack Pike, Blue Bell, PA, 19422 for the following relief at the subject property:

1. A variance from the terms of Article VII, Section 160-30 to allow a communications facility use consisting of one (1) antenna support structure, nine (9) Sprint communications antennas, four (4) Sprint wireless communications facility equipment cabinets, one (1) concrete equipment pad, coaxial cable, utility meters, fencing, two (2) parking spaces, and a gravel access road.
2. Variances from the terms of Article VII, Section 160-39 and Article XXVIII, Section 160-201.A to increase the maximum height from 40' to 180' for the proposed antenna support structure.
3. Variances from the terms of Article XXVIII, Section 160-201.B and Article VII, Section 160-38 to allow an accessory structure in the front yard.
4. A variance from the terms of Article XXVIII, Section 160-201.A to increase the maximum height for an accessory structure from 25' to 180' for the proposed antenna support structure.
5. Variances from the terms of Article XXVIII, Section 160-214.C (1) and Section 160.214.C (2) to decrease the minimum required green area from 38,527 square feet to 34,442 square feet.

The zoning classification of the subject property is "R2" Residence District.

A motion was made by Mr. McKernan, duly seconded by Mr. Greco, to authorize the Township Solicitor to appear in opposition to this application and to retain any expert witnesses to assist in the opposition. With no further comment or question from the public, the motion unanimously passed.

The Board of Supervisors took no action regarding the following applications to the Zoning Hearing Board:

**NO: 1843-09:** Application filed by Arthur III, and Megan F. Judson as owners of the property located at 1204 Narcissa Road, Blue Bell, PA 19422, for variances from the terms of Article V, Section 160-17 and Article XXVIII, Section 160-203 to allow a 15' x 16' two level deck to the back and side of the house reducing the minimum required side yard from 45' to 25' for the non conforming side yard at the subject property. The zoning classification of the subject property is "R-1" Residence District.

**NO: 1844-09:** Application filed by William, Helen, & Barb Balandis as owners of the property located at 1558 Vernon Road, Blue Bell, PA 19422, for variances from the terms of Article VII, Section 160-34 and Article XXVIII, Sections 160-203 to allow a 24' x 24' one story garage to the side of the house reducing the minimum required side yard from 25' to 6' and reducing the minimum required aggregate side yard from 60' to 36' at the subject property. The zoning classification of the subject property is "R-2" Residence District.

**NO: 1845-09:** Application filed by Raymond H. & Yvonne I. Kauffman as owners of the property located at 1668 North Wales Road, Blue Bell, PA 19422, for the following relief at the subject property:

1. Variances from the terms of Article VII, Section 160-34 and Article XXVIII, Section 160-203 to allow a 14' x 28' addition to the side of the existing 2 car garage reducing the minimum required side yard from 25' to 17';

OR IN THE ALTERNATIVE

2. Variances from the terms of Article VII, Section 160-36 and Article XXVIII, Section 160-204 to allow a 12' x 19' addition to the back of the existing garage reducing the minimum required rear yard from 50' to 38'.

The zoning classification of the subject property is "R-2" Residence District.

At this time, a public hearing was held to consider the Conditional Use Application (CU#21-09) filed by Keystone Lands, Inc. to permit twenty-five (25) townhouse units with a density of 2.5 dwelling units per developable acre at 1860 Skippack Pike/Ashford Lane, having tax parcel number 66-00-06415-00-8 and zoned R-3B Low Intensity Multi-Family District.

A verbatim record of this hearing was taken by a court stenographer, and has been attached to and made part of these minutes.

Attorney Carl Weiner, Esquire was present for the applicant, as was Mr. Sal Paone, Jr., Vice President of Keystone Lands, Inc. to provide details regarding the proposal. Mr. Weiner explained that the property was recently rezoned to R-3B, and under the terms of that zoning classification, the application submitted is to allow a townhouse use on the property. A previously approved plan had proposed (30) age-restricted townhomes. The current proposal is for a similar townhome development that will remove the age restriction and reduce the density to (25) units.

Mr. Paone briefly discussed some of the highlights of the revised plan, and he quoted traffic study statistics for peak hour trips that indicated a slight increase in the amount of traffic, due to the removal of the age restriction.

Mr. Sheldon Wentraub, 24 Highgate Lane, expressed his concern regarding the amount of traffic the community would generate with the age restriction removed.

There being no further comments or questions from the Board or the public, a motion was made by Mr. McKernan, duly seconded by Mr. Greco, and unanimously passed to authorize Conditional Use Application (CU#21-09).

At this time, Chairman Palmer called for any old or new business for discussion from the Board or the public. Mr. Bob McDougall asked if the Board took any action on Zoning Hearing Board Case #1845-09. Chairman Palmer replied that the Board generally remains neutral on residential cases.

There being no further business to come before the Board, the meeting was adjourned at 8:25 p.m. upon motion by Chairman Palmer.

Respectfully submitted,

Anthony F. Greco, Secretary