

**MINUTES OF MEETING
BOARD OF COMMISSIONERS
SPRINGFIELD TOWNSHIP**

The Board of Commissioners of Springfield Township met in regular monthly meeting on Wednesday, August 12, 2009 at 8:00 PM in the Springfield Township Building for the purpose of transacting the general business of the Township. All members of the Board were present. Mr. Harbison presided.

Mr. Harbison asked everyone to join the Board of Commissioners in a moment of silence honoring the service men and women who have placed themselves in harm's way in order to preserve our safety.

Mr. Harbison led the pledge of allegiance.

Motion (Schaum-Peirce) carried unanimously dispensing with the reading of the minutes of the previous meeting and approving same as written and recorded in the official minute book of the Township.

Special Announcement

Mr. Harbison noted that the Board of Commissioners will be receiving a presentation at the meeting from the Springfield Township Environmental Advisory Commission that is intended to serve as an overview of the predominant stream conditions within the watershed of Springfield Township. Mr. Harbison outlined the manner in which the remaining portion of the meeting would be conducted following the presentation.

Mr. Harbison called on Mara Baird, James Quigley, and Robert Ryan, members of the Springfield Township Environmental Advisory Commission. The individuals indicated that there is approximately ten linear miles of stream within the 13 watersheds of Springfield Township. The Commission reviewed a great deal of the stream conditions throughout the Township and found several common factors which adversely affect the stability of the streams. Those conditions include: (1) the edge of the streams are mostly turf surfaces with shallow roots which do little to reduce erosion, (2) discharge storm water pipes leading into the stream which add to the erosive effects of the waters, (3) lack of shade along the streams adds to the algae bloom, and (4) paving, such as parking lots, directly adjacent to streams, which does not provide an opportunity for the oils or salts to be filtered from the stormwater. Now that the EAC has completed their evaluation, they plan to create a brochure from both the photographs taken and the text created for this evening's presentation, and hope to distribute the brochures throughout the Township. They would also like to teach, through demonstration, by improving the stream banks on Township properties, such as mermaid Park, Cisco Park and the Oreland ballfields. Ms. Peirce asked if there was a seasonal timing issue for the projects they had in mind. The Commission members suggested that each project would be addressed based upon the extent of the problems.

Mr. Heller was asked to make an announcement with regard to the draft riparian corridor conservation district ordinance and a grant from Merck & Co. to improve water quality within the Wissahickon watershed. Mr. Heller noted that for the past couple of years, the Board of Commissioners has been working with the County and Township Planning Commission, and Township staff, to adapt a model riparian corridor conservation district to fit Springfield Township. The adaptation has been difficult, and the Board has decided for the time being to table the ordinance, but to move forward with the implementation of some of the goals set forth in the ordinance, such as education and stormwater quality improvement. In that regard, the Township secured a grant valued at \$222,600 from Merck and Company. The Township plans to stabilize a portion of the stream banks along the Paper Mill Run in Cisco Park, as well as install a riparian buffer along the entire length of the Paper Mill Run within Cisco Park.

Mr. Dailey asked if there were areas in the Township that are not too densely developed that might permit the natural meandering of streams. Mr. Ryan suggested it may be difficult to identify a location given the housing development and recreational uses.

Mr. Heller inquired whether there was a recommended depth of a riparian buffer. Mr. Ryan suggested it is very difficult to quantify anything less than 100 feet, but understands the infringement into property uses. Mr. Quigley suggested that any buffer is better than none, and with each incremental increase in size, the benefits increase. Mr. Gillies suggested it might be necessary to customize the riparian corridor based on the specific site.

Mr. Standish noted that the regulations will not necessarily assist with pre-existing conditions, and therefore, may not make a change to the corridor. Mr. Harbison remarked that most creeks are cut grass up to the embankment, and inquired whether the EAC could provide alternatives to property owners. Members of the EAC suggested that they would provide planting advice and that individuals should do what is comfortable for them.

Ross Weiss, Esq., representing the Andorra Woods Nursing Home, on Ridge Pike, indicated his client is requesting a waiver to the formal land development review process to install a 15 space parking lot and improve stormwater management facilities. He noted that the Board of Commissioners was considering waiving the formal process but would set forth five conditions. He noted the five conditions were acceptable to his client. He also suggested that they were ready to move forward with executing the professional services agreement and posting financial security, as well as posting financial security for land development improvements required by the plan.

Mr. Weiss also represents the Squire's Ridge development, also on Ridge Pike. His client is requesting an amendment to the AAA Age Qualified-1 Overlay Zoning District for the Squire's Ridge development, which is a 53 single family unit development. Mr. Weiss reviewed the process completed while working the local

Planning Commission. He stated that the requested amendment would not remove the age restriction, but was a compromise to the Federal Fair Housing Act criteria, which permits 20% not restricted by age. He respectfully requested that the Board of Commissioners approve the advertisement of the public hearing process for the zoning amendment.

Betty Flamm, 249 Northwestern Avenue, stated that she attended most of the Planning Commission meetings when the amendment to the AAA Age Qualified-1 Overlay Zoning District was discussed. She understands the compromise sought. She inquired how the percentage of age restricted units would be managed. Mr. Harbison suggested his understanding that the enforcement will be done through the Homeowners Association with referral to the Court system. Ms. Peirce asked if the age restriction was placed within each deed. Mr. Weiss said that the Homeowners Association document would maintain that restriction and that document is recorded. The individuals receive notice through the title search wherein that restriction and any other within the Homeowners Association document would be revealed. Mr. Weiss stated that the interest of his client to provide some units without the age restriction is to attract residents without children who are under the age of 55 years.

Mike Lawrence, 1202 Malinda Road, stated his understanding of the goal of water quality stated by the Environmental Advisory Commission, and while vegetation will assist at some levels, that vegetation is only available several months of the year. Mr. Lawrence suggested that there is technology available to mechanically cleanse the stormwater. Mr. Lawrence asked if the Township learned anything from the 1996 flood event, and what improvements were made from that experience. Mr. Schaum began reciting improvements made by the Township since 1996 and suggested that the Township maintains a memorandum of improvements made, and that information could be made available through the Township website.

Earl Markley, 234 Plymouth Avenue, remarked on a political gathering that took place at the Flourtown County Club, and expressed his disappointment that individual members of the Board of Commissioners interceded, and suggested that the Board of Commissioners as a body should address the issue, not individuals. Messrs. Harbison and Heller agreed that individual members may have spoken to the Country Club management and that by being members of the Board, their individual rights are not restricted.

Mr. Harbison, Chairman of Internal Affairs and Environmental Resources Committee, reported:

Mr. Harbison announced that the regularly scheduled workshop meeting of the Board of Commissioners scheduled for September 7, 2009, which falls on Labor Day, will be combined with the regularly scheduled business meeting on Wednesday, September 9, 2009 and will begin at 7:30 PM.

Motion (Harbison-Schaum) carried unanimously to approve the July check reconciliation in the amount of \$571,599.45 and the August bill listing in the amount of \$504,487.56.

Mr. Harbison announced that during the month of July, Springfield Township residents recycled 234.3 tons of materials with a householder participation rate of 74.3%. The net income for the month was \$3,386.23.

In a letter dated July 10, 2009, Robert Ryan, a member of the Springfield Township Environmental Advisory Commission, provided notice that he must resign his position as a member of the EAC due to changes in his job. On behalf of the Board of Commissioners, Mr. Harbison thanked Dr. Ryan for his years of service and many contributions to the EAC.

Motion (Harbison-Heller) carried unanimously to appoint Steven Steinbrook, of Whitemarsh Avenue, to fill an unexpired term of service as a member of the Springfield Township Environmental Advisory Commission. The unexpired term of service shall expire June 14, 2012.

Mr. Schaum, Chairman of Public Safety Committee, reported:

Motion (Schaum-Gillies) carried unanimously to waive the prohibition of the use of fireworks as set forth in Section 3301 of the Springfield Township Fire Prevention Code. The waiver was specifically related to the fireworks display at the North Hills Country Club on September 6, 2009. Additionally, the waiver of the prohibition of fireworks is conditioned upon the following: (1) both the North Hills Country Club and the pyrotechnics professional shall add Springfield Township as an additional insured on their insurance policy for this event, and (2) both the Country Club and the fireworks professional shall work closely with the Township fire marshal and local fire companies to help prevent an accident with regard to the fireworks.

Mr. Schaum also made an announcement with regard to the Board of Commissioners reviewing what assistance they might provide for the recruitment and retention of volunteer emergency services personnel. The Township performed a poll of the Montgomery County Consortium of Communities and will be reviewing the findings of that poll with the Springfield Township Emergency Management Board.

Mr. Gillies, Chairman of Library Committee, had no report.

Mr. Standish, Chairman of Public Works and Facilities Committee, reported:

Motion (Standish-Schaum) carried unanimously to sell the following pieces of equipment pursuant to the Pennsylvania First Class Township Code: (1) one 1999 IIR 25 cubic yard Leach refuse packer body, (2) one 2001 Chevrolet Tahoe, and (3) three used partitions from police patrol cars. The Township will participate in

the Montgomery County Consortium auction scheduled for August 22 at the Danella Construction yard on Conshohocken Road in Plymouth Meeting.

Motion (Standish-Peirce) carried unanimously to authorize the Township staff and consultants to formally bid the phase IIIA interior renovation construction project for the Black Horse Inn.

Ms. Peirce, Chairwoman, Communications and Cultural Resources Committee, had not report.

Mr. Dailey, Chairman of Zoning Committee, reported:

An announcement that the Zoning Hearing Board will next meet on Monday, August 17, 2009 at 7:00 PM in the Springfield Township Building. Mr. Dailey summarized the Zoning Hearing Board Agenda.

Mr. Dailey also noted that the Zoning Hearing Board is scheduled to render a decision related to the proposal of Traditions of Springfield for a retirement center to be located at 350 Haws Lane, Flourtown. The Zoning Hearing Board had closed testimony on the Traditions application and will be rendering a decision at the subject Zoning Hearing Board meeting.

Mr. Heller, Chairman of Community Development Committee, reported:

Motion (Heller-Gillies) carried unanimously to approve the McClelland land development located at 204 Lynn Avenue, Oreland. The subject of the land development is the construction of a single family dwelling. The land development plan is dated July 3, 2008, last revised June 30, 2009. The approval of the land development is subject to the resolution of the 2 items identified in a letter dated July 22, 2009 from the Township Engineer to the Code Enforcement Officer.

Motion (Heller-Schaum) carried unanimously that in compliance with Section 512.1 of the Pennsylvania Municipalities Planning Code, the Board of Commissioners waive the formal land development review process for the construction of a 15 space parking lot at the Andorra Woods nursing home, 9209 Ridge Pike. The waiver was granted subject to the following conditions: (1) identify and dedicate the right of way along Northwestern Avenue and Ridge Pike, (2) indicate the location of sidewalks and make a contribution to Springfield Township in lieu of installing the sidewalks in an amount approved by the Township Engineer that would assure the installation of the sidewalks, (3) show a total of six handicapped parking spaces on the property, (4) comply with comments from the Township Engineer related to stormwater management improvements, which includes a bonus retention of stormwater on site, and (5) install eight to ten canopy trees along Ridge Pike to replace the trees that will be removed while improving the stormwater detention basin.

Motion (Heller-Peirce) carried unanimously to adopt Resolution No. 1208, a resolution authorizing the execution of a Supplemental Transportation Enhancements Reimbursement Agreement for the costs associated with the construction of the Flourtown Erdenheim Community Gateways project. The Board of Commissioners previously approved a similar agreement, however, the Federal Highway Administration recently increased the appropriation for the project, and therefore, the reimbursement agreement shall include the entire value of the project, which is now \$463,900.

Motion (Heller-Gillies) vote 6-1, Peirce opposed, to commence the public hearing and public review process to consider an amendment to the AAA-Age Qualified-1 Overlay Zoning District. The current draft amendment mirrors the Federal Fair Housing Act which permits up to 20% of the dwelling units located within the zoning district to be occupied by persons who do not meet the age requirement of 55 years of age and older. No more than 3 persons shall occupy any one dwelling, and at least one of those occupants must be 55 years of age or older. With the exception of a full time caregiver, no person under the age of 19 shall occupy the dwelling for more than 3 months in any calendar year. It was noted that the public hearing will probably not occur until at least the October meeting of the Board of Commissioners.

Chris Tomlinson, 27 Haws Lane, thanked the Board of Commissioners for tabling the riparian corridor conservation district ordinance and expressed his dissatisfaction with the draft ordinance. Mr. Tomlinson noted that he had correspondence with Mr. Harbison with regard to activities within the office of the Township Treasurer and asked if that matter was going to be discussed. Mr. Harbison suggested that the discussion occurred on Monday at the workshop meeting and thought Mr. Tomlinson would have attended that meeting. As a result, the answers to the questions raised will be put in correspondence to Mr. Tomlinson.

Susan Kramer, 45 Bysher Avenue, expressed her concern for the safety of residents related to the request to install additional antenna on the existing cell tower at the Flourtown Country Club. Mr. Harbison suggested that that decision was to be made by the Zoning Hearing Board. Mr. Dailey suggested that she attend the Zoning Hearing Board meeting to express her views before that Board.

There being no further business, the meeting was adjourned at 9:45 PM.

Respectfully submitted,

Donald E. Berger, Jr.
Secretary

