

**WHITEMARSH TOWNSHIP BOARD OF SUPERVISORS  
PUBLIC MEETING MINUTES  
October 25, 2018**

A Regular Monthly Meeting of the Whitemarsh Township Board of Supervisors was called to order on Thursday October 25, 2018 at 7:00PM in the Whitemarsh Township Building, 616 Germantown Pike Lafayette Hill, Pennsylvania.

**Supervisors Present:** Amy Grossman, Chair; Missy Sterling, Vice Chair; Michael Drossner, Laura Boyle Nester and Fran McCusker

**Supervisors Absent:**

**Also present:** Richard L. Mellor, Jr., Township Manager; Sean P. Kilkenny, Township Solicitor; James C. Sullivan, P.E.; and Charles L. Guttenplan, AICP

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENTS**

Supervisor Sterling announced:

Election Day is Tuesday, November 6 and the Board encourages all residents to go out and vote. Polling places in Whitemarsh can be found on the Township website.

Leaf Collection is underway and will continue until Monday, December 17, 2018. The Township Public Works Department will make every effort to collect from each street at least one day each week. Residents are asked to pile their leaves onto the curb; they are not to be bagged.

Drug Take Back Day, Whitemarsh Police is taking part in this again on Saturday, October 27, 2018 from 10:00AM – 2:00PM. Residents will be able to safely dispose of their unused prescription drugs by taking them to the Whitemarsh Township Police Department.

The Board thanked residents and the Parks and Recreation Department for putting on a spooktacular family night on October 19<sup>th</sup>. The Board also thanked Staff, the Parks and Recreation Department and Emergency Services for a wonderful Shredding Day which took place on October 13<sup>th</sup>. They reminded residents that part of the proceeds go the Emergency Services Department.

**PUBLIC HEARINGS**

**1. Housekeeping Zoning Amendment - Update to Various Sections of the Zoning Code**

On a motion by Supervisor Drossner, seconded by Supervisor Sterling (Vote 5-0) the Board of Supervisors continued the Public Hearing for the Housekeeping Zoning Amendment - Update to Various Sections of the Zoning Code.

A court reporter was present, and the notes of testimony are available for review at the Township Building.

The following individuals presented information/testimony/comments/questions at the Public Hearing:

Sean P. Kilkenny, Solicitor  
Charles L. Guttenplan, AICP

On a motion by Supervisor Nester, seconded by Supervisor Sterling (Vote 5-0) the Board of Supervisors closed the public hearing.

### **Ordinance**

#### **1. Housekeeping Zoning Amendment**

On a motion by Supervisor Nester, seconded by Supervisor Drossner (Vote 5-0) the Board of Supervisors adopted **Ordinance #988** amending Chapter 116, Zoning, editing and amending certain sections of the chapter.

### **PUBLIC HEARING (CONTINUED)**

#### **2. Zoning Amendment - Fireworks Regulations**

On a motion by Supervisor Drossner, seconded by Supervisor Sterling (Vote 5-0) the Board of Supervisors continued the Public Hearing for the Zoning Amendment - Fireworks Regulations.

A court reporter was present, and the notes of testimony are available for review at the Township Building.

The following individuals presented information/testimony/comments/questions at the Public Hearing:

Sean P. Kilkenny, Solicitor  
Charles L. Guttenplan, AICP  
Linda Doll (Fairway Road)

On a motion by Supervisor Sterling, seconded by Supervisor McCusker (Vote 5-0) the Board of Supervisors closed the public hearing.

### **Ordinance (continued)**

#### **2. Ordinance Amendment – Zoning Fireworks Regulations**

On a motion by Supervisor Sterling, seconded by Supervisor Drossner (Vote 5-0) the Board of Supervisors adopted **Ordinance #989** amending Chapter 116, Zoning, to provide definitions and regulations for the sale and storage of fireworks and permitting such uses in the CR-H, CR-L and HVY zoning districts by conditional use.

### 3. Ordinance Amendment – General Fireworks Regulations

Mr. Kilkenney explained this is a companion ordinance to the Zoning Fireworks which will be create a new Chapter 52 in the Township Code generally dealing with the possession and use of fireworks throughout the Township, based upon a new state law passed in 2017 (Pennsylvania Fireworks Law, Act 43 of 2017). This ordinance regulates where fireworks can be discharged.

Ralph Levy asked about the time restrictions, ending at 7:00PM specifically New Year’s Eve. This was confirmed by the Board of Supervisors.

On a motion by Supervisor Sterling, seconded by Supervisor Nester (Vote 5-0) the Board of Supervisors adopted **Ordinance # 990** adding Chapter 52, Fireworks, regulating the possession and use of fireworks within the Township, prohibiting the use of fireworks on Township streets, sidewalks, parks and other Township owned property.

#### APPROVAL OF MINUTES

##### 1. September 13, 2018

Carol Corson (Foxhound Drive) stated she didn’t have a chance to see the minutes being approved. Mr. Kilkenney stated the minutes are for an action by the Board not for the public.

Eli Glick (Whitefield Drive) stated when people come and speak and give opinions stated the tenor and content is often not captured in the minutes. He stated he thought that typed speeches could be submitted and attached to the minutes.

On a motion by Supervisor Nester, seconded by Supervisor Sterling (Vote 5-0) the Board of Supervisors approved the September 13, 2018 meeting minutes.

#### BOARD PUBLIC DISCUSSION ITEMS

#### ACTION ITEMS

##### Resolutions

##### 1. Conditional Use #06-17 - K. Hovnanian, LLC/4006 and 4046 Butler Pike

Mr. Kilkenney read the list of Conditions attached to the Resolution.

Terrence Martin (Basswood Drive) asked of Mr. Kilkenney; he can ask questions, but the Board does not have to answer them. Mr. Kilkenney concurred. He thanked the Supervisors for his services to the community. He spoke about his concerns of overdevelopment and traffic patterns.

Susan Pronchick (LaFrance Road) stated she is opposed to the development. She is opposed because of the historic piece and she spoke about traffic issues currently in the area. She spoke about the current sink hole on Butler Pike and the supposition that it is due to increased development in the area.

Michael Bruno (Center Avenue) stated the development is totally unnecessary. He stated there is already a lot of congestion and people cutting through neighborhoods. He stated most neighborhoods don't have sidewalks and cars are speeding through to beat traffic.

Ellen Miramontes (Jolly Road, Plymouth Township) stated she felt the resolution should have been based more on the Use of the property and felt it jumped ahead to some issues for the SALDO process. She stated she doesn't believe the design of the development meets the Township's Zoning Code. She and went through the conditions attached to the resolution and made suggestions of things that should be added to the conditions attached to the resolution.

Holly Karns (Montgomery Township) stated she is a native of Whitemarsh Township growing up in the Cold Point Hill area. She showed an artifact from the property she grew up on. It was a cannonball her grandparents found. She spoke about the history of the area. She spoke about the underground river that is in the area and when it would flood you couldn't drive on Butler Pike.

Jenny French stated she is a birthright Quaker and has attended Plymouth Meeting Meetinghouse. Stated she is glad Abolition Hall will be saved and it should be a place of honor and used to educate children about the history.

Brett Walley-Saunders (Valley Green Road) asked about the quarterly inspection of the historic building and who would be inspecting it. She spoke about the condition on acreage for the historic structure, trees on the property, stormwater management, the County trail and pedestrian walkways, traffic studies, building height and if the Township would consider buying the property.

Linda Doll (Fairway Road) thanked the Board for spending so much time listening to and reviewing this project. She spoke about her concern about excessive development in Whitemarsh Township. She spoke about the damage being done by the development. She spoke about the professionals who advise the Boards and Commissions in the Township.

Joshua McMaster (Colony Lane) recent college graduate and lifelong resident of Whitemarsh spoke about the privilege of living in the area. He spoke of his generation and concern with the continued development in the area and the additional congestion the quality of life for them in the future is waning.

Steve Guerra (Marple Lane) is a long time resident of Marple Lane. He spoke about the current traffic situation and how difficult it is to pull onto Germantown Pike from Marple Lane. He stated he is asking for inspired change. He knows the Corson fields and the ponds he played in as a child and there are wetlands to consider. He added sinkholes are common due to the porous limestone. He spoke about the wildlife which is losing its habitat. He read a letter from a former resident Fr. James Martin (Kings Road, Plymouth Township) who stated destruction of unique and historic land is not worth financial gain. Shared history is more important than money.

Sydelle Zone (Harts Ridge Road) stated she appreciates the effort the Board of Supervisors put in to the participation and deliberation of this development plan. She stated the conditions imposed by the resolution have no meat in them few have teeth and she explained her ideas to make them stronger. She asked how the maintenance plan for the historic structure will be enforced. She suggested a conditions assessment as a baseline for the buildings. She spoke about moving the lot line to add acreage to lot 1. She said the historic structures deserve better. She spoke about set-back requirements and how she feels they are wrong. She spoke about the planting buffer and preserving view sheds and buffering the parking, and retaining the emergency egress. She spoke about having one continuous sidewalk. She spoke of the fate of the stone pillars at the entrance to the gravel driveway. She also spoke about the condition on the green open areas. She said she was pleased by the condition that calls for an easement for the Cross County Trail; however there are issues with pedestrian crossing the area. She spoke about the wetlands and the grading and stormwater plan. She spoke about the height requirement and asked that it be lowered further. She stated Abolition Hall deserves better.

Bill Totten (Springfield Township) stated he was raised on Colony Lane. He gave some history of the Battle of Barren Hill, which he said people don't know remember. He said he doesn't want the history of Plymouth Meeting to go the same way. He spoke about the wetlands and the underground river. He said the study by the Army Corps of Engineers needs to be done sooner rather than later. He said there isn't any place for kids to play on this proposed development. The open areas are wetlands.

Michael Fiorentino (attorney for the Friends of Abolition Hall and the individual objectors) spoke about a few conditions the Board would be wise to change. He commended the Board for the conditions but stated he doesn't feel the conditions are adequate. He provided the conditions and recommended changes to the conditions to the Board.

Gary Kaplan (Black Walnut Lane) thanked the Board and residents who provided their views. He spoke about the experts hired by the Township and stated it may be time for new ones. He asked that the Board strengthen the conditions and make sure the experts are not beholden to any group. He said if there is development it follows an orderly and fair basis.

David Miller, Plymouth Meeting Monthly Meeting, said in listening to the comments being made there is a need to take a good look at all of the conditions being set. He stated he feels the resolution and conditions are not ready at this time. He reminded the Board the development is within the historic district. He said the developer did not consider the historic district when designing the development. He said both Whitemarsh and Plymouth Townships need to decide how to develop in this historic district. He spoke about the developer stating they were installing a welcome park, which is actually a retention basin. He said the Board must find a way to make sure the buildings have a viable future and there is a way to educate the public.

Elise Kaplan (Black Walnut Lane) spoke about the effect the development would have on all neighbors and the township. She spoke about the congested traffic already clogging this particular intersection. She asked how more development could be added to this area. She spoke about the traffic study. She said it is affecting the safety, health and well-being of the community. She asked that if it would have to happen would the developer consider a 55+ community, which might not affect traffic so bad.

Steve Kaufmann (Harts Ridge Road) handed out Mr. Fiorentino's suggested amendments. Spoke about the conditions regarding parking/landscaping. He stated Abolition Hall is hallowed ground and should be treated with respect. He said it needs to be preserved.

Todd Barnes (Woodbine Way) stated a few concerns with the multiple conditions. He asked how the conditions would change the impact the community at large. He said one of his concerns is the issue of the sinkholes. He asked how is the stormwater management on this property going to prevent additional sinkholes in the area. He also spoke about the impact of the additional traffic in the area from the townhomes. He spoke about the addition of children in the schools. He spoke about overdeveloping in the area.

Eli Glick (Whitefield Drive) asked that the minutes of the meeting will reflect the tenor of the and topic of each person who has chosen to speak.

Carol Corson (Foxhound Drive) stated she grew up in the building next to the Quaker Meetinghouse. Stated she worries about the children not being able to physically handle the history of the area. She said it was the entire village of Plymouth Meeting that agreed to be part of the Underground Railroad. She said she wants to be able to take children to Abolition Hall again and present them with the history of the area.

Mary Celine Childs (Plymouth Meeting) said that when she went to Planning Commission meetings she suggested the Historical District be an area of the township that a moratorium of building could be declared on. She said she is happy the Army Corps of Engineers will be taking a look at the area and suggested a group of engineers discuss the results.

Chair Grossman thanked the residents for the comments and all of their heart-felt input that has been provided to the Board of Supervisors during the Conditional Use process. She said there have been seven public hearings on the Corson Application and dozens verbal and written comments submitted to the Board. She assured the residents the Board listened to each and every one of them while deliberating over the past month and half. She stated the Township attempted to purchase the Corson estate and made an offer to its owners based on an appraisal. She continued the Township is required by law to base its offer on an appraisal and cannot offer more money to the owners. Ultimately despite the Township's best efforts that offer was rejected by the owners as it is their legal right to develop the private land they own. She said it was disappointing. She stated she is also a longtime resident of the township and she has chosen to live and raise her family here. She said she works in Plymouth Meeting and travels every day along the district located at 4006 to 4046 Butler Pike. She stated she and her fellow supervisors have a deep appreciation and concern for the historic districts of the township. She said they value and respect American history and the lessons contained therein. She said they value the existence of Abolition Hall, Hovenden House and the barn which was used by abolitionist George Corson to hold anti-slavery meetings and lectures and to shelter slaves as part of the Underground Railroad. She said the supervisors believe Whitemarsh is a national treasure and in hearing all of the evidence provided by the applicant and the objectors, closely reviewing the laws and listening to the advice of the Township Solicitor, she said she will vote to approve the Conditional Use application if the applicant agrees to the preservation of Abolition Hall and meets the stringent environmental building and zoning standards of the Township. She continued she believes the conditions shared today address each and every concern raised by those invested in the future of Abolition Hall, the land surrounding the buildings, stormwater management, greenspace, wetlands, wildlife, the

history, the education, landscaping, etc. She said the decision was not an easy or pleasant one, but through due diligence and a comprehensive appraisal of the law she said she believes the Supervisors have fulfilled the obligation of the law.

Supervisor McCusker stated this has been a true learning experience about the history of the township. He said he didn't know a lot about the history of Abolition Hall until the hearings began. He thanked Ms. Zove and Mr. Miller for the education they provided to him. He said he knows Abolition Hall is not only a Township treasure, but a national treasure and it needs to be preserved. He said traffic and flooding that he faces on a daily basis. He said there is no denying these are two of main issues that face the township. He said his emotions lie with the opposition but, he said, he swore an oath of office which means he has to follow the law. He said he will be voting yes on granting the Conditional Use.

Supervisor Nester stated in her three years as a Supervisor this is one of the hardest decisions she has faced. She stated Whitemarsh is blessed with abundant history and magnificent tradition. The township played a significant role in the birth of the nation and on the forefront of the countries fight for freedom and equality. She said she is enormously proud to Whitemarsh her home. She said she applauds and thanks the individuals and groups who came to voice their opinions. She said citizens engaged in the process, challenging the elected officials and speaking their minds is the essence of local government. She said she is mindful that when she became a supervisor she too took an oath. She said that oath was to uphold the law which to her means not only the laws of the Commonwealth but also the ordinances of the Township. Accordingly and governed by those principles she said she is voting in favor of the resolution. She said the resolution follows the law but also protects Abolition Hall, Hovenden House, the barn and Marple Lane structures. She stated the board took this matter very seriously. She said the process was fair and impartial. She said this resolution does not end the process, she stated she will remain vigilant to insure all the conditions contained in tonight's resolution are fully met. She thanked staff, the solicitor's office and the residents and stated she is grateful for all of their efforts.

Supervisor Drossner stated he knows the residents will be disappointed with their vote tonight. He said though, he is inspired that so many people are engaged in our community, to rally around and issue and make a difference. He encouraged the residents to stay involved, whether it involves further development of this particular property or other issues here locally, in the county, in our state and around the country. He said Conditional Use proceedings the Board acts as a quasi-judicial panel. He said therefore they are not allowed to advocate a particular position. He said it's the Board's job to review the fact, analyze the law and make a decision accordingly. He said as a Township Supervisor he represents every resident of Whitemarsh Township, even if he doesn't agree with them. He said here we have Whitemarsh Township residents whose ancestors and well as themselves have a right and beautiful history tied to the township. He stated it is not a history that is well known; that he had not known was a stop on the Underground Railroad. He said while their ancestors saved lives in those buildings, the current owners no longer want to live there and don't want to maintain and upkeep these historic structures or the property next to it. The family has decided to sell the property. He repeated what other Supervisors have stated that Whitemarsh made an offer and the offer was rejected. He said the township is restricted by law on how much they can offer a land owner. He spoke of the key legal issues that were analyzed and will be part of the published opinion. He said that he does not want townhomes at Germantown and Butler Pikes. He said however, he is not allowed to make decisions based on what he wants, rather he swore to uphold the law and this decision to grant Conditional Use is consistent with the law. He said he hopes that the Supervisors remarks will answer some of the resident's questions.

On a motion by Supervisor Drossner, seconded by Supervisor Nester (Vote 4-0) the Board of Supervisors adopted **Resolution #2018-20** granting Conditional Use approval for #06-17, K. Hovnanian, LLC/4006 and 4046 Butler Pike to allow for townhouses in the VC-2 zoning district with the twenty two proposed conditions.

## **2. Distribution of 2018 Act 205 State Aid**

Mr. Mellor explained each year Whitemarsh Township receives from the Commonwealth of Pennsylvania ACT 205 funds that are put towards the municipal pension. Due to the obligation the 2018 Minimum Municipal Obligation (MMO) with the Police Pension Plan (A Defined Benefit Plan) which is \$868,885 the Township is recommending that the entire Act 205 in the amount of \$524,651.51 be allocated to the 2018 Police Pension Plan.

On a motion by Supervisor McCusker, seconded by Supervisor Nester (Vote 5-0) the Board of Supervisors adopted **Resolution #2018-21** allocating the 2018 Act 205 State Aid distribution in the amount of \$524,651.51 to the police pension plan in accordance with Resolution #2017-30.

## **3. PENNDOT Signal Resolution - Crosswalk Flasher – Germantown Pike adjacent Plymouth-Whitemarsh High School**

Mr. Mellor explained the ability to install the Crosswalk Flasher is the result of the Commonwealth Financing Authority Grant that was received for two pedestrian improvements adjacent to Plymouth Whitemarsh High School and the 4-5 School. He said the first one, which they will be authorizing to go out to bid, is a pedestrian crossing installed across from Mayflower Road to PW High School. He stated crossing is on Germantown Pike, a state road, which required the Township to have a highway occupancy permit as well as a traffic signal resolution.

On a motion by Supervisor Sterling, seconded by Supervisor Nester (Vote 5-0) the Board of Supervisors adopted **Resolution #2018-22** authorizing the submission of a PENNDOT Signal Plan adding a pedestrian crossing flasher on Germantown Pike adjacent Plymouth Whitemarsh High School.

## **Motions**

### **1. Ordinance Advertisement - 3-way Stop Signs – Joshua Road and Cedar Grove Road**

Mr. Mellor explained a traffic study was completed to determine if the PENNDOT warrants were met for a three-way stop intersection at the Joshua Road and Cedar Grove Road intersection. In addition to traffic counts, a five year crash analysis was performed by the Traffic Safety Unit of the Police Department. The results of the study indicated that there was enough traffic traveling through the intersection on a daily basis and a sufficient number or reportable accidents to warrant the installation of stop signs on Cedar Grove Road which will require traffic from all directions to stop at the intersection. Once the traffic study is approved by PENNDOT, they will be responsible for installing the new signs.

Mr. Sullivan explained PENNDOT has unofficially approved the traffic counts and the traffic study so they have agreed there will be stop signs at this intersection.

David Greenberg (Scarlet Oak Drive) stated he is surprised the original traffic counts didn't warrant a traffic signal at the intersection. He asked if there could be a right turn keep moving from Cedar Grove Road onto Joshua Road. Mr. Mellor explained the small light system the state will be installing to coordinate traffic signals the event there is an accident on the Schuylkill Expressway, in order to keep traffic moving along the parallel corridors.

On a motion by Supervisor Sterling, seconded by Supervisor Drossner (Vote 5-0) the Board of Supervisors authorized the advertisement of a three way stop sign at the intersection of Joshua Road and Cedar Grove Road.

## **2, Intergovernmental Agreement Ordinance Advertisement**

Mr. Mellor explained that back in 2016 with 16 other municipalities in the Wissahickon Creek Watershed. The partnership was necessary to develop an alternative plan to address the TMDL standards within the watershed set forth by EPA and DEP. The Wissahickon Water Quality Improvement Plans goal is to identify, quantify and report on the existing water quality and habitat in the various water bodies throughout the Wissahickon Creek watershed and to promote policies, practices, capital work and retrofits to existing structures. The WQIP will prioritize these efforts to affect improvements in the habitat of the watershed in a timely and economical sequence. Water Quality Advisory Team is formed by the Pennsylvania Environmental Council (PEC), comprised of members of PEC, the Wissahickon Valley Watershed Association, the Environmental Finance Center, the Center for Sustainable Communities, and the Montgomery County Planning Commission. Due to the cost associated for the experts the approval of the IGA requires each municipality contribute an additional amount of \$5,000 in 2018 and \$10,000 in 2019 to complete the Wissahickon Water Quality Improvement Plan. He stated the money from the municipalities is being matched 5 to 1 by the William Penn Foundation Grant.

Susan Pronchick (LaFrance Road) said she is thrilled to hear the Township is doing so much to protect the environment for the Wissahickon. She asked for information regarding the William Penn Foundation Grant. Mr. Mellor explained the Wissahickon Valley Watershed Association has a great deal of information that has been put out on this project.

On a motion by Supervisor Nester, seconded by Supervisor McCusker (Vote 5-0) the Board of Supervisors authorized the advertisement of an extension to the Intergovernmental Agreement ordinance with the 16 municipalities in the Wissahickon Creek Watershed to complete the Wissahickon Water Quality Improvement Plans alternate Total Maximum Daily Load (TMDL) to address the requirements set forth by the Environmental Protection Agency (EPA) and will provide an additional allocation to the group of \$5,000 in 2018 and \$10,000 in 2019.

## **3. Certificates of Appropriateness (3) - 3047 Spring Mill Road**

Mr. Guttenplan explained there are three Certificates of Appropriateness for the 'Maple Hill' development (Sal Paone, 3047 Spring Mill Road). These are each for a custom home that deviates somewhat from the ten standard and five historic option models for which you have previously approved Certificates of Appropriateness. The proposed homes on Lots 6 and 15 have front elevations that vary slightly from the approved 'Hampton' and 'Berkshire' models, respectively. The proposed home on Lot 17 is a modified 'New Haven' model; its front elevation has been altered more substantially, but uses all

previously approved building materials. HARB reviewed these three applications at their October 10th meeting, and found all three to be appropriate for the development and the Historic District. They therefore passed motions recommending approval of each one.

On a motion by Supervisor Nester, seconded by Supervisor Sterling (Vote 5-0) the Board of Supervisors approved the three Certificates of Appropriateness for the housing styles for the Maple Hill Development at 3047 Spring Mill Road.

#### **4. Allocation of Funds - Shredding Day Donations**

Mr. Mellor explained the Annual Fall Shredding Day was held on Saturday, October 13th at the Miles Park Lower Parking Lot from 8am to 12pm. The event was a great success with an estimated 425+ vehicles helping the environment through recycling and protecting their security by shredding personal documents. The Parks and Recreation Department partnered with the Whitemarsh Community Ambulance to accomplish a great day. Per Proshred Security, 26,100 lbs, or 13.05 tons, of paper was shredding during the 4 hour event. The environmental impact of this community event equates to saving 222 trees, 52,200 kilowatts of energy, 39.15.75 cubic yards of landfill space and 91,350 gallons of water. In addition the residents of Whitemarsh were once again very generous with the local organizations donating \$3,511.00 of in day-of donations, which is an event record. We express our gratitude to Horizon Waste Services for being an event sponsor to help offset costs. The township also thanks Jim and Sandy Singrella for their volunteer efforts. After expenses, the organizational split comes to \$1,720.74 for the Parks and Recreation Department and \$1,720.74 for the Whitemarsh Community Ambulance. Historically the Whitemarsh Township Parks and Recreation Department have forwarded a portion of the funds to the volunteer organization that have assisted with the event. Per our agreement with the volunteer organization, I am recommending that \$1,720.74 of the funds collected be given to the Whitemarsh Community Ambulance Association.

On a motion by Supervisor Sterling, seconded by Supervisor Nester (Vote 5-0) the Board of Supervisors allocated \$1,640.74 in donations received from the Fall Shredding Day to Whitemarsh Community Ambulance Association for volunteering their services in coordinating activities on the day of the event

#### **5. Resignation - Jonathan Picker – Environmental Advisory Board**

On a motion by Supervisor Sterling, seconded by Supervisor McCusker (Vote 5-0) the Board of Supervisors accepted the resignation of Jonathan Picker from the Environmental Advisory Board and thanked him for his years of volunteer service to the Township.

#### **6. Extinguishment of Easement - Judge/534 Evergreen Lane**

Mr. Mellor explained staff is recommending the Extinguishment of Easement agreement between the Township and the owner of the property at 534 Evergreen Lane. There is a 20-foot wide storm sewer easement in favor of the Township that runs across the property. Adjacent to this property is the new Andorra Creek basin which eliminated the need for the easement due to the current drainage that was installed. As a result, the property owner agreed that the existing easement be extinguished.

Mr. Mellor stated the Andorra Creek Restoration Project won the Montgomery County Award for Environmental Stewardship. He said this is the first time the award has been presented and the county wanted to recognize excellence in environmental stewardship across the county. He thanked the Township Engineer and his company for the design and oversight of the project. He also thanked the Public Works Department who helped with the plantings and additional work on the project.

On a motion by Supervisor Sterling, seconded by Supervisor Drossner (Vote 5-0) the Board of Supervisors authorized the Extinguishment of Easement the Township has with the property located at 534 Evergreen Lane due to the extensive stormwater work completed as part of the Andorra Creek Restoration project

**7. Escrow Release No. 1; Maple Hill/3047 Spring Mill Road**

On a motion by Supervisor Drossner, seconded by Supervisor Sterling (Vote 5-0) the Board of Supervisors authorized escrow release #1 for Maple Hill/3047 Spring Mill Road in the amount of \$319,970.63.

**8. Escrow Release No. 2; Brasso/737 Spring Mill Avenue**

On a motion by Supervisor Drossner, seconded by Supervisor Sterling (Vote 5-0) the Board of Supervisors authorized escrow release #2 for DJB, Inc./737 Spring Mill Avenue in the amount of \$16,230.76.

**9. Escrow Release No. 1; Mastroni/735 Bethlehem Pike**

On a motion by Supervisor Sterling, seconded by Supervisor Nester (Vote 5-0) the Board of Supervisors authorized escrow release #1 for Mastroni/735 Bethlehem Pike in the amount of \$43,438.00.

**10 Escrow Release No. 23; Reserve at Creekside; Stenton Avenue**

On a motion by Supervisor Sterling, seconded by Supervisor Drossner (Vote 5-0) the Board of Supervisors authorized escrow release #23 for Reserve at Creekside/Stenton Avenue in the amount of \$63,662.92.

**11. September 2018 Expenditures and Payroll and Pension Plan Paid Costs**

On a motion by Supervisor Drossner, seconded by Supervisor Nester (Vote 5-0) the Board of Supervisors approved expenditures totaling \$863,560.61; payroll totaling \$602,888.89 and pension paid costs totaling \$3,589.31 for September 2018.

**PUBLIC COMMENT PERIOD**

David Miller (Plymouth Meeting Friends) spoke about the Supervisors comments they made prior to approving the resolution with conditions. He said he doesn't believe the zoning is correct for the historic

district, which tied the Board's hands. He suggested the Supervisors have a responsibility now to look at the historic district to change so they don't have to do this again. He asked that they do something for the future, they come up with a plan to protect the area in the future.

Sydelle Zove (Harts Ridge Road) said she wanted to bring forward opportunities to protect and enhance the historic district. She spoke about a previous HARB meeting where a person from the Pennsylvania Museum Historical Commission attended and suggested that Whitemarsh and Plymouth jointly represented by HARB peruse certified local government standing. She stated HARB was going to look into it. She found out that Plymouth Township decided it didn't want to pursue it and Whitemarsh could if they wanted to. She found out that the guidelines for certified local government standing have just been completely overhauled and the requirements are far less onerous than they used to be. She explained is an opportunity to access fund through the state that can be used to hire consultants. She asked the Board if they would look into this program. She spoke about a proposal for another development of townhouses in the historical district.

Bob Sague (Kottler Drive) stated changes need to be made to stop the influx of townhomes. He said they Boards needs to find a way to restrict the number of townhouses that are built. He spoke about the retention basins in the area that were being dumped into the original dry creeks that were put in a hundred years ago. He spoke about the Valley Green Bridge and offered a suggestion to build the bridge further downstream and leave the existing bridge as a pedestrian bridge. Spoke about paying the ambulance donation bill that got you, as a resident, a ride to the hospital at no charge. A friend, who had paid the annual fee to the ambulance, told Mr. Sague he received a bill for the ambulance when he was sent to the hospital recently.

#### **BOARD MEMBER COMMENTS**

#### **ANNOUNCE EXECUTIVE SESSION**

Chair Grossman announced the Board of Supervisors held an Executive Session prior to this meeting to discuss Litigation.

#### **ADJOURNMENT**

On a motion by Supervisor Nester, seconded by Supervisor Sterling, the meeting was adjourned at 10:20 PM.

Respectfully submitted,

Richard L. Mellor, Jr.  
Township Manager

October 25, 2018