

The stated meeting of the Planning Commission of the Township of Abington was held on Wednesday, November 15, 2017 at the Township Administration Building, Abington, PA., with Chairperson Lucy Strackhouse presiding.

**CALL TO ORDER:** 7:35 p.m.

**ROLL CALL:** Present: COOPER, SPEARMAN, ROBINSON, ROSEN, RUSSELL, GAUTHIER, STRACKHOUSE  
Excused: DiCELLO

Also Present: Planning & Zoning Official PENECALE  
Office Manager WYRSTA  
County Planner NARCOWICH  
Commissioner SANCHEZ  
Vice Chairperson EAC MYEROV

## **PLEDGE OF ALLEGIANCE**

### Agenda Item PC1 – Application of Philadelphia Presbytery Homes, Inc.

Ms. Strackhouse read agenda Item PC1 into the record, and asked the applicant to present their application.

Mr. Penecale noted that Ordinance No. 2145 has been revised by the applicant as the draft refers to revisions to the riparian buffer and the proposed reduction will now be added into special development regulation of the Senior Neighborhood Residential District and will not affect the riparian buffer throughout the balance of the Township. County Planner approves of this revision.

Judee M. Bavaria, President and CEP of Presby's Inspired Life, 200 Joshua Road, Lafayette Hill, PA 19444, said Rydal Park is celebrating its 43<sup>rd</sup> Anniversary and Parkside was our last apartment building that was built. We have independent living over 300 apartments with personal care by skilled nurses and rehabilitation services with nursing care that is owned and operated by Presby's Inspired Life. We have 30-plus communities in four counties and we are 62 years old this year. We provide exceptional living experiences for people 62 years old and better.

Back in 2008, we bought back property previously owned and then purchased more acreage adjacent to our park, zoned SNR - Senior Neighborhood Residential, and developed a site plan for cottages. We started marketing the project, but quickly faulted because of the downfall of the market and put it on hold. Post-recession, we did a market study and held focus groups that provided input to move forward.

In 2015, we were 100% occupied and then hired a project manager and architect, and in May 2016, assessment of underground infrastructure for Rydal Waters was done and then we selected a general contractor and engaged civil engineering and marketing consultants.

Jeff Mullen, Principal Architect, Stewart & Connors Architects, PLLC, 3731 Latrobe Drive, Suite 100, Charlotte, NC 28211, said we worked closely with Township staff and neighboring communities and potential residents. Originally, we had 112 homes onsite and reduced density down to 98 and then landed at 85 cottages. There are four other floor plans ranging from 1,750 sq. ft. to 2,400 sq. ft. and each plan has two different elevations, so there would be eight different looking twins onsite. We also put in a clubhouse that has a cocktail lounge, fitness center, outdoor entertainment area with an outdoor swimming pool. Also, there is a dog park, walking trail both for the surrounding neighborhood and internal to the property. Also, there is a revised entry to the site as we do not want cut-through traffic, so current designed was adjusted to prevent it and entry is right across from the library.

Site plan along with a price point chart was presented to the Board.

Mr. Rosen clarified that all units are rentals. Is that correct?

Mr. Mullen replied yes. There is an entrance fee, a monthly service fee and various packages offered. We are at the schematic design phase now and, hopefully by the end of this year, we can move forward and begin construction in late 2018 and open for business in 2020.

William F. Kerr, Attorney with High Swartz, 40 East Airy Street, Norristown, PA, 19401, said this project was approved 12 years ago, but the Township's zoning ordinance was changed. Half of the roadway is installed and some of it is paved along with curbing and utilities. There will be a mix of singles and twins and this is a reverse subdivision plan. Also, there were issues created due to the fact there is a new Township zoning ordinance.

We prepared a zoning text amendment and steep slopes were there previously, some are man made and some are natural. Some of the areas where the existing roadway network is to be developed are considered in the riparian corridor. Current ordinance classifies senior living as 62 and most potential residents will be 62 or better, but because this is independent living there may be some people younger, so we want to modify that to age 55. Also some minor clarifications to allow for some family situations as well as modifications on open space standards.

We propose that the definition of steep slope be modified so that it does not include anything exceeding 15% where those areas were created or part of land development approval. Land development and subdivision approval was previously granted and the improvements approved in that prior application were substantially completed.

Ms. Gauthier said in regards to the special exception that was previously granted for steep slopes; will that be for some encroachment?

Mr. Penecale replied he does not believe so because at that time it was granted for the Elliot group who had an approved land development plan and acted on the ZHB's decision. This plan is a slight modification to that as it is a reverse subdivision putting the lots and open space under one ownership.

There was a change from prior ordinance to current zoning ordinance where steep slope was defined under old ordinance at 25% or greater, and under new ordinance, defines steep slope as 15%, so that has affected this plan. The roadway has a new location on this plan, but the foundations, the homes and encroachment into steep slope on the backside is almost identical to what was on the Elliot plan.

There is language in the old and new ordinances that the use of retaining walls negates the need for any type of steep slope relief whatsoever.

Ms. Gauthier expressed concern about changing the definition of steep slope for all properties in Abington.

Mr. Penecale replied that is not the case. Any new subdivision or land development is subject to the conditions of the zoning ordinance. The uniqueness of this plan was that it was a prior approved subdivision and land development plan that was caught up in a zoning ordinance change.

Mr. Kerr added that approval was granted with variance relief, so from a legal perspective, the applicant has a vested right to all relief granted to prior application. We are looking for additional relief based on the zoning ordinance change and remaining minor changes to the plan.

Ms. Gauthier said she understands that about this site, but is concerned about changing definition of steep slopes in Section 201 of the zoning ordinance for the entire Township.

Mr. Rosen questioned whether there are any parcels where this language would apply.

Mr. Penecale replied no.

Ms. Gauthier said if this has already been previously approved is it necessary to add this language to the definition.

Mr. Kerr replied he does not believe so. This language just confirms what the legal standard is.

Mr. Spearman clarified that the Elliot tract was approved with the steep slope at 25% and the applicant is proposing to extend their work, but under that old set of rules. Is that correct?

Mr. Penecale replied that is correct.

Mr. Kerr said the next issue is the riparian corridor and the new language is only for the SNR District that says, "The riparian corridor conservation district does not include any of these types of improvements: roads or streets; the full width of the road or street including curbs and sidewalks; utility or headwall; existing culvert structures; stormwater management basin including slopes and berms or public walkways or trails either existing as effective date of this chapter or reserved for future public use, which are eight feet or less in width."

Ms. Gauthier clarified that the applicant is proposing to amend Section 803 by adding a new subsection d. rather than amending Section 1502. Is that correct?

Mr. Kerr replied yes. Section 803 – Special Development Regulations is amended to add subsection d. as follows: "Riparian Corridor Conservation Requirements – Riparian buffer within the SNR District does not include the following improvements: roads or streets; the full width of the road or street including curbs and sidewalks; utility or headwall; existing culvert structures; stormwater management basin including slopes and berms or public walkways or trails either existing as effective date of this chapter or reserved for future public use which are eight feet or less in width."

Ms. Gauthier said under conditional use for riparian corridors, we usually have them mitigated if there is a road crossing.

Mr. Kerr replied the plan shows riparian corridors under the new ordinance and there are some areas at the road crossing that would be considered road corridors, so these are the areas where we have the issues. Our engineer created some mitigation areas and it will be done.

The next text change is the minimum age for SNR from 62 to 55, and instead of allowing one other adult, we have allowed two other adults, so one to three occupants are permitted in all units.

The other change is the definition for open space is now required to be partially visible from dwelling units, roadways, sidewalks and recreation trails/walkways.

The last change is to the Appendices to the ordinance as the SNR District defines housing as single family and twin units and twin units are listed as a "no," in the Appendices, so we want to make it consistent with language of the SNR District.

Ms. Gauthier asked is there a minimum lot size for singles and twins in the SNR District?

Mr. Narcowich replied it is treated as an entire tract.

Mr. Penecale agreed, and it is based on a yield per acre, 3.2 units per acre.

Mr. Kerr noted that the SNR District allows 3.2 units per acre, and with 85 units we are at 2.6 units per acre, so we are within density limitation.

Mr. Penecale said density of 3.2 units per acre of a development of 33 acres in size would permit 105 units. This development is at 84 units including the clubhouse. Average trips per day for a single family home are 10 trips per day. 84 units would be 840 trips per day; age-restricted housing is approximately four of five trips per day, so 420 to 504 trips per day for an 84 unit development.

Mr. Rosen questioned whether this development will stress the use of Old York Road and any other main arteries.

Mr. Penecale replied as part of the Elliot subdivision, the traffic light across from the library was installed in order to handle those additional 840 trips per day. The signalized intersection helped the library and will serve this site well.

Mr. Cooper referring the Township staff review letter dated August 21, 2017 under Fire Marshal's Office; how will the secondary access across to an existing parking lot will be handled?

Gary Tilford, Engineer with Charles E. Shoemaker, Inc., Engineers & Surveyors 1007 Edge Hill Road, Abington, PA., 19001, replied the Elliot plan utilized an old bridge as shown on the plan and it is no longer being used, so there is no bridge crossing for the Fire Marshal to be concerned with. The connector road that we are proposing is to join Rydal Park's facility to Rydal Waters, and the Fire Marshal implied in his letter that he thought we were exiting off of that onto a structured parking lot facility.

That parking facility is only located on one row of parking behind the Highland Building and surface parking is immediately adjacent to the Mall driveway. Then there is a two-level parking deck and the lower level is on a certain grade and around the parking lot the driveway is on grade, but the parking spaces over top and in the middle are on deck. Shown was the entrance and exit out to The Fairway and it is not near any parking facility.

Mr. Spearman questioned whether the Fire Marshal signed off on that plan.

Mr. Tilford replied he has not received a second response from the Fire Marshal.

Mr. Penecale said the switchback road does not access onto a parking deck. It accesses onto a grade level roadway providing a second means of ingress/egress.

Mr. Mullen said in addition, the Fire Marshal previously asked for there to be sprinklers for the homes and that is included in our budget including the clubhouse.

Mr. Russell asked about the grade on the connecting roadway.

Mr. Tilford replied the first half is 5% because we anticipate a future walking connection between Rydal Waters and a structural garage. The lower half is 8%.

Mr. Russell asked about proposed island with a checkpoint/gate facility.

Mr. Tilford replied the intent of the island is to not permit traffic entering the site from Old York Road and there will be "Do Not Enter" signs.

Ms. Strackhouse asked will the applicant assume responsibility for the road?

Mr. Tilford said the road will remain private with deed lots and dedicated roadway. Presby will maintain ownership of the road, lighting, trails, etc. The only public access to continue the Huntingdon Road access to their right-of-way to the traffic light at Old York Road and we are proposing a legal way through an easement that allows public access.

Ms. Strackhouse asked how will the public access those trails?

Mr. Tilford replied we are providing a trail with a sidewalk system from Old York Road into the development that will wraparound to the driveway that goes out to Susquehanna Road, which is for public use.

Ms. Strackhouse clarified that it is a gated-community. Is that correct?

Russell L. Mast, Executive Director, Rydal Park, Presby's Inspired Life Community, 1515 The Fairway, Rydal, PA., 19046, replied there is a guardhouse to get in with a key-swath for privacy of residents, but they can also come in from the other side.

Mr. Penecale noted there was a stormwater management report submitted and reviewed by Township Engineer and BCM Engineering and those staff review comments were forwarded to the applicant. There have been changes to stormwater management ordinance Clean Streams Act from when this was first approved.

In addition, the EDU's required for this development were previously approved as part of the Elliot Group application. It is staff's position that age-restricted housing will reduce flow more than a single-family dwelling and that paperwork has been submitted to DEP. Mr. Tilford and Mr. Wrigley, Director of W.W.T.P. are working on it.

After discussion with staff of Township's Public Works Department, there will be no changes to the timing of signalization at the intersection Old York Road and access road, which is Rydal Way. The names of the streets originally granted are Harbison Way, Noble Circle and Rydal Way and they will remain the same.

Changes were made to the proposed Ordinance No. 2147 moving the changes of the riparian buffer to be underneath supplemental design standards in the SNR District.

Mr. Tilford noted sanitary sewer is to service the basements in which there are a few of them. There is Belgium block curbing on most of the site now, and because the units and driveways are different now, that Belgium block will be removed and replaced with concrete curbing. The entryway from Old York Road to the gatehouse area will remain Belgium block, so we are asking for a six inch reveal on the new curb for ease of access of sidewalks and ADA compliance.

Ms. Gauthier said resource conservation area on Sheet 8 of 55 of the plan indicates where the switchback road will be and Sheet 12 shows existing trees; how did the applicant come up with the 56.5% of the trees being reserved?

Mr. Tilford provided an aerial photo showing how the site was left after development began and there was survey of the fields as to where the drip lines are, and based on proposed grading, we estimated length of disturbance of what would be considered existing woodlands.

Ms. Gauthier said if this is approved tonight, she wants to be sure that the plan meets the zoning code for steep slopes woodlands.

Mr. Rosen asked what will be done to insure there will adequate landscaping and greenery.

Mr. Penecale replied there is a requirement for Erosion & Sediment Control plan because disturbance is greater than one acre and inspections are done. Prior to any earth moving work where all soil erosions and tree protections have to be in place; the Township will be part of the inspections done by Montgomery County Conservation District.

Mr. Rosen said he assumes the developers have a great interest in making this development attractive and suggested that to be codified with language that the landscaping will be appropriately attractive for this development site.

Mr. Penecale said the Planning Commission can make a recommendation to the Board of Commissioners that once soil erosion and tree protections are in place that a site inspection should be done by the Township's EAC or Shade Tree Commission prior to any earth moving work.

Ms. Gauthier questioned whether County Planner of MCPC has reviewed this plan.

Mr. Narcowich replied yes, and he provided a copy of his review letter dated, August 4, 2017 to members of the Planning Commission.

Mr. Kerr said the applicant has a fairly extensive landscaping plan that we are committed to install and there will be significant and adequate landscaping on this site.

Mr. Narcowich noted that open space standards should be listed in the zoning table and deed restriction requirement. Regarding the riparian corridor, he recommends that the trail be adjusted so that it does not enter Zone 1 and bump it out into Zone 2 if possible. He recommended additional pedestrian crosswalks added to the plan, and asked about a new crosswalk at the intersection of Old York Road and Rydal Way.

Mr. Tilford replied PennDOT installed a new crosswalk at Old York Road at Rydal Way and both sides of Rydal Way going to the library.

Mr. Narcowich continued that there is a place for sidewalk segment near the clubhouse to facilitate a more direct connection from a few of the units to the clubhouse. For parking, he suggested a backup space area.

Mr. Tilford said the applicant will comply with recommendations by County Planner.

**Waivers from sections of the Subdivision and Land Development Ordinance of the Township of Abington requested by the applicant were voted on separately by the Planning Commissioner as follows:**

Mr. Rosen made a MOTION, seconded by Mr. Spearman to approve waiver request from Section 146-9.A – Plan Stages – from the requirement to file a plan in two stages as a preliminary plan and again as a final plan submission.

MOTION was ADOPTED 7-0.

Mr. Spearman made a MOTION, seconded by Mr. Rosen to approve waiver request from Section 146.10.A.1 – Drafting Standards – from the requirement that the plan be submitted in a scale not smaller than one inch equals 50 feet.

MOTION was ADOPTED 7-0.

Ms. Gauthier made a MOTION, seconded by Mr. Rosen to approve waiver request from Section 146.11.B – Existing Features Plan – from the requirement to depict all features within 400 feet of the site.

MOTION was ADOPTED 7-0.

Mr. Rosen made a MOTION, seconded by Mr. Spearman to approve waiver request from Section 146.24.A – Street Plan – from the requirement to provide a right-of-way width of not less than 50 feet for internal roadways.

MOTION was ADOPTED 7-0.

Mr. Rosen made a MOTION, seconded by Ms. Robinson to approve waiver request from Section 146.24.B – Street Plan – from requirement that islands and medial strips are only permitted in commercial zoning districts.

MOTION was ADOPTED 7-0.

Mr. Rosen made a MOTION, seconded by Mr. Cooper to approve waiver request from Section 146.27.1 – Sidewalks & Curbing – from the requirement to provide sidewalks on both sides of a proposed street.

MOTION was ADOPTED 6-1. Ms. Gauthier opposed.

Mr. Rosen made a MOTION, seconded by Ms. Strackhouse to approve waiver request from Section 146-27.6 – Sidewalks & Curbing – from the requirement to provide concrete curbing with eight inch reveal for the proposed internal street.

MOTION was ADOPTED 7-0.

Mr. Rosen made a MOTION, seconded by Ms. Strackhouse to approve waiver request from Section 146-28.1.D. – Off-Street Parking Areas – from the requirement to provide a loading area for the proposed clubhouse.

MOTION was ADOPTED 7-0.

Mr. Rosen made a MOTION, seconded by Mr. Cooper to approve waiver request from Section 146.33.7 – Drainage -- from the requirement to install specific (City No. 1 inlets) within this development.

MOTION was ADOPTED 7-0.

Mr. Rosen made a MOTION, seconded by Ms. Strackhouse to approve waiver request from Section 146-35.3.A – Sanitary Sewer – from the requirement to provide sanitary sewer by gravity to all dwelling basements.

MOTION was ADOPTED 7-0.

Mr. Rosen made a MOTION, seconded by Ms. Gauthier to approve waiver request from Section 146-40.2.A – Recreational Areas – from the requirement that propose open space has to have access to a public road.

MOTION was ADOPTED 7-0.

Mr. Rosen made a MOTION, seconded by Ms. Strackhouse to recommend approval of application by Philadelphia Presbytery Homes, Inc. for a reverse subdivision and land development subject to the condition that the applicant continues to work with Director of W.W.T.P. Mr. Wrigley to insure sanitary sewer approval through DEP as well as conditioned upon items listed in Township staff review letter dated, August 21, 2017. If the plan is approved, the applicant is required to submit a minimum of four paper copies, four Mylar copies and one PDF formatted disk of the final plan as well as a deed of merger and also recommendation to approve zoning text amendment.

MOTION was ADOPTED 7-0.

**ADJOURNMENT:** 8:53 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary