

The stated Conditional Use Hearing of the Board of Commissioners of the Township of Abington was held on Monday, October 16, 2023 via webinar and in-person at the Township Administration Building, Abington, PA, with President Hecker presiding.

CALL TO ORDER: 6:34 p.m.

ROLL CALL: Present: Commissioners ROTHMAN, DiPLACIDO, BROWNE, WINEGRAD, HENRY, ZAPPONE, SPIEGELMAN, BOLE, SCHREIBER, BOWMAN, VAHEY, HECKER
Excused: Commissioners BRODSKY, VAUGHN, CARSWELL

PLEDGE OF ALLEGIANCE

NEW BUSINESS:

Public Hearing and at the conclusion action may be taken on the Conditional Use application on Chaverim Realty Partners, LLC for the location at 1209 Rydal Road, Abington, PA 19001

Commissioner Spiegelman made a MOTION, seconded by Commissioner Schreiber to open the public hearing.

MOTION was ADOPTED 12-0. Public Hearing opened at 6:35 p.m.

Solicitor Clarke said this is a conditional use hearing that has been properly advertised. The applicant is Chaverim Realty Partners, LLC, and the property is located at 1209 Rydal Road in Abington Township, Montgomery County, PA, identified as Montgomery County Tax Parcel #30-00-61132-00-2. This is an application requesting conditional use approval pursuant to Section 301 of the Abington Township Zoning Ordinance to permit Use E-10 Lifecare Facility Continuing Care and Use E-12 Nursing Home in the R-1 Low Density Residential Zoning District. The applicant is represented by Attorney Matthew McHugh.

Over the past week or so, the Township received various requests from members of the public and neighbors for party status in this matter and the number of individuals that are interested would potentially exceed the capacity of this boardroom. Attempts have been made to secure another facility large enough to accommodate everyone while also having the ability for a virtual option.

Although we identified a few locations for the hearing, we were unable to secure one in time for tonight's hearing, so based on the deadlines of the MPC (Municipality Planning Code), it was discussed with Board President Hecker, Manager Manfredi and Mr. McHugh about opening the hearing tonight to just deal with the issue of party status, and then recess to a future date.

Any resident who lives within 750 feet or less from the subject property will automatically be granted party status. Anyone who lives 751 feet or more will need to step forward and state the reason why they believe they should be granted party status, and Mr. McHugh will have the right to ask any questions, and then a determination will be made as to whether the individual will be granted party status.

Party status allows individuals to become a party to the application to question witnesses, present testimony, and evidence, and if there is an appeal, there is an automatic right to be part of it.

The MPC grants party status to any person affected by the application who has made a timely appearance of record before the Board of Commissioners as well as any other person representing any civic or community organizations.

The Board of Commissioners has the power to require that all persons who wish to be considered parties enter their appearance in writing for that purpose. Any person affected by the application has a right to appear before the Board if they meet the test of having a direct immediate pecuniary and substantial interest in the subject matter, and other persons may be permitted as parties at the discretion of the Board.

Once party status is granted, they will have an automatic standing on appeal, which requires a direct immediate pecuniary and substantial interest in the subject matter. To be granted party status, the person's interest in this matter should be something more direct than that of a general citizen's interest in just seeing that the code is complied with or generally being opposed to the project. The person seeking party status must be affected by the application and the Board will consider proximity to the proposed development or concerns raised regarding noise, traffic, property value, etc.

He asked for anyone present this evening who lives 751 feet away from the subject property who would like party status to step forward.

A court reporter was in attendance to transcribe the testimony.

Michelle and Joe DiBello, 1419 Woodland Road, were granted party status.

Mr. McHugh noted that he has a standing objection to anyone being granted party status who lives beyond 750 feet from the subject property as they would not be directly aggrieved per requirement of the MPC.

Kim Seese, 1443 Woodland Road was granted party status.

Joseph Dougherty, 1638 Amity Road - party status will be taken under advisement. Mr. McHugh objected due to the proximity.

Roger Cohen, 1531 Amity Road – party status will be taken under advisement.

Ed Trauffer, 1625 Amity Road – party status will be taken under advisement.

Gary Lamsback, 1441 Lewis Road was granted party status.

Bruce Bach, 1408 Stocton Road - party status will be taken under advisement.

Barnett Satinsky, 1301 School Lane - party status will be taken under advisement.

Rosemary Patricelli, 1271 School Lane - party status will be taken under advisement.

Joseph Ragg, 1440 Woodland Road was granted party status.

Cheryl Hurly, 1405 Washington Lane - party status will be taken under advisement.

Keith Reynolds, 1231 School Lane - party status will be taken under advisement.

Tom Stone, President of Rydal-Meadowbrook Civic Association was granted party status in that capacity but was seeking party status as a resident residing at 1535 Woodland Road. Party status as a resident will be taken under advisement.

Karen DiPrima and Margaret Bess, 1538 Woodland Road - party status will be taken under advisement.

Blight Seese, 1429 Valley Road - party status will be taken under advisement.

Thomas Dougherty, 1436 Lewis Road was granted party status.

Marilyn Nyman, 1241 Cox Road - party status will be taken under advisement.

Marcos DeArruda, 1419 Rydal Road - party status will be taken under advisement.

Dan Dvor, 1446 Rydal Road was granted party status.

Aina Renwick, 1429 Dorel Road was granted party status.

Eric Roberts, 1404 Lewis Road was granted party status.

Lisa Lynch, 1311 Meadowbrook Court - party status will be taken under advisement.

Solicitor Clarke clarified that no further testimony will be taken this evening. The tentative date for the next hearing is scheduled for October 30th at 6:30 p.m., although the location has not yet been confirmed. And because we are not able to continue this hearing to a date, time, and location-certain, it will need to be readvertised and then posted on the Township's website. All individuals who have been granted party status will receive specific notice, so it would be appropriate to recess the hearing to a date, time, and location to be determined.

Manager Manfredi added that the date is tentative to make sure there will be a virtual option at the location.

President Hecker recessed the hearing until a location is found to accommodate both in-person and Zoom participation.

ADJOURNMENT: 7:39 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary