

The stated meeting of the Planning Commission of the Township of Abington was held on Tuesday, March 22, 2022, via webinar with Chairperson Lucy Strackhouse presiding.

CALL TO ORDER: 7:30 p.m.

ROLL CALL: Present: STRACKHOUSE, BROWN, DiCELLO, GAUTHIER, ROSEN, RUSSELL, BAKER, COOPER, ROBINSON

Also Present: County Planner NARCOWICH
Township Engineer LEE
Traffic Engineer RICHARDSON

CONSIDER APPROVAL OF MINUTES

Mr. Brown made a MOTION, seconded by Mr. Baker to approve the minutes of the February 22, 2022 Planning Commission meeting.

MOTION was ADOPTED 9-0.

PRESENTATION: None.

UNFINISHED BUSINESS:

Consider approving the Minor Land Development Plan for Hollywood Tavern located at 700/710 Huntingdon Pike:

Ms. Strackhouse said the applicant proposes to remove the existing concrete walkway and portions of the vegetation areas located within the front area of the existing building and construct approximately 825 square foot concrete patio for the purpose of outdoor dining.

Mr. Michael Urban, Eustace Engineers, representing the applicant/property owners, Mr. and Mrs. Braman, said last month, the Planning Commission made comments regarding the wall around the patio area and concern was expressed about sitting on it as well as skateboarders, so we will provide anti-skate strips along the wall and lower it so it would not be comfortable for sitting upon yet still provide a safe barrier for patrons.

Regarding the parking area, the applicant will add a crosswalk across Gibson Avenue with two ADA ramps and signage on both sides of the street per PennDOT standards and provide additional ADA parking spaces based on the amount of parking.

The owners would not like to give up any parking spaces in place of landscaping to keep as much as possible. In addition, islands will inhibit snowplowing and would be a constant maintenance issue. Also, it was suggested moving the existing driveway entrance of the circular area to Fox Chase Road, which is owned by PennDOT and would require an HOP (Highway Occupancy Permit) resulting in additional cost for the owner, and they feel that the existing entrance/exit is safer.

Ms. Strackhouse clarified that the plan includes six street trees as required. Is that correct?

Mr. Urban replied yes, three of them are multi-stem trees growing 25 ft. high and flower.

Ms. Strackhouse questioned whether the applicant considered moving the driveway back on Gibson Avenue.

Mr. Urban replied yes; however, neighbors park there and moving the driveway entrance will eliminate residents from parking there.

Ms. Strackhouse asked for any comments from members of the Planning Commission.

Mr. DiCello commented that he likes the revisions made including the addition of the crosswalk, and he agrees that by moving the driveway would create parking issues in that neighborhood, so it is a good plan as presented.

Ms. Gauthier asked for the hours of operation for outside dining. Also, did the Zoning Officer have any zoning issues with the plan?

Mr. Urban replied that no one would be out there past 10 p.m., and this plan has not been reviewed for zoning.

Ms. Gauthier said there may be a restriction on the hours of operation per zoning ordinance requirements and that should be a condition of approval.

Mr. Baker agreed that he would not want the courtyard to be open too late and patrons can then move inside.

Ms. Strackhouse noted that there is a Township-wide ordinance for noise.

Ms. Allison Lee said Noise Ordinance is from 7 a.m. – 10 p.m.

Mr. Russell agreed with Mr. DiCello that it is a good plan.

Mr. Brown agreed that the improvements made to the plan are good.

Mr. Narcowich questioned whether the applicant considered putting in a one-way traffic circulation pattern in the parking lot, which would provide room for green space.

Mr. Urban replied the applicant reviewed that; however, going to one-way circulation with angled parking spaces would decrease the number of spaces.

Mr. Narcowich continued that a three ft. verge is required in the Main Street District, so 25% is required to be landscaped with vegetation such as groundcover, shrubs, or trees, although it is an existing nonconforming use, parking lot and restaurant, so he would defer to Solicitor's Office as to whether any of the verge requirement would be required. Also, zoning requires street furniture.

Mr. Urban replied any street furniture would be used for a hangout and not used as much for a bus stop area.

Mr. Narcowich said the idea is to make sidewalks more appealing for pedestrians and the street furniture is required at least once every 100 feet along the street front and that requirement cannot be waived. And he recommended a low hedge to screen the parking lot and a dumpster enclosure is also required; also, will there be on-street loading?

Mr. Urban replied we will consider the low hedge screen. Also, trucks pull up on the shoulder and drop off as shown on the plan.

Mr. Narcowich said as required by SALDO the loading area should have appropriate signage.

Ms. Allison Lee said the applicant has addressed the engineer's SALDO comments and she clarified that the depressed curb and sidewalk of the existing ADA ramp will be replaced so it is no longer a ramp and becomes a regular sidewalk as a new curb ramp will be constructed. Is that correct?

Mr. Urban replied that is correct.

Ms. Strackhouse asked for any public comment. There was none.

Ms. Gauthier said regarding the existing access, she suggested that the Township's traffic consultant sign off.

Ms. Strackhouse replied that TPD (Traffic Planning & Design, Inc.) provided a review letter dated January 24, 2022, indicating that, “Due to the current congestion that occurs at the intersections of Huntingdon Pike/Shady Lane and Gibson Avenue/Shady Lane, the applicant should conduct a traffic study to determine the impact of the tavern expansion. The applicant and/or their consultants should contact TPD to discuss the scope of this study.”

Mr. Greg Richardson, P.E. with Traffic Planning & Design, Inc., said he stands by his comment, and this is an opportunity to relocate the driveway to a safer location on Fox Chase Road from a traffic standpoint than in the middle of the rotary; however, ultimately, it is up to the Township. Fox Chase Road is a PennDOT road, and an HOP (Highway Occupancy Permit) would be required. Also, the Township could require as a condition of approval that the applicant provide a post development study to determine any changes or increase in crashes, and if so, the applicant could be required to apply for a new driveway permit to relocate the driveway to Gibson or preferably Fox Chase Road.

Mr. Russell agreed there is a better place for the driveway; but it is not the applicant’s responsibility. This entire area was rebuilt by the Township and PennDOT, and that is where the driveway was placed, and if it is a problem now, the Township should address it, not the applicant, and it should not be a condition of approval.

Mr. DiCello agreed with Mr. Russell.

Ms. Strackhouse also agreed with Mr. Russell in that the Planning Commission should not ask the applicant to do further studies and possibly move the driveway because that would be a burden on the business owner.

Ms. Gauthier said she understands it is an existing condition approved by the Township; however, times have changed, and we should ask the Township to look at this area to determine whether they should apply to PennDOT on behalf of or in conjunction with the applicant to move the driveway from the rotary entrance.

Mr. Urban replied that the financial burden should not be put on the owner of the property.

Mr. Russell said we should not be making a recommendation about moving that driveway as part of this application.

Mr. Rosen asked about the history of frequent accidents at this intersection.

Mr. Richardson replied that the Planning Commission and/or Township staff may want to consult with Traffic Safety Officer Freed about the crash history of that intersection.

Mr. Rosen recommended asking Traffic Safety Officer Freed for that information. It does not need to be a condition of approval; however, the history should be reviewed, and the Township can take any remedial action if necessary.

Township Engineer supports the applicant's waiver requests dated March 16, 2022, as follows:

Section 146-11. A. (4) – Property Identification Plan - A waiver is requested from requiring a Property Identification Plan that contains tract boundaries with tax parcel numbers, owner's names, and approximate acreage of lots surrounding any portion of the site for a distance of 400 feet.

Section 146-11. B. (3) – Existing Features Plan - A partial waiver is requested for the Existing Features Plan that shall contain the location of property lines and names of landowners within 400 feet of any part to be subdivided or developed.

Section 146-11. B. (7) – Existing Features – Utilities - A partial waiver is requested for the Existing Features Plan that shall contain the location, size, and ownership of all underground and above ground public or private utilities, on the site and within 400 feet of any portion of the site, including waterlines, sanitary sewer lines, storm sewer lines, electric lines, telephone lines, gas mains, fire hydrants, and streetlights.

Section 146-33. D – Drainage – Size, Shape and Type - A waiver is requested from requiring a minimum internal diameter of 15 inches and a minimum grade of 0.5% of reinforced cement concrete pipe.

Section 146-43. C. (3) (a) – Cut & Fill Slopes - A waiver is requested from requiring slopes not to be 15% or steeper.

Mr. Rosen made a MOTION, seconded by Mr. Russell to approve the Minor Land Development Plan for Hollywood Tavern located at 700/710 Huntingdon Pike subject to the condition that the applicant comply with all zoning requirements regarding dumpster enclosure, street furniture, and a three ft. verge with 25% of it to be landscaped with vegetative groundcover, shrubs, or trees; also, approval of waiver requests as listed.

MOTION was ADOPTED 8-1. Ms. Gauthier opposed.

The Planning Commission recommended that the Board of Commissioners investigate the traffic history at this location to see whether any changes should be made.

Mr. Russell excused himself from the meeting at 8:21 p.m.

Consider a request for a waiver from the land development process for the Baederwood Shopping Center:

Ms. Strackhouse said Charter Realty and Development Corp., owner of the Baederwood Shopping Center, is requesting a waiver from all applicable land development requirements and procedures as set forth in the Township's Subdivision and Land Development Ordinance. As stated in the letter dated March 4, 2022, the applicant applied for a building permit to divide the former Baederwood Pharmacy space into two new tenant spaces by putting a wall up to cut it down the middle without adding any new space whatsoever. Although building permits were granted in the past year for other spaces in the shopping center that were divided for new uses, the Township has stated that this plan will need to go through the land development process.

She questioned whether this needs to be reviewed by the Planning Commission and Township Solicitor confirmed that it does per the MPC and SALDO, so she suggested that the Planning Commission recommend approval of the waiver from the land development process as it is an application to divide one space into two retail spaces.

Ms. Gauthier agreed that the Planning Commission should review this because it is more than one leasehold. What two uses are planned for the space of the former pharmacy?

Ms. Alyson Fritzges, Attorney representing the applicant Charter Realty, said we are requesting a waiver from land development process and a Lens Crafter will be replacing the pharmacy and the other tenant has not yet been identified, but the new use would be a permitted use per the Township's Zoning Ordinance.

Ms. Strackhouse asked for any public comment. There was none.

Ms. Gauthier made a MOTION, seconded by Mr. Rosen to recommend approval of request for a waiver from the land development process for the Baederwood Shopping Center.

MOTION was ADOPTED 8-0. Mr. Russell was absent.

Mr. Rosen strongly recommended that we have a meeting with Manager Manfredi on suggestions for solving notice issues for the Planning Commission's meetings. He asked Mr. Narcowich to provide a report on notice requirements from other municipalities in which he participates in because the Planning Commission is committed to coming up with a rule that satisfies our sense of fairness for our community as well as the mission that we serve.

Ms. Strackhouse replied that we are meeting with Manager Manfredi in the first week of April.

PUBLIC COMMENT:

Lora Lehmann, resident, said that “the old way of doing things had a standard for how the meetings went and we need to go back to that.” And until she read the minutes, she did not know the Cedar Road matter was approved and that should be reversed until the neighbors are heard.

ADJOURNMENT: 8:34 p.m.

Respectfully submitted,

Liz Vile. Minutes Secretary