

The stated meeting of the Planning Commission of the Township of Abington was held on Tuesday, May 23, 2023 via webinar and in-person at the Township Administration Building, Abington, PA.

CALL TO ORDER: 7:30 p.m.

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

Also Present: Township Engineer LEE
County Planner NARCOWICH
Commissioner ROTHMAN

APPOINTMENTS:

Mr. Rosen nominated Mr. Brown as Chairman of the Planning Commission, seconded by Ms. Strackhouse.

Mr. Rosen asked for any other nominations. There were none.

By unanimous vote of 8-0, Mr. Nicholas Brown was appointed Chairman of the Planning Commission of the Township of Abington.

Mr. Rosen nominated Ms. Strackhouse as Vice Chairwoman of the Planning Commission, seconded by Mr. Baker.

Mr. Rosen asked for any other nominations. There were none.

By unanimous vote of 8-0, Ms. Lucy Strackhouse was appointed Vice Chairwoman of the Planning Commission of the Township of Abington.

PLEDGE OF ALLEGIANCE

CONSIDER APPROVAL OF MINUTES:

Ms. Strackhouse made a MOTION, seconded by Mr. Rosen to approve the minutes from the Planning Commission Meeting of November 22, 2022.

MOTION was ADOPTED 8-0.

PRESENTATION: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Recommendation on the Conditional Use application for the location at 711 Fox Chase Road, Jenkintown, Toll Mid-Atlantic LP Company, Inc.

Mr. Brown said that Toll Mid-Atlantic LP Company, Inc. is the applicant and equitable owner of the property located at 711 Fox Chase Road, Jenkintown, Pennsylvania 19046, consisting of approximately 46.37 acres, identified as Tax Parcel Numbers 30-00-22424-001 and 30-00-22420-005. The property was formerly used for Saint Basil Academy.

Applicant proposes to redevelop the property pursuant to the AR Age-Restricted Carriage Home Overlay District with 150 Age-Restricted Single Family Attached Carriage Home Dwelling Units and accessory uses. In connection with the proposed redevelopment of the property, the applicant requests conditional use approval, pursuant to Section 1503.B.2.b of the Abington Township Zoning Ordinance, to allow the installation of a central sewer line in Zone 2 of the Riparian Corridor Conservation District.

Mr. Lou Colagreco, Attorney representing the applicant, said part of the proposed development is to provide sewer to the subdivision. There is an existing sewer line in Zone 1 riparian buffer in the rear of the site and to get to that line we need to traverse Zone 2 of the riparian buffer, and the zoning ordinance permits it by this conditional use process.

Mr. Madden, representing the applicant, said proposed is to tie into the existing sanitary sewer line along the Pennypack Creek with a new sanitary sewer line from our site traversing the open space and tying into the existing sanitary sewer manhole on the border of Zone 1 and Zone 2.

Mr. Colagreco clarified that there has been rerouting to save the mature tree. Is that correct?

Mr. Madden replied yes, and the plan shows the rerouting to get to the manhole, but the connection through Zone 1 and 2 riparian buffer remains the same.

Mr. Colagreco clarified that the plan as presented this evening will be the same for the upcoming conditional use hearing. Is that correct?

Mr. Madden replied that is correct.

Mr. Colagreco clarified that this is the shortest distance between the two points as shown on the plan. Is that correct?

Mr. Madden replied yes, by going through the riparian buffer at a 90-degree angle would limit the amount of disturbance in connecting to the sanitary sewer main.

Mr. Brown called on Commissioner Rothman.

Commissioner Rothman said this agenda item is to address the sanitary sewer line connection through the riparian buffer; however, he expressed concern on behalf of the residents who feel they were “swept aside,” and if the residents have a strong desire regarding the proposed development, they are the ones who will be living there, so he stands with them on making this development as least obtrusive as possible.

Mr. Brown asked for any comments from members of the Planning Commission and County Planner.

Mr. Narcowich noted that the applicant has made it clear how there will be riparian corridor mitigation measures for the area being encroached upon, and he asked the applicant to explain how the corridor is being slightly widened throughout.

Mr. Madden replied that the area of actual disturbance of the sanitary sewer will be brought back to its natural condition and stabilized as it is today. There is a required 75 ft. riparian corridor buffer from the bank of the stream in Zone 1 and we have extended Zone 2 by increasing the buffer along the entire corridor to approximately two feet.

Mr. Brown asked for any public comment.

John Tracey, resident, commented that 150 homes is a lot to build on 46 acres and the price point is high. Traffic is already jammed, and this will overcrowd our community.

Ray Vandergrift, resident, commented that he knows there have been ideas about a walking path and benches, but Alverthorpe Park is across the street from this property and the park has security guards, walking paths, and restrooms. We will not have the benefit of security guards keeping people out of our yards, so the neighbors are 100% against any type of walking path behind our properties. Also, we are against any cut-thru streets due to safety and the streets are not wide enough for traffic to pass because there are vehicles parked on both sides.

Vince Kelly, resident, commented that the neighbors moved to Abington for more open space, and agreed with Mr. Vandergrift. Also, he would like the neighbors to be more informed about when meetings will occur and to be considered during discussions about this development.

Pierce Kerr, resident, said the neighbors do not want their backyards to be public walking area and the buffer is important as well as keeping the streets private.

Robert Nadershead, resident, expressed concern that the pipe could cut directly through the wetlands along the riparian zone.

Mr. Brown clarified that the applicant has made a conscience effort to avoid the wetlands. Is that correct?

Mr. Madden replied that is correct. We chose to connect to the manhole that is the least disturbed area of the zones, and it does not go through the wetlands.

Mike Tobin, resident, agreed that the neighbors do not want a cut-thru to our street. What is the size and capacity of the sewer line, and could it run in front of the property as opposed to going into the wetland area?

Mr. Madden replied it is an 8-inch line and the existing line that runs along the stream is a 12-inch line, and the capacity calculations show that it can serve an extra 150 lots. Also, we received direction from the Sanitary Sewer Authority on where to place the line and they recommended connecting to this trunk line.

Lora Lehmann, resident, requested that all Planning Commission meetings be taped and asked for “pushout lists” for the St. Basil’s property.

Karen Milovcich, resident, commented that there is cut-thru speeding traffic through the Hollywood section, and asked that this new community be gated.

Mr. Rosen made a MOTION, seconded by Ms. Robinson to approve the conditional use application for the location at 711 Fox Chase Road, Jenkintown, Toll Mid-Atlantic LP Company, Inc.

MOTION was ADOPTED 8-0.

Motion to approve the Preliminary/Final Land Development – LD-22-06 – 2620 West Moreland Road (Raising Cane’s)

Mr. Brown said the applicant proposes constructing a new one-story, stand-alone 3,062 sq. ft. fast-food (Raising Cane’s) restaurant with outdoor seating on an existing 44,910 sq. ft. lot in front of 2620 West Moreland Road. Other site improvements include parking, curbing, sidewalk, benches, landscaping, and sanitary and stormwater management facilities. Access to/from the site will be by way of two (2) existing entrances that intersect with West Moreland Road. The new building will be served by public water and sewer.

Mr. Rob Lewis, Attorney representing the applicant, said we are seeking a recommendation of approval of the preliminary/final land development for the redevelopment of property located at 2620 West Moreland Road.

The property was the parking lot for the former K-mart facility adjacent to the Willow Grove Park Mall, and in 2019, the property was subdivided to create this parcel mostly impervious surface used for parking. It has significant frontage along Moreland Road, although access will not be directly from that road and will remain as is. There are two existing driveways serving the At Home property and will provide access to this property as well as the parking lot.

The proposed development is a 3,062 sq. ft. Raising Cane's fast-food restaurant with accessory dual drive-thru lanes. The applicant has appeared before the Zoning Hearing Board twice where a special exception was obtained for the drive-thru facilities as well as for dimensional variances relating to landscaping requirements for the project.

Last week, the applicant appeared before the ZHB again seeking additional variances for items relating to land development; however, they have not yet rendered their decision, although those items will not have a significant impact on the proposed project. Also, the applicant received review letters from Township's consultants and the applicant will comply with all items as listed.

Ms. Allison Lee, Township Engineer, recommended approval of the preliminary/final major subdivision land development plan contingent upon the applicant addressing zoning and traffic comments regarding stacking where the menu board is located.

Ms. Michelle Robinson, representing the applicant, replied Raising Cane's has a focused menu serving only chicken fingers and sides, so the ordering process is quick by about 2.5 minutes. There are two models, peak and off-peak hours. During peak hours, menu boards are turned off and the crew goes out and takes orders. The reason for the two drive-thru lanes is that the crew delivers food to keep traffic moving. During off-peak hours, menu boards are on for customers to place their order and pickup at the window.

Ms. Strackhouse questioned whether the applicant will comply with recommendations by the EAC and Shade Tree Commission.

Mr. Lewis replied yes.

Mr. Brown asked about the applicant's request for a waiver from Act 537 Plan.

Mr. Kevin Tatlow replied the applicant submitted an exemption mailer and has not received a response yet.

Mr. Cooper asked for the number of Raising Cane's restaurants built over the past few years as takeout seems to be more and more popular.

Ms. Michelle Robinson replied there have been more than 700 across the country, five or six in Pennsylvania in the past year with one opening soon in Philadelphia. We work with the local authorities to manage traffic and stacking has not been an issue.

Mr. Lewis added that we will put together a traffic management plan to present to the Township, Fire Marshal, and Police Chief.

Township Engineer recommends approval of waiver requests by the applicant –

Mr. Rosen made a MOTION, seconded by Ms. Strackhouse to approve waiver from Section 146-9. A (1) – Application Stages – to allow for a concurrent preliminary and final land development submission.

MOTION was ADOPTED 8-0.

Mr. Rosen made a MOTION, seconded by Mr. Baker to approve a partial waiver from Sections 146-11. A (4), 146-11. A (8) and 146-11. A (11) – Property Identification Plan – applicant proposes utilizing aerial plan provided in the plan set as the property identification plan.

MOTION was ADOPTED 8-0.

Mr. Tatlow said a waiver is not needed from Section 146-11. A (7) – Property Identification Plan – as the applicant has provided a conversion from the Abington Sanitary Sewer Datum to NAVD88 Datum.

Ms. Strackhouse made a MOTION, seconded by Mr. Rosen to approve partial waiver from Section 146-11. B (7) – Property Identification Plan – as the applicant provided existing mains on existing features plan.

MOTION was ADOPTED 8-0.

Mr. Rosen made a MOTION, seconded by Mr. Cooper to approve waiver from Section 146-33. D – Drainage Pipe Size – applicant proposes 6", 10" and 12" HDPE piping for the site contingent upon that the stormwater piping and flows are adequately conveyed capturing stormwater runoff, and that calculations be provided to the Township Engineer for approval.

Mr. Tatlow noted that stormwater calculations were run to confirm that the pipe sizes are adequate.

Mr. DiCello questioned whether there could be sediment build up on the proposed pipe sizes.

Mr. Tatlow replied we have a few yard drains in the landscape area and inlets within the parking area to minimize drainage to each structure.

Mr. Lewis clarified that all pipes will be subject to stormwater management and a maintenance agreement therefore requiring routine maintenance to make sure the pipes are not clogged. Is that correct?

Mr. Tatlow replied that is correct, and there will be maintenance on the basin as well.

MOTION was ADOPTED 8-0.

Mr. Rosen made a MOTION, seconded by Ms. Strackhouse to approve waiver from Section 146-43. C (3) (a) – Erosion & Sediment Control – applicant proposes slopes of 15.5% to tie into the existing curb elevations.

MOTION was ADOPTED 8-0.

Mr. Brown asked for any public comment.

Karen Milovcich, resident, questioned whether the traffic study considered the apartments being built across the street.

Mr. Lewis replied yes, and the traffic study showed there will be no detrimental impact along Moreland Road.

Lora Lehmann, resident, requested information about the Planning Commission meetings be sent to residents that concern them.

Ms. Strackhouse replied that she will follow up on it.

Mr. Rosen commented that he would like the Planning Commission meetings to be taped as well as notifications be sent to neighbors who are affected by this development.

Mr. Rosen made a MOTION, seconded by Mr. Baker to approve the Preliminary/Final Land Development – LD-22-06 – 2620 West Moreland Road (Raising Cane's) and to approve waiver requests as listed as well as a resolution of the remaining zoning items.

MOTION was ADOPTED 8-0.

ADJOURNMENT: 8:50 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary