

The stated meeting of the Planning Commission of the Township of Abington was held on Tuesday, August 24, 2021, via Zoom webinar and teleconference, with Chairperson Lucy Strackhouse presiding.

CALL TO ORDER: 7:30 p.m.

ROLL CALL: Present: BROWN, DiCELLO (7:41 p.m.), ROBINSON, GAUTHIER, ROSEN, COOPER, RUSSELL, BAKER, STRACKHOUSE

Also Present: County Planner JARRELL
Township Engineer LEE
Administrative Manager WYRSTA

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

Mr. Brown made a MOTION, seconded by Ms. Gauthier to approve the minutes of the Planning Commission Meeting of July 27, 2021.

MOTION was ADOPTED 8-0. Mr. DiCello was not present at this time.

PRESENTATION: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Consider approval of Minor Land Development Plan for the Rydal Park Medical Center Patio located at 1515 The Fairway:

Ms. Strackhouse said the applicant proposes to remove approximately 650 sq. ft. of an existing concrete sidewalk and construct a 2,600 sq. ft. patio and water feature for a net impervious area of 2,071 sq. ft. As part of the construction of the patio and water feature, the applicant also proposes outdoor seating, a pergola structure over the patio and an outdoor grill/kitchen island. In addition, the applicant proposes stormwater management BMPs in the form of drain basins with water quality inserts and landscaping. The subject parcel is surrounded by Meadowbrook, The Fairway, Rydal Road to the south, Susquehanna Road to the north/east and commercial properties to the west.

Access to/from the site; there will be two existing driveway entrances with one intersecting the Fairway and one intersecting Susquehanna Road. The project is located within the A/O Apartment/Office Zoning District, Ward 7, operating as a lifecare facility of continuous care.

Ms. Strackhouse asked for any public comments. There were none.

Mr. Rick Stonebeck, PE with Charles E. Shoemaker, representing the applicant, said about 12 years ago, the medical center was built with a connecting corridor to the existing buildings, and it is located on the east side between Rydal Road and the entrance to The Fairway. Rydal Park initiated a multi-year capital campaign to enhance outdoor space that was done by the residents who raised funds. They were looking for a site for a patio to bring people outside and the area is in a notch of the medical building that is adjacent to a tributary to Rydal Creek and there was a five- or six-foot-high retaining wall built along side of the stream, and this is an area above the retaining wall that abuts two sides of the medical center.

Plan of Rydal Park was presented showing the medical center and location of where the patio will be built noting there will be access from the elevator from the upper floors of the medical center to the patio and pergola. Improvements include a kitchen, small grill, sink, and refrigerator. There is a retaining wall, sidewalk is proposed next to it and a water feature of a waterfall from a pond that has a mechanical pump that recycles water. Landscape plan along with the planting schedule was presented and regarding street trees; one will remain in its current location and the other three will be replaced.

Ms. Strackhouse noted that the EAC and Shade Tree Commission provided a review letter dated August 11, 2021, and she read the summary into the record as follows:

“In summary, we are concerned about the addition of any new impervious surface near our streams, especially those that encroach on both zones of the Riparian Corridor Conservation District boundary. The widths established via the buffer zones are intended to provide adequate space for vegetation to help slow and filter runoff from entering the streams. This area includes existing vegetation. The site has already been impacted due to the original building construction and this has resulted in difficult underlying site conditions for traditional green infrastructure approaches. We urge the owners to be very vigilant in proper maintenance of this new patio area.”

Mr. Stonebeck noted that there are existing stormwater pipes through the area that drain the roof of the garage and proposed are small drains across the patio area to keep it flat and there is a storm inlet that will trap sediment that requires maintenance in which Rydal Park has onsite maintenance staff, which is an appropriate solution for the patio area. Infiltration testing was done, and it is almost nonexistent so that is why we will use this BMPs of water-quality inlets. In addition, there are small pipes that connect to the existing drainage system below the inlets, and they will be perforated in open grated stone to provide more storage.

Per Township Engineer's review letter dated August 17, 2021, the applicant received variances granted by the Zoning Hearing Board subject to conditions as listed.

Township Engineer supports the following waivers requested by the applicant:

Section 146-11A (4) – Property Identification Plan.

Section 146-11 B (3) - Existing Features Plan.

Section 146 -11 B (7) - Existing Features Plan.

Section 146-11 J - Recreational Facilities Plan.

Section 146-11 K – Sewer Modules.

Section 146-11 M (1) (a) – Sanitary Sewer Availability.

Section 146-11 M (1) (b) – Documentations.

Section 146-33 C – Drainage Location.

Section 146-33 D – Drainage.

Section 146-39 A (1) – Shade Trees.

Section 142-302 B (2) (a) – SWM Plan Contents – in addition to the information shown on the existing features plan on Sheet 3, the applicant should include the identification of the steep slope areas; however, the applicant may wish to consider requesting a partial waiver from this section of the code for the site due to the limited size and scope of the project.

Ms. Gauthier questioned whether the proposed stormwater management and BMP's meets the requirements to mitigate stormwater runoff from the patio area.

Ms. Allison Lee, Township Engineer, replied the applicant is required to provide for groundwater recharge and water quality, and due to poor infiltration, the applicant may wish to consider additional stormwater BMPs such as a stone trench along the pipe-runs to allow for added opportunities to store and slowly dissipate the stormwater runoff.

Mr. Stonebeck stated that the applicant will comply with all comments as listed in Township Engineer's review letter dated August 17, 2021.

Mr. Eric Jarrell, MCPC, said review letter dated August 20, 2021, per Mr. Mike Narcowich, notes there is plan information and zoning requirements that need to be added to the plan. Under the transportation section, the Abington Master Bike Plan recommends bicyclist signage be added to the area along The Fairway between Old York Road and Susquehanna Road. Also, recommended is that the applicant consider pedestrian improvements along Susquehanna Road such as painting a crosswalk over the vehicular access point to Rydal Park.

Ms. Andrea Gibson, representing Rydal Park, said we appreciate the recommendation; however, given that this project does not connect to where the proposed crosswalk would be painted, we will take it under advisement for the community, but this project is being funded by the residents and it would not be appropriate to use their funds to put the crosswalks in.

Ms. Strackhouse questioned whether the applicant would be amenable to working with the Township about installation of bicycle signage.

Ms. Gibson replied yes, we would be open to that request.

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

Mr. Baker asked if it is a fully enclosed courtyard?

Mr. Stonebeck replied there is a fence on every side of the building except for the walkway that goes out towards The Fairway along the side of the garage.

Ms. Catharine Farnen, representing the applicant, presented the lighting plan noting that we will comply with the Township's lighting requirements.

Ms. Strackhouse asked for any public comments.

Lora Lehmann, resident, asked how far does this go into the buffer of the stream, and she expressed concern about "encroaching on regulations of protection for the stream." Also, she asked for the invasive vines along the creek banks to be removed.

Mr. Stonebeck replied there is no stream buffer; however, there is a riparian ordinance that has two different zones, Zone 1 and Zone 2, and riparian corridors are measured from the streambank. Zone 1 extends about 12 feet and Zone 2 encompasses most of the patio area.

Ms. Gauthier made a MOTION, seconded by Mr. Russell to approve the Minor Land Development Plan for the Rydal Park Medical Center Patio located at 1515 The Fairway subject to the conditions that the applicant use native plantings; stripe the crosswalk over the vehicle access point to Rydal Park; comply with the additional stormwater BMPs as noted in Township Engineer's letter dated August 17, 2021, and consider providing bicycle signage to the area along The Fairway; also, to approve requested waivers as listed.

MOTION was ADOPTED 9-0.

Request of Penn State University (PSU) for Enactment of Zoning Map and Text Amendment:

Ms. Strackhouse said this is a continuation from our last meeting in July, and we are not considering land development at this time as that will come later in the process. Tonight, the Planning Commission will consider a request for zoning text and map amendments. She asked for any public comments.

Lora Lehmann, resident, expressed concern that the text amendment indicates multiple buildings so where could they be located at Penn State; also, the text amendment may have features that we may not want to approve due to the result.

Mr. Marc Jonas, Attorney representing PSU, said we are requesting a legislative change for a zoning text amendment and zoning map amendment, which has been reviewed by Township staff, the MCPC and Township Solicitor and has been revised numerous times as well as we have conducted a series of community meetings providing information to the neighbors as well as keeping Commissioner Hecker informed.

He gave a power point presentation showing a photo of proposed academic building; a view of Cloverly Lane and the location of proposed new building as well as a view of the campus side of Cloverly Lane where three separate tax parcels are zoned R-1 and map amendment proposes to change the zoning from R-1 Residential to CS-Community Service. The three tax properties are located at 1665, 1681, and 1639 Cloverly Lane totaling 2.4 acres adding to a 42-acre university campus.

Ms. Gauthier questioned whether a map will be added as an exhibit to the zoning map change.

Mr. Jonas replied if the Township Solicitor deems that to be appropriate then we will do that. Regarding proposed E-18 use; the 2017 Zoning Ordinance divides the uses by categories and types of uses and there is currently an E-14 use that is for all schools public/private, and after review of the E-14, we feel it would be appropriate to request that the Board of Commissioners create a new use category, and we tweaked the regulations for colleges and university. A chart was provided comparing the E-14 to E-18 use category noting the impervious surface would be changed from 40% to 45% and changed the minimum green area from 62% to 55%. The new academic building would be about 40.2% impervious coverage and 45% provides some “wiggle room,” and this plan has not yet been fully engineered as we are just at the zoning stage. Also, the text amendment includes provisions for maximum building height; temporary classroom trailers; architectural review; security features; mechanical HVAC systems; location of trash, storage, tanks, and loading as well as a Master Facilities Plan.

Additional provisions include the setback requirements from existing 300 ft. from residential properties changed to 100-ft. setback from lot line of a residential property; provision was added for a traffic study; also, a detailed analysis of steep slopes was submitted to Township Engineer who confirmed that if the project remains as proposed, the applicant will not need any steep slope relief from existing zoning regulations. Proposed text amendment also includes provisions for parking areas, loading berths and parking spaces. Ground cover comparison chart showed existing at 37.0% impervious surface and proposed would be 40.2%. Steep slope exhibit showed no violation of the zoning provisions, so the applicant does not require any zoning relief for steep slopes.

Minor tweaking still needs to be done regarding the language of proposed text amendment relating to being able to have a bookstore within the academic building, etc.

Ms. Strackhouse noted there were concerns by the Planning Commission as listed in the minutes of July 27, 2021 as follows in which some of the items have now been addressed by the applicant.

1. Maximum impervious surface change from 40% to 45%.
2. The green area reduction from 62% to 55%.
3. The Board of Commissioners should be provided with existing data for the entire site including the three parcels proposed to be rezoned, so the maximum impervious surface and green area can be compared.
4. Section 3 regarding the J-1 use, decide whether it should be deleted, or the language changed, or specifically exclude use E-5 – Dormitory.
5. In Section A-6 - add the parenthesis at the end of “2 acres.”
6. Section A-7 - there was discussion regarding 100 ft. setback from the property line rather than making it the standard 300 ft. setback for outdoor events such as graduations, etc.

7. Item B – Excavation - the Township's Engineer language should be included in this section, so more discussion is needed.
8. Parking setbacks still need to be clarified regarding the 12 ft. buffer for existing parking versus proposed parking.
9. Identify other parcels within the Township that the proposed text amendment could be applied to.
10. Regarding the map amendment, the acreage should be included for the proposed parcels to be rezoned such as a clear parcel map and include it as an exhibit.

Mr. DiCello commented that he would prefer the impervious surface remain at 40% and the minimum green area at 62%.

Mr. Baker commented that the applicant is trying to change the zoning to fit a particular design and we owe it to the Township to maintain our green space, so he agrees it should remain at 40%.

Ms. Gauthier noted the applicant addressed Item 3.

Mr. Rosen said regarding Item 4, there should be footnotes or annotation that there will not be a dormitory use provided in the new academic building.

Mr. Jarrell noted that a dormitory use is not permitted in the CS District currently. There is a memo dated August 20, 2021, from Mr. Narcowich outlining the changes he made to the draft text amendment, and he removed the section for mixed uses in reference to J-1 and that we will rely on the current zoning accessory use standards, which have a maximum percent of a site or building that can be used for accessory uses.

Mr. Rosen continued that if there is no intention of using it as a dormitory, he assumes Mr. Jonas can insert language stating that in the provisions of the text amendment.

Mr. Jonas replied that the ordinance does not permit residential dormitory uses now, so there is no need to double that prohibition.

Ms. Gauthier asked about the 100 ft. setback provision.

Mr. Doug Waite, representing the applicant, replied all buildings are existing nonconforming and it is to fit the new building.

Mr. Baker questioned why not 150 ft. setback.

Mr. Waite replied 150 ft. would make the proposed building noncompliant and the reason for the location is that it is the only flat area to construct a building including parking and walkways.

Mr. Baker continued that this text amendment could ultimately affect other properties.

Mr. Brown agreed that the applicant should push the setback closer to where the existing envelop is of the proposed new building.

Mr. Jonas said regarding Item 7, the applicant's engineer submitted an analysis of the steep slope provisions for slopes greater than 15% and Township Engineer confirmed that none of the building as proposed will require any steep slope relief.

Ms. Gauthier said regarding Item 8, it is an existing nonconforming issue regarding the parking along Cloverly, and Mr. Narcowich indicated that they need to meet the front yard setback of 75 ft., but the applicant wants to continue the nonconformity along Cloverly.

Mr. Russell said he has no issue with Item 8.

Mr. Jarrell said per memo by Mr. Narcowich, some of the revisions were made to the ordinance by the applicant; and regarding the 12 ft. buffer, we recognize that for the proposed new vehicle parking, it could be located with only a 12 ft. buffer and required is an additional buffer of 20% of Evergreen shrubs and trees to the entire 12 ft. buffer area.

Mr. DiCello said Item 9 still needs to be addressed by the applicant.

Ms. Strackhouse said regarding Item 10, the map exhibit has been received.

Ms. Gauthier questioned whether Woodland Road is a collector road.

Mr. Russell replied that The Fairway and Old York Road are arterial roads and Woodland Road classifies as a collector road.

Ms. Gauthier said then no change is necessary.

Mr. Jarrell said the requirements proposed for the Use E-18-University Campus only apply to the CS District and only for a university.

Mr. Jonas said some tweaking was made to the requirements such as impervious surface, green area, and setback requirements to accommodate the new academic building and text amendment is mindful of the location of the university as well as the neighborhood and that is why we held community meetings.

Ms. Gauthier said she has an issue with the parking, so she would like to see as much green area as possible.

Mr. Baker said regarding the 100 ft. versus 300 ft. setback, he measured, and there is 150 feet from the proposed building to residences, and he does not see modifying that as being a hardship.

Mr. Rosen said he regards PSU as one of the two greatest assets in Abington, and he is eager to accommodate them as they are proposing something constructive for the university as well as the community and the fact that they are willing to invest in this campus is a “feather in Abington’s cap” and will bring value to the community.

Mr. Russell agreed with Mr. Rosen, and this should move forward as proposed.

Ms. Allison Lee questioned whether the applicant has considered some porous technologies that could improve the impervious coverage.

Mr. Jonas replied we will look at that during land development process.

Ms. Strackhouse asked for any public comments.

Lora Lehmann, resident, asked what the infill building will be and why is the 300 ft. setback needed?

Drew Waropay asked how far does the traffic study extend?

Mr. Jonas replied proposed ordinance requires a traffic study and the applicant’s engineer as well as the Township’s engineer will determine the scope of the area that will be examined, and it will be a comprehensive process. Also, he requested a recommendation of approval of proposed zoning text/map amendments by the Planning Commission.

Ms. Gauthier noted that at the last meeting, it was discussed that since PSU will not be adding any additional students to the proposed academic building, that a traffic study would not be needed. Is that correct?

Mr. Russell replied that it was stated that it would not likely reach the threshold of 300 vehicles, but if it does, they would need a traffic study.

Ms. Gauthier made a MOTION, seconded by Mr. DiCello to approve request by Penn State University (PSU) of enactment of a zoning map and zoning text amendment subject to the conditions that the maximum impervious surface remains at 40%; the minimum green area remains at 62%, the parking along Cloverly Lane only be permitted within the 12-foot setback; and that there be 150-foot setback from residential properties.

Ms. Strackhouse asked for a roll call vote to be taken as follows:

Ms. Gauthier voted yes.

Mr. DiCello voted yes.

Mr. Brown voted yes.

Mr. Baker voted yes.

Ms. Robinson voted yes.

Mr. Rosen voted no.

Mr. Cooper voted no.

Mr. Russell voted no.

Ms. Strackhouse voted no.

MOTION was ADOPTED 5-4.

ADJOURNMENT: 10:00 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary