

The stated meeting of the Planning Commission of the Township of Abington was held on Tuesday, September 26, 2023 via webinar and in-person at the Township Administration Building, Abington, PA. with Chairman Brown presiding.

CALL TO ORDER: 7:34 p.m.

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

Also Present: Township Engineer Lee
County Planner Narcowich
Traffic Engineer Richardson

PLEDGE OF ALLEGIANCE

CONSIDER APPROVAL OF MINUTES:

Mr. DiCello made a MOTION, seconded by Ms. Strackhouse to approve the Planning Commission Meeting minutes of July 25, 2023.

MOTION was ADOPTED 7-0.

PRESENTATION: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Recommendation on the Conditional Use application on Chaverim Realty Partner, LLC for the location at 1209 Rydal Road, Abington, PA 19001:

Mr. Brown said the subject property is a 7.316-acre parcel with frontage on Rydal and Woodland Roads with an existing single-family dwelling. The applicant proposes to subdivide the property into two parcels. Lot 1 will consist of 1.272 acres and contain the existing single-family dwelling. Lot 2 will consist of 6.281 acres and proposed is a senior care facility consisting of a 74 unit, 82 bed Assisted Living/Memory Care facility contained in Building One and a 46-unit Independent Living facility in Building Two.

Since the first submission, the applicant revised the subdivision lot boundary to comply with dimensional regulations of the zoning district in which the site is located.

Under the current resubmission with the revised lot boundary, the applicant is now proposing to subdivide the above referenced 7.316-acre property into two (2) parcels as follows: Lot 1 will consist of 1.622 acres containing the existing single-family detached dwelling that will remain, and Lot 2 will consist of the remaining 5.696 acres of vacant land, which is proposed to be developed for two (2) new senior care facilities totaling 120 units.

Mr. Matthew McHugh, Attorney representing the applicant, said this is a conditional use application for a proposed 120-unit Senior Care Facility at 1209 Rydal Road and he requested approval by the Planning Commission on this application. Several resubmissions and revisions were made to the plan to address comments from the Township's Zoning Officer and Traffic Engineer.

Mr. John Anderson, Project Engineer, presented an aerial photo of the property noting the property is encumbered by a riparian corridor, steep slopes, and an existing home fronting Rydal Road. The proposal is to subdivide the property into two lots. Lot 1 will consist of the existing single-family home and Lot 2 will be used as a senior housing development.

The existing home has access onto Rydal Road and the proposed development will take access from Woodland Road. Lots 1 and 2 are in the R-1 District and there will be no changes made to Lot 1. Lot 2 will consist of an E-10- and E-12 use defined in the zoning code as a senior care facility and lifecare/nursing home dividing each use into two buildings.

There will be two access points off Woodland Road; an entrance into the development allowing access into the parking area associated with the first building and a main entrance into the facility that would then access the parking, drive isles and loading areas associated with the rear building.

Site plan was presented along with the existing conditions plan that includes steep slopes, the riparian corridor, natural features, landscaping, lighting, conceptual grading plan as well as turning movements for emergency service vehicles, trash collection and delivery trucks.

Proposed are 118 parking spaces, and the calculations for surface and underground parking areas were presented. Underground parking will be used by employees and the surface parking area will be available for residents and visitors.

Sidewalks will be installed along the front of the property on Woodland that will connect to the existing sidewalk on Valley. Pedestrian crossings will be installed at the two entrance drives as well as pedestrian paths to both buildings and along the perimeter to the parking areas.

Internal access drives will be built to the Township's specifications and maintained in accordance with the ordinance and the open space for this development will be privately maintained.

Building One in the rear of the site will be an assisted living/memory care facility with 74 units, 82 beds and Building Two will be an independent living facility with 46-units, 55 beds. Renderings of proposed buildings were presented.

The plan complies with building dimensions, impervious coverage and green area requirements, and density and parking calculations for both the E-10 and E-12 use were reviewed. There will be no accessory structures except for structures required for parking, retaining walls, etc.

The existing conditions plan shows the riparian buffer as well as the steep slope area noting there will be minor encroachment, and all comments as listed in the review letters from Township's consultants were addressed.

Ms. Allison Lee, Township Engineer, provided a review letter dated August 15, 2023 of the third submission by the applicant who addressed all outstanding zoning comments.

Mr. Narcowich, County Planner, said he submitted an informal memo regarding connecting the proposed sidewalk to the existing sidewalk. He asked about outdoor seating areas such as a gazebo; stormwater management facilities; and the design for alternate loading zones.

Mr. Anderson replied that the extension of the sidewalk would be within the existing right-of-way that can be connected to the existing sidewalk. Also, we will work with the Township to identify areas for outdoor seating if it complies with the zoning ordinance. No stormwater management design has been done at this time as this is the conditional use stage, although we intend to comply with the Township's Stormwater Management Ordinance.

Mr. Greg Elmore, e2k Consulting, representing the applicant, added that there are covered outdoor areas for Building One. The loading zones are for fire access, and the trash enclosure and delivery bay are set so they would be used by both buildings with deliveries only going to Building One.

Mr. Narcowich said regarding plans for the pedestrian system, he suggested a crosswalk connecting to the rear door where the ADA ramp crosswalk is located extending the walkway to the opposite sidewalk as well as providing a more direct route for pedestrians.

Mr. Anderson replied we will consider it.

Mr. Brown asked for comments from members of the Planning Commission.

Ms. Strackhouse asked why is a senior living development being proposed in this residential neighborhood?

Mr. McHugh replied it is permitted in the R-1 Zoning District, and there is a need for senior residences in Abington Township as identified in the Comp Plan that was amended to include this type of use in the R-1 District. It is an appropriate use at an appropriate location and complies with the requirements of the zoning ordinance.

Ms. Strackhouse questioned whether market studies were done in this area of Montgomery County.

Mr. McHugh replied we feel there is a suitable need here based on market availability.

Ms. Strackhouse said she has many issues with the proposed plan. She worked with the Comp Plan Development Team, and although the Comp Plan has not been finalized, it says, "A gradual transition will occur in areas of low density residential, higher density residential and commercial mixed-use areas," and there is no transition. This plan greatly changes the character of this residential neighborhood, and she has a problem with it.

Mr. McHugh replied we are providing a lot of open space and structuring it so that it will have the least impact on the neighborhood.

Mr. Baker said it is a dense use in a low-density neighborhood. He expressed concern about the traffic especially from Woodland onto Valley, and were traffic studies done on that intersection?

Mr. McHugh replied that a full traffic study has not been done at this time, but our traffic engineer studied trip generation, the comparison to suitability of the access points on Woodland Road as well as parking demand. There will be increased trips, but there will be off-peak times and staggered times when most of the staff arrives onsite, and during the land development stage, there will be a requirement for a complete traffic study.

Mr. DiCello said there will be a large volume of delivery vehicles, so would there be adequate sight distance at the intersection of Valley and Woodland Roads?

Ms. Sandy Koza replied that the sight distance at the full movement driveway on Woodland Road and the right-out only driveway were reviewed and it meets the minimum required safe sight distance requirements per PennDOT's criteria. Also, as part of the development, there will be minor widening to provide a wider shoulder and clearing along the frontage for installation of sidewalks that will help with sight distance because vegetation will be removed.

Mr. Weatherly said that although this is a well-developed plan, he questioned the location of a four-story building in a low-density residential district.

Mr. McHugh replied that the development has been scaled back and changes were made to address comments in the review letters.

Mr. Rosen said introducing such a conspicuous and colossal structure into this private bucolic setting would be violating the trust of the residents who have invested their future into their homes, and we need to hear how the neighbors feel about it.

Mr. Brown read a written statement into the record from Mr. Glen Cooper, member of the Planning Commission (not in attendance), who opposed the application as it stands.

Mr. Brown said although the applicant has satisfied the technical requirements, he is not convinced they have met the conditional use criteria outlined in Section 1806 that says, “The scale of the use shall relate to and compliment the surrounding area,” so he does not believe it fits in with the character or complements the surrounding area.

Mr. Brown asked for any public comment.

Tom Stone, 1535 Woodland Road, commented that he and his wife lived on Woodland Road for 34 years, and this proposal is completely out of character. Woodland Road is 1.3 miles, and within that span, there is a hospital, medical plaza, and Penn State University, and to add this building would be completely unacceptable.

Larry Weilheimer, 1282 Rydal Road, commented that the code says, “The Board of Commissioners shall grant a conditional use only if it finds adequate evidence that any proposed development submitted will meet all of the following general requirements as well as any specific requirements and standards listed herein for the proposed use.” Also, the criteria listed under general requirements states that the proposed use should be “consistent with the spirit, purposes, and intent of the applicable zoning district,” and that “an improvement which is not a detriment to the properties in the immediate vicinity and which shall be in the best interest of the Township.”

So, this facility is completely inconsistent and noncomplimentary to the surrounding area and there would be issues with traffic, lighting, and noise, and he strongly urged the Planning Commission to deny the conditional use application.

Michelle DiBello, 1419 Woodland Road, commented that she has been a resident for 20 years, and this four-story nursing home does not fit in with the character of the neighborhood. It’s proposed to be built on a giant hill and no fence or vegetation would help the devastating loss of privacy for the neighbors. Also, she expressed concern about the parking lot being a hive of activity at all hours of the day/night with medical waste and delivery trucks, handicap transport vehicles and 24-hour staff, so there would be no “harmony,” and it would not align with our peaceful neighborhood. She urged the Planning Commission to oppose it.

Ed Trauffer, 1625 Amity Road, commented that if he had known that something like this would happen in his neighborhood, he would not be living in Abington today because this will be a complete disaster for residents.

Kathy Driscoll, 1440 Woodland Road, commented that she has lived here for 23 years, and this conditional use will create significant harm to our neighborhood. She expressed concern about an increase in traffic on Woodland Road as well as surrounding roadways and the lack of appropriate sightlines; also, about the large parking lot with outside lighting and no buffer. This proposal is not consistent with the safety and character of the neighborhood and should not be recommended to the Board of Commissioners.

Geraldine Erwine, 1421 Dorel Road, commented that she has lived here for 14 years and expressed concern that the traffic studies are not sufficient as they were conducted in the summertime and do not take into consideration the school district and its school buses and Penn State Abington students being in session; also about recent crashes at the intersection of Woodland, Valley, and Dorel Roads, which is a traffic safety issue. This conditional use would not compliment the neighborhood and she asked the Planning Commission to deny the application.

Lori Shapiro commented that she and her husband Josh have lived on Cloverly Lane for 20 years, and this proposal shows blatant disregard for the community as well as for the character of the neighborhood, and they are very much opposed to this plan.

Aina Renwick, 1429 Dorel Road, presented photos of her backyard and expressed concern about a four-story building towering over her home. How will stormwater runoff be managed since the homes on Dorel have already experienced flooding during extreme weather, and the proposed development will cause an increase in traffic and speeding on Dorel as well as decrease property value and dramatically change our neighborhood, so she is absolutely opposed to the proposed development and requested that the Planning Commission deny this conditional use application.

Joe Dougherty, 1638 Amity Road, commented that he is a realtor, and this project will significantly decrease property values in this neighborhood that will have a trickledown effect through Rydal. Also, the density of the proposed development would not fit in with the character of the neighborhood and be detrimental to this community as well as the Township, so it should not be approved.

Eric Wilkens, 1760 Cloverly Lane, expressed concern that the plan as presented is inconsistent with the spirit of the neighborhood, and there is very little difference between this building and a hotel. Also, there will be increased traffic and speeding, which is already a hazard for motorists and pedestrians, and this project will do nothing to help that.

Jamie Wiener, 1012 Lindsay Lane, commented that this project is highly inconsistent with the surrounding neighborhood. People bought homes in this area because they do not want to live near something like this proposed building and it will decrease the value of homes in the surrounding area, so he urged the Planning Commission not to consider this proposal.

Kim Seese, 1443 Woodland Road, commented that this developer bought this lot for \$600,000 and there is approximately \$1 million existing home on the property, so there is no reason why they could not develop this lot with two or three single family homes that would fit in with the character of the neighborhood. They are being “greedy,” and their proposal does not fit in with the neighborhood and it will have disastrous consequences, so she urged the Planning Commission to deny the application.

Ms. Rochelle, Meadowbrook Court, provided her statement in writing as to why this is not an appropriate development citing concerns about flooding, polluted stream, and delivery trucks. And lifecare facilities should be kept in zoning districts that support it not in an R-1 Residential Zoning District.

Lisa Kimbro, 1311 Meadowbrook Court, expressed concern about an incremental increase in stormwater runoff on Meadowbrook Court. She has seen rainfall this year that brought Meadowbrook over the bank, and the Township must require that the developer use state-of-the-art engineering solutions both in the construction process and project configuration to avoid stormwater damage to downstream properties, and if that cannot be achieved, the project should be denied. She also expressed concern about trucks traveling through the neighborhood at all hours of the day/night, which would be inappropriate for a quiet residential neighborhood.

Dan Dvor, 1446 Rydal Road, commented this proposal would change our quiet neighborhood as it is not in character and would be detrimental, so he hopes this does not go through and that the Planning Commission makes the right decision about this neighborhood.

Gail Weilheimer, 1282 Rydal Road, commented that the developer’s application should fail as it violates the first prong of conditional use compliance that was adopted by the Township specifically the SALDO in which Section 146-30 directs that, “Lots that are excessively irregular in shape are to be avoided.” The developer’s proposed subdivision shows that the only way they can create the five acres needed to build this facility would be gerrymandering the lot size by curving around Lot 1, and by including the undevelopable steep slope acreage into their total computation, creates an irregular lot shape.

The proposed subdivision not only violates the specific language of the SALDO but violates the spirit of the rule by creating a five-acre minimum needed for this lifecare facility, so the applicant is really asking for a waiver of the required minimum lot size, and since the applicant’s proposed subdivision lines violate the SALDOs irregular lot shape, the proposal in its entirety should be denied because it violates the first prong for conditional use.

Additionally, the developer has grossly underestimated the number of staff that would be required for this facility having a far-reaching impact on everything else such as the number of parking spaces and impervious surface ratio, which will require zoning relief as well as having an impact on traffic, so that is why this application should be denied.

Eric Weren, 1443 Dorel Road, expressed concern about stormwater runoff on Valley and Woodland Roads. Also, about the number of staff needed for the proposed facility, and within three miles of this site, there are 13 senior facilities, and we don't need that many in Abington.

Mark Nealy, 1421 Orchard Hill Lane, expressed his opposition to the proposed facility as this project would be a complete violation of the character of the neighborhood and would dwarf the immediate surrounding single family residential homes. The increase in traffic, noise, stormwater runoff and parking would be an abomination as compared to the current bucolic setting, so on those factors alone the Planning Commission should deny this application.

Karen Milovcich, resident, commented that the hospital system is already overloaded, and this would be a detriment to the community.

Mr. Rosen made a MOTION, seconded by Ms. Strackhouse to deny the conditional use application.

MOTION was ADOPTED 7-0.

ADJOURNMENT: 9:29 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary