

Regular Borough Council Meeting

May 5, 2014

The Regular Meeting of Souderton Borough Council, held on Monday, May 5, 2014, was called to order by President Brian K. Goshow at 7:35 p.m. Members of Borough Council present at the regular meeting included the following:

President Brian K. Goshow	Councillor Kevin Souder
Vice-President Andrew Schlosser	Mayor John R. Reynolds
Councillor Ned D. Leight	Junior Councillor Triston Loux
Councillor D. Jeffrey Gross	
Councillor Richard Godshall	Solicitor Robert R. Bricker
Councillor Daniel Houser	Borough Manager P. Michael Coll
Councillor Preston Miller	Police Chief James P. Leary
Councillor Richard Halbom	Public Works Director Steven R. Coll

The Invocation was given by Borough Councillor D. Jeffrey Gross, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the April 7, 2014 Regular Borough Council Meeting and April Work Sessions. A motion was made by Councillor Richard Halbom, seconded by Councillor Preston Miller, to approve the minutes of the April 7, 2014 Regular Borough Council Meeting and April 2014 Work Sessions as presented. The motion was approved.

President Brian Goshow next recognized Earl S. Colella, 104 S. Second Street, Souderton, PA who requested an opportunity to make a presentation to Borough Council concerning the recent service provided by Police Officer James Throop. Mr. Colella read the following letter:

Officer James Throop
Souderton Police Department
31 W. Summit Street
Souderton, PA 18964

Subject: Letter of Appreciation

Dear Officer Throop:

I am writing this letter of appreciation for the actions you took on Wednesday, April 23, 2014, at approximately 0300 hours. Your actions may have saved the lives of my family and most definitely my home.

I awoke that morning to what I thought was a dream, (someone banging on my front door) it was 3033 and I was in a deep sleep. I then heard once again loud knocking at my front door and I knew it was not a dream. When I came down the stairs and saw a police uniform, my heart went into my throat (my wife was traveling to see her ill mother). When I answered the door, you explained that while on patrol, you noticed my lights flickering and they became more violent on each patrol. You said you feared my home to have a fire and wanted to alert me of the situation.

I inspected my home and found arcing coming from my main electrical panel; (picture of internal panel attached). I immediately opened the main breaker. That Friday my panel was replaced by an electrician. It had many shorts inside of it and was a fire hazard.

Your concern for the citizens of Souderton, attention to detail and intestinal fortitude while on patrol that night, saved my home and possibly my life. Your devotion to duty and professionalism reflect greatly on yourself, the law enforcement community and the Souderton Police Department.

Chief James Leary received the letter of appreciation on behalf of Officer James Throop, expressing his appreciation to Earl Colella for his kind words of appreciation.

President Brian Goshow next recognized Timothy Hendricks, representing Turnersville Estates. Mr. Hendricks commented that last Friday he submitted a revised sketch plan for the re-development of the former Souderton high School site. At the last Borough Council work session concern was expressed over the density of the site. The revised sketch plan has been designed to address the concerns of Borough Council and he briefly discussed the following revisions that were made to the conceptual development

plan:

- The concept plan shows a new potential connection between the dentist office and the development to create opportunity for shared parking. A similar connection is proposed for Jesse's Barbeque. The plan was further revised to incorporate the lot line adjustment and enlarged parking lot for the Detweiler Hershey Office, as requested by Bruce Detweiler and his engineer.
- The revised concept plan removes the multi-story apartment complex along School Lane. The stacked townhomes along East Chestnut Street and School Lane have been removed and replaced with a more traditional three story single family townhome.
- Building heights on the interior mixed use buildings have been reduced to four stories, with a five story hotel building fronting along County Line Road. The net result of the revisions dropped over 100 residential units from the development.
- The development is substantially less dense than the original development plan that was submitted. The development mix is now approximately 54% residential and 46% commercial. Still slightly more residential than what is currently provided for in the Zoning Ordinance.

Borough Council members asked a few questions of Developer Timothy Hendricks. President Brian Goshow noted that further discussion on the development plan should be held at the next Administrative Work Session.

Mayor John Reynolds reported on the April 26th Community Clean Up Day in the Community Park. Members of Borough Council, Borough residents and Public Works personnel completed mulching around the park and pool. Another crew completed the planting of new trees in the Lawn Avenue Park. Saturday, May 24th will be the opening day for the Souderton pool and the Borough will once again sponsor a Community Day in the Park in conjunction with the Kiwanis Club Chicken Barbeque.

Mayor Reynolds read the following Proclamation:

IN RECOGNITION OF NIKOLAS C. PETERSON ON
ACHIEVING THE RANK OF EAGLE SCOUT

WHEREAS, Nikolas C. Peterson recently completed the requirements for the rank of Eagle Scout from Cradle of Liberty Council, Troop 401, in Souderton.; and

WHEREAS, Nikolas Peterson completed his Eagle Scout Project requirements by planning, coordinating and presenting a "Concert and Program about Bullying" at the Indian Valley Boys and Girls Club in Souderton; and

WHEREAS, this program was featured in local news articles and since the presentation, Nik was asked by the Penn Foundation to meet with other youth that have been bullied; and

WHEREAS, Nik has demonstrated compassion and his desire to stop bullying by standing up for other youth that are victims of bullying. Nik continues to devote his leadership skills as Troop Guide and a staff member for National Youth Leadership Training for the Scouts. He has served as Patrol Leader, Chaplin Aide and Den Chief in the troop and attended two National Jamborees. He is also a member in the Brotherhood of the Order of Arrow.

NOW, THEREFORE, I, John R. Reynolds, Mayor of the Borough of Souderton, joined by the members of Souderton Borough Council recognize and extend our recognition for the great achievement of Nikolas C. Peterson in completing the requirements for the rank of Eagle Scout through his compassion and efforts to stop bullying among our youth.

Police Chief James Leary reviewed his monthly narrative summary report to Borough Council. Chief Leary noted that he has completed a parking survey within the

downtown business district, showing that both the two hour and unrestricted spaces are available throughout the day. Chief Leary suggested that Borough Council consider holding the event for a third year and offered a personal donation of \$1,000 to begin the fundraising campaign for the event.

The Borough Solicitor's report for the month of May, 2014 was distributed to Borough Council. The Borough Solicitor reported that they advertised the public hearing for the proposed Property Maintenance Code Ordinance. The Solicitor attended a meeting with Borough staff and representatives of the developer of the Berkeley Court project. The Borough Solicitor was notified that the Department of Community and Economic Development has approved the train station interim financing.

Public Works Director Steven Coll noted that the truck used for brush and leaf collection is in the shop for repairs. Brush collection will resume as soon as the truck is replaced. Crews will also complete one last round of leaf collection throughout the Borough for the spring.

Borough Manager Michael Coll reported on the items scheduled for consideration. A motion has been prepared to enact the proposed ordinance to adopt the 2009 International Property Maintenance Code with several local amendments addressing placement of trash receptacles, dumpsters, and porch and deck furniture, along with a few other revisions and clarifications. Borough Council has indicated some concern with certain provisions of the ordinance as drafted. Should the matter be tabled, the Borough will have to re-advertise the ordinance for consideration at a future meeting.

Consideration was given to paying the bills for the month of April, 2014.

<u>GENERAL FUND</u>			
Blooming Glen Quarry	\$92.43	Comcast Cable	\$104.35
Clemens Uniform Rental	99.17	Cope's Garge, Inc	8,203.81
Comcast Cable	173.66	Daniel Beardsley Ltd	85.00
Cope's Garage, Inc	500.07	Davidheisers, Inc	26.00
Davidheisers, Inc	26.00	Delta Dental	1,138.56
E. M. Kutz, Inc.	115.53	Fairfield Inn & Suites Marriot	129.00
Fire Protection Services, LLC	170.00	Freedom Systems Corp	4,045.44
Fromm Electric Supply Corp.	103.98	HISI	4,465.00
Hatfield Borough	988.67	Independence Blue Cross	10,013.65
Home Depot	115.03	Indian Creek Foundation	441.00
Independence Blue Cross	10,013.65	Joseph J. Rudner, Jr.	140.00
Indian Creek Foundation	441.00	Keystone Health Plan east	10,791.36
John R. Young & Co.	567.00	Kuhls Law	161.00
Keystone Health Plan East	10,791.36	Kurt Scherzberg	135.00
Lansdale Police Department	3,000.00	Lauman & Son Radiator Service	300.00
Lawson Products, Inc.	591.99	Markey Paper & Packaging	166.85
Margaret Simcox	35.00	Metlife	4,920.28
Metlife	2,427.72	Montg Co Planning Comm	4,151.25
Moyer Indoor/Outdoor	3,081.89	Montgomery Newspaper	225.92
Nationwide Trust Co.	432.00	Moyer Indoor/Outdoor	3,674.72
Nationwide Trust Company	2,084.16	NAPA Auto Parts	8.29
Nextel Communications	181.58	Nationwide Trust Co	421.42
North American Benefits Co	886.49	Nationwide Trust Company	2,117.72
North Penn Water Authority	228.69	NetCarrier Telecom, Inc	406.91
Nyco Corporation	38.34	North American Benefits Co	886.49
PSAB- CDL Testing Program	65.00	Old Dominion Brush	718.00
PA Horticultural Society	500.00	PECO Energy	312.99
Perkiomen Watershed Conserv	250.00	PA One Call System	68.00
Shelly Enterprises, Inc	164.61	Plasterer Equipment Co., Inc	338.88
Shelly Enterprises, Inc	5.58	PPL Electric Utilities	3,355.94
Styer Associates	6,050.00	PPL Electric Utilities	16.40

Suburban Propane	3,576.73	Richter Drafting/Office Supply	295.46
Univest Bank & Trust Co	225,771.88	Robert W Harley, RPR	125.00
Univest VISA	102.00	Souderton-Telford Main Streets	5,500.00
Univest VISA	2,948.90	Suburban Propane	180.13
Univest VISA	719.34	Sudz In A Bucket	60.50
Unum Insurance Co	817.54	Telford Press Printers	281.00
Verizon Wireless	40.03	Univest VISA	600.00
NAPA Auto Parts	489.14	Univest VISA	637.40
Wellington Sporting Goods	22.77	Univest VISA	21.90
Youngs	22.90	Unum Insurance Co	817.54
Advanced Disposal	408.49	Urban Partners	2,799.96
A T & T	68.42	Verizon	60.69
Blooming Glen Quarry	101.69	Verizon Wireless	40.03
Bricker, Landis, Hunsberger	2,861.87	Wellington Sporting Goods	91.00
Bucks County Comm College	100.00	Wireless Communication	145.60
Clemens Uniform Rental	171.32	Total General Fund	\$356,069.06

SEWER FUND

Altek Business Systems, Inc.	\$62.25	Cintas First Aid & Safety	\$113.21
Bergey's Electric, Inc	6,584.00	Clemens Uniform Rental	151.07
Clemens Uniform Rental	49.46	Conestoga-Rovers	1,385.00
Comcast Cable	89.40	Coyne Chemical	5,046.50
EVOQUA Water Technologies	2,400.19	Delta Dental	358.30
Fromm Electric Supply Corp	129.42	EVOQUA Water Technologies	2,426.76
Hach Company	156.32	Fromm Electric Supply Corp	24.07
Hajoca Corporation	232.76	Good Plumbing Heating A/C, Inc	1,518.15
Hangley Aronchick Segal	1,971.00	Gouldley Welding & Fabrication	490.00
Independence Blue Cross	1,570.89	Graphic Controls LLC	260.49
Irvin G. Tyson & Son	1,256.00	HISI	997.00
Jesse Baro, Inc	4,041.44	Home Depot	17.79
K. J. Door Services, Inc	168.50	Independence Blue Cross	1,570.89
Keystone Fire Protection Co	256.70	Irvin G. Tyson & Son, Inc	478.00
Keystone Health Plan East	3,402.04	Jesse Baro, Inc	7,533.82
Metlife	46.14	Johnstone Supply	138.15
Moyer Indoor/Outdoor	380.41	Keystone Health Plan East	3,402.04
North American Benefits Co	330.52	Maryland Biochemical Co., Inc	1,498.36
North Penn Water Authority	266.19	Metlife	92.28
Portnoff Law Associates, Ltd	1,624.68	Moyer Indoor/Outdoor	241.24
PPL Electric Utilities	18,745.78	NetCarrier Telecom, Inc	133.60
RI Tec Industrial Products	208.00	North American Benefits Co	330.52
Shelly Enterprises, Inc	6.71	Perkasie Regional Authority	1,375.00
SimplexGrinnell LP	199.00	Pyrz Water Supply Co., Inc	54.00
Thomas Scientific	495.60	Suburban Water Testing Labs	634.20
Univest VISA	196.00	Unum Insurance Company	275.86
Unum Insurance Company	275.86	Verizon	65.47
West Generator Services	2,639.51	Water Environment Federation	146.00
Advanced Disposal	313.82		
Bergey's Electric, Inc	442.30		
Carquest	67.98		
CCP Industries, Inc	233.76	Total Sewer Fund	\$79,600.40

POOL FUND

Airgas National Carbonation	\$44.00	First Class Entertainment	\$325.00
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CAPITAL RESERVE FUND

Phillips & Donovan Architects	\$1,200.00	Phillips & Donovan Architects	\$1,560.00
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LIQUID FUELS FUND

Armour & Sons Electric, Inc	\$150.00	PPL Electric Utilities	\$6,898.72
Perkasie Regional Authority	2,000.00	PPL Electric Utilities	302.32

A motion was made by Councillor Richard Godshall, seconded by Councillor Ned Leight, to authorize payment of the bills for the month of April, 2014, as presented. The motion was approved.

President Brian K. Goshow opened the floor to the audience who may wish to address Borough Council on any topic or matter of concern.

Maryanne Alig, 94 N. School Lane, commented that four and five story buildings within the redevelopment of the high school property do not match the surrounding neighborhood. Questioned if the proposed townhomes can be two stories instead of three story to match the Cape Cod style dwellings across the street. She commented that she sees no need for a hotel within the Borough of Souderton and questioned the status of traffic and parking studies. She suggested that Borough Council look at the other commercial developments in the area to serve as a better model for this proposed development.

Kelly Farzetta, 70 S. Fifth Street, commented that the Souderton Borough web site is still very much out of date. The site still does not accurately reflect the trash hauling companies working within the area and the site should contain information about the Attorney general's Consumer Affairs Office which has now opened a case in regard to the Hesston Swartley trash service shut down. The Borough should consider the use of interns to update the web site.

Michael Nowak, 129 N. Eighth Street, questioned the floor area ratio and how it's calculated under the ordinance. Mr. Nowak suggested that building heights of four stories are too large for the area. He expressed concern with the proposed Drive D to east Chestnut Street and Eighth Street and potential traffic issues to the surrounding neighborhood from the proposed development. He further reminded Borough Council that there is an equally large parcel of ground to be developed across County Line Road in Hilltown Township, which may further compound the concerns of residents, even though Souderton Borough will not have any say in how this property is ultimately developed.

Joseph Rydzewski, 166 Eighth Street, questioned the protocol to address issues of the development to Borough Council or to the developer. He echoed the concerns expressed by the other residents and questioned the protocol for variance notifications to the residents.

Todd Rementer, 616 Central Avenue, questioned how traffic studies are determined and conducted. Councillor Andrew Schlosser responded that PennDOT will make the determinations for traffic studies and improvements along County Line Road and along East Broad Street. He further expressed concerns with the residents putting up with various development construction activities over the next four years.

Mrs. Kenneth Overby, 175 N. School Lane, commented that School Lane is already a thoroughfare. Tractor trailers are already using School Lane and she expressed concern with increased traffic within the residential neighborhoods from this development.

Herbert Cope, Cope's Garage, 102 N. County Line Road, commented that the community is saddled with an old abandoned school building and nobody within the community wants to deal with it. He expressed appreciation for the opportunity to have meetings such as this and has every confidence that Borough Council will do the right thing to address the continuing problem.

Lisa Price, 117 N. Eighth Street, commented that changes are coming and asked Borough Council to be realistic in where we are and where this community will be after this developer has left.

President Brian Goshow summarized the process concerning the future meetings with the Souderton Planning Commission and Borough Council as plans for this development continue to be submitted, reviewed and considered. The very next meeting with the developer is scheduled for the administrative Work Session on May 19, 2014 and the Planning Commission will be meeting with him on May 21, 2014. President Goshow

noted that the Mixed Use Redevelopment Ordinance has been put in place after a series of planning studies and public hearings dating back to 2008. He expressed appreciation to all residents who came out and commented on the proposed development plan.

President Brian Goshow then moved to the remaining item on the Agenda concerning adoption of the proposed Property Maintenance Code. A motion was made by Councillor Preston Miller, and seconded by Councillor Andrew Schlosser, to enact Ordinance No 14-714-02 adopting the 2009 Edition of the International Property Maintenance, with certain revisions and modifications.

President Brian Goshow opened the floor for discussion on the motion. Councillor Kevin Souder noted that he feels the ordinance is lacking in certain areas and made a motion, seconded by Andrew Schlosser, to table action on the proposed ordinance and send it back to committee for further discussion. Borough Council members questioned Councillor Souder on his concerns, noting that significant time was devoted towards discussion and review of the ordinance as currently drafted. President Brian Goshow called for a vote on the motion to table, which was defeated by a vote of 2 yeas to 7 nays.

President Goshow then called for a vote on the original motion to adopt the proposed ordinance. The original motion to adopt the Property Maintenance Code as presented and advertised was approved by unanimous vote.

There being no further business, the meeting was adjourned at 8:44 pm.

Respectfully Submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – May 12, 2014 (7:00pm-8:45pm)

Council Attendees: John Reynolds, Jeffrey Gross, Richard Godshall, Daniel Houser, Preston Miller, Richard Halbom and Kevin Souder.

Staff Attendees: Public Works Director Steven Coll, Police Chief James P. Leary and Borough Manager Michael Coll.

1. Police Chief

- a. Chief Leary distributed his statistical report of police department activities for the month of April, 2014.
- b. Chief Leary reported on a parking survey of municipal parking lots in the core business district. The survey suggests that the parking lot adjacent to Gibbon's fast tags and the Railroad Avenue parking lot appear to be under-utilized. For the most part, the current parking restrictions appear to provide sufficient parking opportunity for the business district. The Borough may want to budget funds to improve the paving and striping of the Railroad Avenue parking lot. The survey has now been concluded.
- c. The Emergency Management Group meeting went well, the group is hoping to reach further north to Salford and Upper Salford Townships. On Wednesday, June 4 there will be a two hour instructional course on Emergency Management for government and elected officials training.
- d. There is an opportunity for booking a fireworks display in conjunction with Concert Sundaes on June 22, 2014. The display will be through the same company as in previous years, with a cost of approximately \$11,000. Borough Council indicated support for the fireworks event, but the majority of the cost must be paid through local sponsors. A decision must be reached promptly to

finalize the schedule. Borough Council members will test the level of community support over the next week.

2. Sanitation Committee

- a. The Discharge Monitoring report will be submitted for the month of April with no exceptions to permit limitations. Total rainfall for the month reached 8.8", with an incident of surcharging reported during the severe rainfall event that amounted to 5" of rainfall over a 36 hour period.
- b. Engineering work is continuing on the design for a new mechanical bar screen. A timeframe for bidding and construction will be developed for consideration and approval of Borough Council.
- c. Chief Operator Sal DeSimone is currently working between storm events to drain "B" side for routine maintenance, sandblasting and painting. He is obtaining quotations for the work.
- d. Sample contract documents have been obtained for a single trash hauling contract. The next step is to draft a set of specifications based on the sample contracts for consideration of Borough Council as early as next month.

3. Highway Committee

- a. Public Works Director Steven Coll reported that the monthly brush collection is underway. This month's collection was delayed due to a mechanical breakdown of the International Dump Truck. Some of the brush stops are lagging from late April.
- b. Some cold patching has been completed to address major issues, with more comprehensive patching to take place in the coming weeks as crew time becomes available.
- c. Our summer help employee has started today and will be devoted primarily to park maintenance and mowing. Mowing is very heavy at this time and difficult to keep up.
- d. Some initial discussion was held on developing road maintenance priorities for this budget year. In particular, we plan to oil and chip Railroad Avenue and Telford Borough's Fourth Street from reliance Road to Broad Street in Telford Borough. The oil and chip program, including the fog seal application seems to be working very well. W. Reliance Road, from Main Street to Wile Avenue is in poor condition and has a collapsed storm drain line. This road should be a candidate for paving. N. Third Street will be excavated by North Penn water Authority this summer to replace the water line. The road will be patched with base for milling and overlay next year if funding permits. Franconia Township continues to push the paving of Cherry lane in 2015. Souderton Borough is planning on replacing the sewer line along Montgomery Avenue and North Penn water Authority is planning on replacing the water main along this street. The project will be broken down in phases. PECO Energy has recently announced that they are planning to replace the gas main along Railroad Avenue from Central Avenue to Summit Street later this year. More work and evaluation will take place over the coming weeks to finalize the list of priory road projects.

4. Sidewalk Committee

- a. The proposed sidewalk reconstruction plan as proposed by Jeffrey Mauer for his property along S. School Lane has been forwarded to the Borough Engineer for review and comment.

5. Recreation Committee

- a. Borough Manager Michael Coll reported on plans for the opening of the Souderton Community Pool on Saturday, May 24 and on plans for the Community Day in the park and Kiwanis Club Chicken Barbeque. Vendors

participating with the Community Day event will be donating their reservation fee to the Kiwanis Club.

- b. Borough Manager Michael Coll noted that an Eagle Scout project is planned to reconstruct the sandbox at the Community Park and install new barbeque grills. The Borough will assist with the removal and delivery of new sand and the purchase of new barbeque grills.
- c. Borough Council agreed with the recommendation of Councillor Jeffrey Gross to relocate the four seat spring rider from the Chestnut Street Playground to the Lawn Avenue Park. The springs are still available and the equipment is in good shape, just needs to be re-painted. This decision was made in light of the request of Michelle Van de Water and her family and her son Clark Van de Water, who presented letters to Borough Council at the April 7, 2014 meeting.

6. Property Committee

- a. No new items were discussed.

Administrative Work Session – May 19, 2014 (7:00pm-9:53pm)

Council Attendees: Brian Goshow, Ned Leight, Jeffrey Gross, Andrew Schlosser, Daniel Houser, Preston Miller, Richard Halbom and Kevin Souder. Junior Councillor Triston Loux.

Staff Attendees: Sergeant Kurt Scherzberg, Code Enforcement Officer Steven Toy and Borough Manager Michael Coll.

Other Attendees: William Stone, SASD Director of Business Affairs, Frank Gallagher, SASD Superintendent, Christopher Hey, SASD Assistant Superintendent and a few members of the SASD Board of Directors. Developer Timothy Hendricks, local residents and property owners.

1. Berkeley Court Phase 2 (Souderton High School Property)

- a) The primary agenda for the work session was a review and discussion on the recent concept plan for the redevelopment of the Souderton High School property, known as Berkeley Court, Phase 2. Timothy Hendricks noted that he met with the Borough Manager and Borough Engineer to review various zoning and SALDO related issues with the proposed development plan. It was noted that the Montgomery County Planning Commission prepared a summary table of the various issues and it was decided to address these matters as they relate to the most recent concept plan. A revised concept plan was distributed to Borough Council at the May 5 Borough Council Meeting. The revised concept plan eliminated the four story garden apartment building along School Lane, replaced stacked townhomes with a traditional townhome along East Chestnut Street and School Lane, and reduced the size of the mixed use buildings from 5 to 4 stories. The larger mixed use building fronting on County Line Road was reduced in size and the proposed hotel remains on the plan with a height of 5 stories.
- b) The MUR Zoning Ordinance provides for townhomes but limits the number to only four in a row, with a lot width of 22 feet. The proposed townhomes are a more typical 20 feet wide and configured with up to seven units in a row. Consideration was requested to amend the zoning regulations to address these technical issues.
- c) The mix percentage is now approximately 54% residential and 46% commercial. The MUR District currently limits the residential mix to 50%.
- d) The commercial buildings along East Broad Street are located within the stated front yard setback, however, there seems to be a preference to move the buildings close to the street and locate parking behind the buildings. This ordinance provisions should be further evaluated.
- e) There is a ten foot separation between the commercial buildings along East Broad Street. Perhaps some flexibility could be considered to convert this to a breezeway connection.

- f) Current MUR Zoning requirements would not allow the location of parking in front of the proposed hotel building along County Line Road. Revisions to the Zoning Ordinance may be considered to allow parking in front of the hotel use and perhaps for all buildings located along County Line Road.
- g) The MUR Zoning Ordinance has specific landscaping requirements for buffering around the perimeter of the development. Some area can be adjusted to comply, but some consideration should be considered to provide some flexibility with the placement of landscaping and street trees, but not to reduce the amount of plantings.
- h) The concept plan needs to be adjusted to provide the required minimum size for the public open space area at School Lane and East Chestnut Street. It was further discussed that the Zoning Ordinance maintains a definition of open space, which does not necessarily mean that it all has to be green space. Applying the current definition to the concept plan, it appears that the development will meet and probably exceed the minimum open space requirement of 30 percent.
- i) Considerable discussion was held on the matter of residential density and the revisions to the residential density as proposed in the current concept plan. A suggestion was made to possibly consider mixing the size of the townhome units so that the end units are larger than 20 feet. Variety may enhance the overall plan. One of the mixed use buildings is now listed as a four story fully commercial building. The marketability of this amount of commercial may be a challenge. Perhaps some consideration could be given to spreading the commercial on the upper floors to the other buildings. Concern was expressed that the inability to market the commercial, with the proposed amount of residential density could negatively affect the future viability of this development to properly function as a mixed use development. Developer Tim Hendricks suggested that Borough Council may want to consider some language in either an ordinance or in a developer agreement that would restrict the amount of residential that can be actually built before the construction and occupancy of the commercial uses. This may help to ease the concern of too much residential density beyond what is currently proposed. Borough Council expressed some support towards this proposal.
- j) A discussion was held about considering two story townhome units along east Chestnut Street, especially since construction up against Jesse's may be challenging. Borough Council members also expressed concern with the size of the garages in the stacked townhome units and the size of the garage in the proposed traditional townhouse units. Ten feet by twenty feet garages seems too small for a development of such density to provide sufficient storage opportunities for the residents to store cars, trash containers, grills and other items. Developer Hendricks noted that he is considering having Ryan Homes build the proposed townhome dwellings in Phase 2 of this development.
- k) Borough Council discussed the separation between the tall buildings in the interior of the development. Since these buildings are four stories tall, the preference was to maintain the current separation requirements in the current MUR Zoning.
- l) Borough Council discussed the general intent of the landscaping provisions in the MUR Zoning Ordinance. There was general consensus to extend some flexibility in the regulations. The size of the street trees may be reduced to 2 to 2 ½ inches. It was noted however that the intent of creating a tree lined street must be preserved, but some flexibility in spacing will be considered based on conditions.
- m) Developer Tim Hendricks will be attending the Souderton Planning Commission meeting on Wednesday, May 21st to discuss the concept plan and Zoning Ordinance and SALDO issues. Revised engineering plans and architectural renderings will be prepared for formal consideration based on the most current concept plan.
- n) Borough Council received some public comment on the proposed concept plan. The entire work session was devoted to the Berkeley Court development, no other items were discussed.