

ABINGTON TOWNSHIP

OCTOBER 22, 2024



PLANNING COMMISSION MEETING



TOWNSHIP OF ABINGTON

PLANNING COMMISSION MEETING

A G E N D A **October 22, 2024** **7:30 PM**

There are three ways for the public to participate in the meeting: in-person, online or by phone. Residents who wish to attend in person can do so in the Abington Township Board Room located at 1176 Old York Road, Abington, PA 19001, 2nd Floor. Alternative means of public participation are offered for those who do not wish to or are unable to attend the meetings in person. Residents who wish to participate in the meeting remotely can access the meeting online by a computer, iPad, iPhone, or Android at <https://uso6web.zoom.us/j/83637406019>. This link will enable residents to hear the meeting and see presentations. There will be no video capabilities. Residents, who are unable to join online, can listen to the meeting by calling 1-929-436-2866 and entering the meeting ID number 836-3740-6019 when prompted.

CALL TO ORDER

ROLL CALL *BROWN, DICELLO, ROBINSON, BAKER, STRACKHOUSE, WEATHERLY, GOLDSTONE*

CONSIDER APPROVAL OF MINUTES

- a. Consider Approving Planning Commission Minutes of September 24, 2024.

PRESENTATION

UNFINISHED BUSINESS

NEW BUSINESS

- a. Consider and discuss an Ordinance amending the code of the Township of Abington at Part II [General Legislation], Chapter 162 [Zoning], by amending and restating Article XXI [use regulations] to revise the definition of Indoor Recreation.

PUBLIC COMMENT

ADJOURNMENT

To subscribe and receive agenda posting notifications, please sign up on our website

under *Email Updates* at www.abingtonpa.gov/agendas

BOARD POLICY ON PUBLIC PARTICIPATION

For Information Purposes Only

The Township shall conduct business in accordance with the Commonwealth of Pennsylvania Laws governing the conduct of public meetings and only establish guidelines that shall govern public participation at meetings consistent with the law.

Each commenter shall:

- Direct their comments to the Presiding Officer;
- Speak from the podium or into a microphone designated by the presiding officer;
- State their name for the record;
- Either orally or in writing provide their address for the record;
- Have a maximum of three minutes to make their comments. Each commenter when speaking to a specific agenda item, is to keep their comments relative to that identified agenda item;
- Speak one time per agenda item;
- When commenting on non-agenda items, the commenter is to keep their comments related to matters of the Township of Abington, Montgomery County, Pennsylvania.
- State a question to the Presiding Officer after all commenters have spoken, and;
- Be seated after speaking or upon the request of the presiding officer;
- Not engage in debate, dialogue or discussion;
- Not disrupt the public meeting, and;
- Exercise restraint and sound judgement in avoiding the use of profane language, and the maligning of others.

The stated meeting of the Planning Commission of the Township of Abington was held on Tuesday, September 24, 2024 via webinar and in-person at the Township Administration Building, Abington, PA, with Chairman Brown presiding.

CALL TO ORDER: 7:33 p.m.

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

Also Present: Township Engineer Lee
County Planner Narcowich

PLEDGE OF ALLEGIANCE

CONSIDER APPROVAL OF MINUTES:

Mr. Weatherly made a MOTION, seconded by Mr. Brown to approve the minutes of the Planning Commission Meeting of July 23, 2024.

MOTION was ADOPTED 6-0.

PRESENTATION: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Review LD-24-01 – 2241 Old Welsh Road – Preliminary Major Subdivision and Land Development Plan:

Mr. Brown said the applicant is proposing to demolish the existing detached garage, gazebo, stone walls, and rear concrete driveway on the site, and subdivide the existing previously consolidated 56,250 sq. ft. lot into seven new lots as well as construction of single-family residence on six of the seven lots with one existing residential structure to remain on the seventh lot.

Mr. John Anderson, Attorney, representing the applicant, presented the plan for the existing single-family lot bordering Old Welsh Road, Fairview Avenue, Parkview Avenue. The existing home with a detached garage will remain, but the driveway will be removed, and a new driveway will be installed tying into Fairview. This is a seven-lot subdivision with one existing home and six additional to be constructed.

The site plan showed landscaping, street trees and shade trees to be installed. The four additional lots will front on Parkview Avenue with a driveway for two parking spaces and one in the garage, and two new homes will front on Old Welsh Road. Garages are stepped back from the front façade and there will be a porch off the main entrance.

Stormwater management is proposed to handle increased impervious coverage associated with the properties and each lot will have its own infiltration gallery.

The applicant has received review letters from the Township Engineer, and has five waiver requests:

1. Stream Bank Erosion Requirements – A waiver from the requirement to utilize the SCS Type II distribution. The applicant is proposing to utilize the Rational Methodology for stormwater computations as opposed to the SCS Methodology.
2. Existing Conditions Plan – A waiver from the requirement to show the existing utilities within 400 linear feet of the site. The applicant has provided the existing utilities immediately surrounding the site and has requested a waiver from showing all existing utilities within 400 linear feet of the site.
3. Right-of-Way Width – The right-of-way paving width on Parkview Avenue is to Township’s standard of 50 ft.; however, the cartway width is only 24 ft. wide and it is required to be 30 ft., and we are not proposing on-street parking. Parkview has just been paved with curbing on both sides, so widening the street an additional six feet would be excessive for this project.
4. Streetlighting – A waiver from the requirement to provide streetlighting along each subdivision and along each street front abutting a public street in each development. The applicant is requesting a waiver from the requirement to provide streetlighting along the frontage of Old Welsh Road, Fairview Avenue and Parkview Avenue.
5. Erosion and Sediment Control – A waiver permitting cut and fill slopes 15% and steeper. The applicant is proposing grading with slopes 15% and steeper due to the existing grades onsite.

Mr. Weatherly asked for further information on using the rational method.

Mr. Anderson replied there are no underground stormwater conveyance pipes within Fairview, Parkview and Old Welsh Road, so extensive infiltration testing was done to determine how to infiltrate stormwater. We designed infiltration galleries and the majority along the frontage of Parkview are just underneath the driveway to collect roof runoff and side swales infiltrating the 100-year storm, and if we exceed it, the overflow will flow into a trench drain along the frontage of the driveway.

Lot 6 on Old Welsh Road has an infiltration gallery underneath its driveway and Lot 7 has one alongside the building both designed to infiltrate the 100-year storm, and on Lot 7, we will install a trench drain along the end of the driveway to collect stormwater prior to discharging on Old Welsh Road.

Mr. Weatherly clarified that there will be no increase of stormwater onto adjacent lots. Is that correct?

Mr. Anderson replied the site drains towards the corner of Fairview and Parkview, so we will not be discharging any stormwater onto adjacent lots.

Mr. Brown clarified that the concrete curbing on Parkview Avenue is not proposed to be changed. Is that correct?

Mr. Anderson replied that is correct.

Mr. Weatherly asked what is the proposed maximum slope?

Mr. Anderson replied 3:1.

Mr. Baker questioned whether the driveways should be designed so that residents can turnaround within them.

Mr. Anderson replied yes, we received an HOP permit from PennDOT for the two driveways.

Ms. Strackhouse asked about the architectural style of the new homes and will they be identical.

Mr. Anderson presented a rendering showing the façade as well as interior of the homes.

Mr. Brad Landis, representing the applicant, replied there will be variation in color and the homes will not be identical.

Ms. Allison Lee said regarding the proximity of the underground basins to the proposed dwellings, 10 ft. is preferred so there will be no issues with water infiltrating into basements and she suggested reorienting the shape of the basins, so they are not too close to the dwelling. Also, she supports the applicant's waiver requests.

Mr. Anderson replied we will waterproof the sides extensively so the water does not migrate into the building and will investigate maintaining 10 ft.

Mr. Brown noted that the applicant has addressed comments from the Shade Tree Commission. Also, there was a comment from the Traffic Engineer about a wider sidewalk on Parkview and Fairview.

Mr. Anderson replied we will make sure the applicant is in compliance with the Shade Tree Commission's comments, and the plan shows the sidewalk to be 5 ft.

Mr. Narcowich noted that there is a conflict between the gas line and proposed street trees on Fairview.

Mr. Anderson replied typically, we would locate them between the curb and sidewalk like they are on Parkview, but on Fairview, they would be located just behind the sidewalk.

Mr. Narcowich asked about the White Fringe Trees as a variety of street trees are recommended. Also, will there be any foundation landscaping?

Mr. Anderson replied we will comply with the street trees, and we do not have a defined design for foundation plantings.

Mr. Narcowich clarified that the homeowner will be able to make sure the basins are properly functioning or allow the Township to inspect them. Is that correct?

Mr. Anderson replied yes, the plan shows an easement for the underground basins as part of the developer's agreement with the Township.

Mr. Brown asked for any public comment.

Scott Eveslage, 2229 Parkview Avenue, expressed concern about the density of the proposed housing development particularly on Parkview, and adding six more homes to this block would be excessive. We are a small block that takes care of one another, and we maintain our properties, and he requested that the Planning Commission not approve the waivers for stormwater as there is flooding especially at the corner of Parkview and Fairview.

Also, there are parking and density issues, and it is a dangerous intersection as traffic cuts through to get to Easton Road. The current situation of parking on both sides of the street creates a single lane throughway so we do not want the applicant to get any right-of-way relief. Another concern is that although planting trees is part of the plan, we will be losing a significant amount of greenspace. He asked for this property to not be overdeveloped.

Eric Jones, 2225 Parkview Avenue, commented that Parkview is a dead-end street and not a cul-de-sac, so when traffic enters by mistake, they must pull into someone's driveway to turn around, and the waivers requested is a clear sign that the developer is trying to build as many houses as they can while spending the least amount of money.

The road is 24 ft. wide and adding another six feet would make a big difference, because once they sell the homes, they cannot require parking in the driveways, and some have more than two vehicles. If there is parking on both sides of the street it will be difficult for trash trucks to get in and out and then there will be snow removal. He understands development; however, they are trying to maximize profit without doing what should be done to make it better for the people who already live there.

Shanlena Eveslage, 2229 Parkview Avenue, requested that the developer omit one home and build only three on Parkview and make them bigger, so they will look like the homes that are there now and the families who move in would appreciate that as well.

Ketura Singleton, 1821 Fairview Avenue, agreed that the number of proposed homes will be excessive and there are parking issues on the street. She lives at the corner of Fairview and Parkview where the four homes are proposed, and she is concerned about the slope and stormwater runoff as she already gets water in her basement. Traffic uses Fairview as a raceway to beat the light at the corner of Old Welsh and Easton and additional "Stop" signs are needed.

Shannon Jones, 2225 Parkview Avenue, commented that she has a special needs child who receives door-to-door service, and since it is a dead-end street, it is difficult for the bus to get in and out, so if vehicles are parked on both sides of the street, it will not be wide enough to turn around. She is not against new development, but building these many homes on this block with nowhere to move will be excessive.

Ed Wenrich, 2303 Old Welsh Road, commented that the number of homes proposed is overboard and we are not interested in having that many of them. The corner of Fairview and Old Welsh is difficult with the amount of traffic and numerous accidents. Parking on the street has increased and there is no way the street will be able to accommodate more parking even with the new driveways, and Parkview is already too narrow to accommodate additional parking.

Nicole Raymore, 1822 Fairview Avenue, commented this area is already congested with trailers parked on the street and busses stopping in front of her house, so parking will be difficult for new families. How will the construction process affect the daily lives of those who live here? Also, drainage is a concern as she has two sump pumps, one running every time it rains.

Debra Kendra, 2210 Parkview Avenue, said she has safety concerns about an ambulance or fire truck being able to get down the road if vehicles are parked on both sides. Also lighting needs to be addressed and it should be per the Township's code.

Lora Lehmann, resident, expressed concern that the applicant did not ask for relief from Sections 1900 and 1908.B and she does not see any hardships for the waivers. Also, the road being narrower than it needs to be creates further nonconformity.

Mr. Weatherly asked the applicant to explain the volume reduction that is required per Township code.

Mr. Anderson replied we are required to reduce the volume of stormwater runoff generated from increased impervious coverage as well as reduce the rate from predevelopment to post development. We do not have a formal discharge point such as underground utility storm pipe in the street, so we are required to then retain all water onsite up to the 100-year storm and infiltrate it.

We are meeting the rate control and significantly reducing the volume by infiltrating it into the groundwater, and when we add the new development, we will be adding stormwater management to the area, which does not currently exist.

Mr. Baker recommended that the applicant add an additional six feet to Parkview Road, which would significantly alleviate the concerns about traffic.

Mr. Anderson asked the Township Engineer about the requirement for adding six feet on Parkview as it would offset the roadway.

Ms. Allison Lee said she will review it and then decide.

Mr. Baker made a MOTION, seconded by Ms. Strackhouse to recommend approving the application along with all waivers requested by the applicant with the exception of Street Lighting and the Planning Commission requests that the Township further review streetlighting to insure that the application be in compliance with the number of street lights in this area; also that the Township explore the practical mechanism for widening Parkview Avenue along with the proposed development.

MOTION was ADOPTED 6-0.

Review LD-24-03 – LifeCycle Abington, 1329 Old York Road – Preliminary/Final Major Subdivision and Land Development Plan:

Mr. Brown said the applicant is proposing to continue the existing medical clinic/office use as well as the following site improvements:

Demolish both eastern and western ends of the existing two (2)-story commercial building on the site and maintain the existing 812 sq. ft. center portion of the existing building; construct a 979 sq. ft. two (2)-story building addition and the 80 sq. ft. canopy and concrete pad on the west side of the existing center portion of the building will remain; construct a new 2,159 sq. ft. two (2)-story building addition on the east side of the existing center portion of the building to remain; partial removal of the parking lot to make room for the change in the building footprint; provide new asphalt areas and mill and overlay portions of the parking lot to accommodate an expansion for accessible parking spaces, and restripe the remainder of the parking lot; provide a new dumpster enclosure along the middle of the side property line; proposed is a new monument sign, and new fire, water, and sewer connections to the utility mains beneath Old York Road.

The proposed renovations and building additions will result in a 1.74% increase in the total building footprint onsite and there will be an overall 0.23% decrease in impervious coverage. The applicant is not proposing to use the basement and attic spaces for medical office use.

Mr. Dan Lions, Attorney representing the applicant, introduced Mr. Matt Witters, PE and Ms. Kate McHugh with Lifecycle Women Care. The property is located at 1329 Old York Road directly across from Abington Hospital and the building was previously owned and occupied by Rothman Orthopedics, and Lifecycle will retain the medical use and use it to provide pregnancy and reproductive healthcare for women.

Lifecycle proposes to demolish a portion of the existing building while constructing an addition. Zoning relief was granted that included a special exception to permit an expansion of the existing nonconforming medical use as well as for overnight accommodations for the patients and those receiving medical care. Also, relief was granted for parking, landscape buffer and minor setbacks. The applicant is requesting a recommendation of approval for preliminary/final land development application.

The applicant received a series of review letters from the Township Engineer, Fire Marshal as well as sewer and traffic consultants and the applicant has requested five waivers.

Ms. Kate McHugh said the property was purchased in October 2023 and Lifecycle is a birth center currently located in Bryn Mawr, which has been open since 1978. We are a nonprofit and the goal of the Board of Directors is to replicate it, and we have a donor who can underwrite a significant cost, and that is why we purchased this building.

A birth center is a place for families who would like to have an alternative to traditional hospital birth as well as for GYN services and lactation/breastfeeding and mental health services. They are attended by certified nurse midwives and prenatal care is given by nurse practitioners. We also have a medical director and a relationship with Abington Hospital for anyone who needs hospital care.

Mr. Matt Witters said the plan is to maintain the center portion of the existing building and remove the one-story section in the front and a two-story section in the rear and replace them with new two-story additions bringing the total to 7,500-7,600 sq. ft. The rear addition will cut into the existing parking lot, and we will add two additional handicapped spaces to the existing parking lot.

A dumpster enclosure is proposed on the north side that will be kept away from the residential as much as possible. On the south side there are outdoor private patio spaces that will be used by birthing suits for the occupants.

The main entrance to the building is located at the rear of the property right next to the parking lot, and since it is a clinic and birthing center, there will be regular business hours. This clinic is for healthy pregnancies although emergencies do occur and that is why we are located across from the hospital.

New utilities will be installed along the front and there is an existing stormwater inlet in the middle of the driveway that will remain serving any stormwater leaving the site, so no new stormwater management is proposed. Also, supplemental plantings will be planted around the perimeter, and we will utilize and protect as many of the existing trees as possible.

Waivers requested by the applicant:

Land Development Plan – a waiver from the land development plan approval process since this application is for the construction of a primary building less than 10,000 sq. ft. and the minor building addition is not more than 20% of the existing principal building.

Dimensions of Parking Spaces – a waiver for restriping of the existing nonconforming parking stalls that measure 9X18 feet and maintain those spaces.

Off-Street Parking Areas – a partial waiver to utilize the existing vegetation located along the south and east sides of the parking area to comply with this screening requirement and the applicant would like to supplement with Evergreens and shrubs and add that to the landscaping plan.

Preliminary Plan Submission – a waiver from preliminary plan submission and submit a combined preliminary/final land development application.

Utilities – a waiver to show the existing utilities within 400 ft. from the site. The applicant surveyed the distance around the site and an aerial has been included showing the surrounding properties.

Mr. Weatherly asked about the number of employees using the parking lot daily.

Ms. McHugh replied the number of employees will vary. The nurse midwives will have practicing privileges at Abington Hospital and will have access to its parking spaces, so there will be about eight to 10 employees daily.

Mr. Witters said we believe the number of parking spaces proposed is more than what will be needed for the facility.

Ms. Allison Lee said she supports the waiver requests by the applicant due to the limited scale and scope of the project. Also, she clarified that the applicant would comply with all zoning and SALDO comments as well as other statements as listed in Township Engineer’s review letter. Is that correct?

Mr. Witters replied yes. The sidewalk and curb are in good shape, and we would like to maintain it as is. Regarding the pedestrian connection between the public sidewalk along Old York Road and main entrance in the back; there is an existing asphalt pathway along the south side of the building that needs to be removed for the building addition as well as an existing nonconforming driveway, so it would be difficult to create a pedestrian connection between the front sidewalk, parking lot and/or back entrance of the building; however, we are willing to work with the Township to find an alternative.

The applicant received a review letter from Township’s Traffic Engineer. The sight distance was reviewed when the property was surveyed, and the new monument sign will be located outside of the sight distance line. Also, regarding the “STOP” sign at the driveway; we have an issue with no green space on the north side of the driveway, so we do not want to install a “STOP” sign right in the middle of an asphalt driveway; however, it was suggested adding a stop-bar at the driveway and install some type of pedestrian crossing sign.

Mr. Baker questioned whether there is enough room for a pedestrian walkway while keeping the driveway as two-way traffic.

Mr. Witters replied the entrance is tight and there is barely enough room for two large vehicles to exit the driveway; but we can make a safe pathway along the driveway to get to the back of the building.

Mr. Goldstone asked about the business hours.

Ms. McHugh replied 9 a.m. – 5 p.m. for planned patient visits and one evening a week as well as a Saturday morning, but we do not have staff onsite unless someone is in labor.

Mr. Baker asked about the lighting plan.

Mr. Witters replied that the updated plan shows lighting in the back of the building to the parking lot as well as the driveway to meet Township ordinance requirements.

Ms. Strackhouse thanked the applicant as this will be a huge improvement to the existing building.

Mr. Narcowich asked what map is being referred to regarding the legal right-of-way.

Mr. Witters replied a PennDOT map.

Mr. Narcowich recommended that a canopy tree be planted along the front on Old York Road for shade for pedestrians. Also, the plan should identify which 10-inch caliper trees will remain and those that will be removed.

Mr. Witters agreed, and the trees that are larger than 10-inch are noted on the plans. Also, we intend to keep as many trees as possible, and a tree protection zone was added to the land development plan.

Mr. Narcowich said regarding the parking lot, he suggested planting small shrubs or ornamental grasses along the grass strip to help provide a modest buffer, provide plantings with ecological value, improve the appearance of the site, and increase green stormwater infrastructure.

Mr. Witters replied we will consider small shrubs due to the overhead utility lines.

Mr. Narcowich said the architectural plan should illustrate the dumpster enclosure.

Mr. Witters replied there is a 6 ft. high privacy fence proposed around the entire dumpster.

Mr. Brown asked for any public comment.

Lora Lehmann, resident, asked about the smaller sized parking spaces; also, about emergency vehicle access.

Mr. Witters replied we received a variance for the reduction in the size of the parking spaces. If the width were increased, we would lose parking space, and it would be below what is needed for the project.

Mr. Brown clarified that templates were reviewed for emergency vehicles. Is that correct.

Mr. Witters replied yes, and everything is adequate. Also, the habitable spaces of the building will be sprinklered.

Mr. Weatherly clarified with Ms. Lee that she is satisfied with the width of the driveway.

Ms. Allison Lee replied she did not speak with the Traffic Engineer; however, she would like to see a turning maneuver for a fire truck, trash vehicle, as well as an ambulance.

Mr. Witters replied the Traffic Engineer indicated that the turning maneuver was acceptable, and he will provide turning templates for the fire apparatus.

Ms. Allison Lee noted that it is an existing driveway, and they will not be widening or narrowing it, so it is an existing condition.

Mr. Brown made a MOTION, seconded by Ms. Strackhouse to recommend approval of the LifeCycle Abington Preliminary/Final Major Subdivision and Land Development Plan and all requested waivers.

MOTION was ADOPTED 6-0.

ADJOURNMENT: 9:29 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary



PLANNING COMMISSION MEETING

AGENDA ITEM

October 22, 2024

DATE

Administration

DEPARTMENT

AGENDA ITEM NUMBER

FISCAL IMPACT

Cost > \$10,000

Yes No

PUBLIC BID REQUIRED

Cost > \$20,100

Yes No

AGENDA ITEM:

Indoor Recreation Ordinance

EXECUTIVE SUMMARY:

n/a

PREVIOUS BOARD ACTIONS:

10-10-24 - Presentation at the Working Session

RECOMMENDED BOARD ACTIONS:

Consider and discuss an Ordinance amending the code of the Township of Abington at Part II [General Legislation], Chapter 162 [Zoning], by amending and restating Article XXI [use regulations] to revise the definition of Indoor Recreation.

ABINGTON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. ____

AN ORDINANCE OF THE TOWNSHIP OF ABINGTON, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF ABINGTON AT PART II [GENERAL LEGISLATION], CHAPTER 162 [ZONING], BY AMENDING AND RESTATING ARTICLE XXI [USE REGULATIONS] TO REVISE THE DEFINITION OF INDOOR RECREATION

CERTIFICATION

I, RICHARD J. MANFREDI, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE TOWNSHIP MANAGER IN ABINGTON TOWNSHIP, MONTGOMERY COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE NO. ____.

Richard J. Manfredi, Township Manager
_____, 2024

ENACTED: _____

ABINGTON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. ____

AN ORDINANCE OF THE TOWNSHIP OF ABINGTON, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF ABINGTON AT PART II [GENERAL LEGISLATION], CHAPTER 162 [ZONING], BY AMENDING AND RESTATING ARTICLE XXI [USE REGULATIONS] TO REVISE THE DEFINITION OF INDOOR RECREATION

WHEREAS, The Board of Commissioners of Abington Township is duly empowered by the First Class Township Code, 53 P.S. § 55101, et seq., to enact certain regulations relating to the public health, safety welfare of the residents of Abington Township;

WHEREAS, The Board of Commissioners of Abington Township has adopted a comprehensive zoning ordinance, known as The Revised Abington Township Zoning Ordinance, as amended, in accordance with the provisions of Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, et seq., which is intended to provide for the orderly development and redevelopment of Abington Township;

WHEREAS, the First Class Township Code and Pennsylvania Municipalities Planning Code, supra, authorize the Board of Commissioners to make, amend and adopt amendments to The Revised Abington Township Zoning Ordinance, as amended, that are consistent with the Constitution and laws of the Commonwealth that it deems necessary for the proper management and control of the Township and the best interests of its residents; and

WHEREAS, the Board of Commissioners of Abington Township has determined that certain amendments to The Revised Abington Township Zoning Ordinance, as amended, are required for the orderly administration of the laws of Abington Township; and

WHEREAS, the Board of Commissioners has determined that the Code of the Township of Abington should be amended to revise the definition of indoor recreation for the maintenance of peace, good government, health and welfare of the Township and its residents.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the Board of Commissioners of Abington Township that the Township's Code is amended as follows:

SECTION 1. Amendment to Chapter 162 [Zoning], Article XXI [Use Regulations], Section 2103 [Categories of Permitted Uses],

Subsection 2103.G [Entertainment/Recreation Uses] to revise the definition of Indoor Recreation.

The Code of the Township of Abington, Part II [General Legislation], Chapter 162 [Zoning], Article XXI [Use Regulations], Section 2103 [Categories of Permitted Uses], Subsection 2103.G [Entertainment/Recreation Uses] is hereby restated and amended by adding the underlined language (example), as follows:

Use G-9A: Recreation, Indoor: An indoor facility designed to accommodate sports such as bowling, billiards, indoor soccer, ice skating, roller skating, roller blading, skateboarding, and the like or for use as an event space, banquet facility, catering hall or similar venue.

1. No audio speakers or equipment shall be installed inside or outside such as uses that cause music, voices or other sounds to emanate to the exterior of the premises.
2. The following shall be submitted with any application for a Conditional Use or Special Exception:
 - a. Specification of uses and activities.
 - b. Specification of hours of operation.
 - c. Indication of method(s) to be used to abate any and all impacts on adjacent residential properties.

SECTION 2. Repeal and Ratification.

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 3. Severability.

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 4. Effective Date.

This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED this _____ day of _____ 2024, by the Board of Commissioners of the Township of Abington.

TOWNSHIP OF ABINGTON
BOARD OF COMMISSIONERS

THOMAS HECKER
President

[Seal]

Attested by:

Richard J. Manfredi
Township Manager & Secretary