

East Norriton Township Meeting Minutes
March 10, 2008
NAHS High School Auditorium

The Special Meeting of the Board of Supervisors of East Norriton Township was called to order by the Chairman, Mr. Lewis McQuirns, at 7:10 p.m. on Monday, March 10, 2008, at the Norristown High School Auditorium. Supervisors present were Lewis K. McQuirns, Donald J. Gracia, James K. Staufenberg, James J. Serratore, and Karen “Kandy” Heckman. Staff and Consultants present were Township Manager, Helmuth Baerwald, Township Solicitor, Christen Pionzio, Township Planner, E. Van Rieker, Parks and Recreation Director, Larry Brown, Assistant Township Manager, Donald Delamater, Code Enforcement Director, Bryan Bortnichak and Police Chief, John McGowan.

The Chairman asked for a moment of silence.

Following roll call, the Pledge of Allegiance was then recited by all in attendance.

Police Chief John McGowan reviewed the expected conduct of the meeting. He stated first, that the goal was to have an orderly meeting, no shouting out and that any disruptive people will be removed. Secondly, if people did not hear the warning at the door no one can have any weapons in the auditorium. Supervisors have decided that in an effort to have fairness and order the Solicitor would go down the “Request to Speak” list in order to start with people who hadn’t spoken before. It was announced that the meeting would end at ten o’clock because the janitors need time to clean the school. He instructed that in order for anyone to speak, they must have signed the sign up sheet. About four hundred people were in attendance.

Residents were told that they would have three minutes to speak so that more people would have a chance to speak. It was explained that the meeting was about a text

amendment and changing the zoning on a piece of property. There would be no discussion about abortion because that has nothing to do with the meeting.

Township Solicitor, Christen Pionzio provided a background. The Board is considering two ordinances, which were the subject of the public hearing held on February 19, 2008. A public meeting was duly advertised for the Board of Supervisor's consideration of those ordinances, which was held on Tuesday, February 26, 2008. The Board of Supervisors, opted not to vote on the ordinances that night and instead moved the meeting to this venue on this date and time. This meeting has been duly advertised pursuant to the requirements of the MPC. Ms. Pionzio reviewed what was to be considered by the Board of Supervisors which is whether or not to rezone a number of properties along Germantown Pike and whether or not to adopt the text amendments to the Institutional Zoning District.

She explained how the Township wants to hear from as many people as possible so each person was limited to three minutes. The people who didn't get a chance to speak at the last meeting go first. People can ask questions of the Township's staff, Board, and Einstein's representatives.

She explained what the Board was considering: whether the rezoning of a commercial portion owned by Penn Wood makes sense, and whether a text change to an institutional zone also makes sense. Approximately 65 acres are already zoned institutional and a hospital is permitted there. There is also a commercial strip along Germantown Pike which is approximately 20 acres, that is being considered to be changed to institutional as well. The Board is also considering text changes, whether to

increase setbacks from property lines, to increase height regulations, and to allow for detailed accessory uses which were explained at the public hearing on February 19, 2008.

She stated that the Board and staff read the transcript from the hearing on February 19, 2008. The public asked some great questions that night and they were put to the Township's staff and representatives of Einstein's in order to see answers could be provided for the public. Particularly, there was an important question that was asked on February 19, 2008 regarding what could be developed on this property today and how it is different from what was being proposed.

Staff asked the consultants from Einstein to come up with what is called a by-right plan, meaning a plan that is allowed under the present zoning code. The Township Land Planner and Zoning Officer were asked to review it. The Solicitor asked Attorney Joseph Kuhls, representing Einstein, to explain the by-right plan that was placed on a big screen in front of the audience and how it related to the current zoning.

Mr. Joseph Kuhls explained the by-right zoning. Mr. Kuhls stated that the by-right plan depicts the commercial zone in place along Germantown Pike that would permit a total square footage of commercial retail spaces of 170,000 sq. Under the by-right, plan the proposed hospital and parking areas would be pushed further to the rear and closer to the abutting residential areas.

Solicitor Pionzio asked Attorney Kuhls what the setback requirements are for the parking lot and the building. Mr. Kuhls answered Mrs. Pionzio, stating under the current zoning, parking lot setbacks are 20 feet and the building setbacks would be 50 ft. to the rear of the adjacent Institutional zone and 40 ft. to the sides. Mr. Kuhls stated that the 170,000 sq. ft. of commercial retail space along Germantown Pike would not be allowed

if the Board votes for the proposed rezoning and text amendment. Mr. Kuhls also stated, that without the increase for building height, the actual footprint of the hospital building also expands in the by-right plan. Under the by-right plan which depicts the additional commercial space, ingress and egress into the proposed hospital would be significantly hampered.

Mr. Kuhls made representations regarding how the traffic generated by the proposed plan with the changes to the code and map was much less than what could be developed as shown on the by-right plan. Mr. Kuhls stated that the applicant was asked by the Township after the February 19, 2008 hearing to do some traffic generation reports under the ITE Manual. Traffic Planning and Design concluded that under the by-right plan, 9,590 new trips per day and 794 peak trip hours were generated with the addition of the 170,000 sq. ft. of commercial retail space. The changes would eliminate this traffic.

Code Enforcement Director, Bryan Bortnichak reviewed the current zoning of all the properties including the by-right plan and how long the properties have been zoned that way. Bryan also explained the height of the proposed building to existing buildings within the Township. He stated that Mercy Suburban was approximately 100 ft. high.

Planning Consultant, E. Van Rieker reviewed the attempts by the Township to acquire the property for open space over many years.

Township Solicitor, Christen Pionzio asked for public comment before the Board of Supervisors considered the Ordinances in question and opened the floor to the fifty people that signed up to speak. Issues presented were: land development issues such as utilities, storm water management, water, ingress and egress, sanitary sewer and traffic; the use of a helicopter at the facility; tax revenues; staffing; procedural issues; and job

opportunities. Some spoke in support of the hospital proposal and some spoke against it. Some simply had questions.

The following individuals signed up to speak: James Randall made comments and had questions concerning the sewer system, the impact on the property values, traffic, setbacks and SEPTA. Gheorghe Craciun asked if the Township did a study on the impact of a hospital being built in the Township. Virginia Craciun expressed concerns with a helicopter constantly landing and the noise. Solicitor Pionzio called on Judith Flack and she did not to speak. James Welsh questioned and commented on future growth and expansion, that the Montgomery County Planning Commission increased the setbacks noted in the MCPC review of the text amendments, and access off of Whitehall Road. John Fornace, a physician, commented on the Township already having Mercy Suburban Hospital, why does the Township need to duplicate resources. Karen Patota commented on abortion and was asked to step away. Steven Simonetti stated that the constituents want the Board of Supervisors to make the transfer of land a difficult process for Einstein, and questioned if the agreement of sale is contingent upon the zoning changes and if settlement has occurred. Solicitor Pionzio called on Peter Gigliello and he did not speak. Todd Zemanek stated he is for the zoning change and questioned if East Norriton Township is giving up potential income with changing the current commercial zoning and is in favor of green area. Michael Vernacchio stated he is in favor of the hospital. Solicitor Pionzio called on Irvin Kunzman and he did not speak. Ed Papiernik questioned the ordinance printed in the newspaper and asked if Einstein will be permitted to build eight separate buildings. Thomas Collins stated he adamantly opposes the zoning changes and asked the Board of Supervisors to delay and hinder the development process.

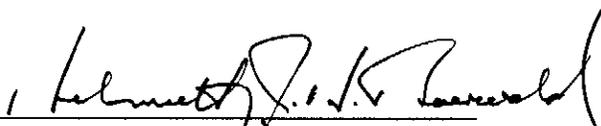
Solicitor Pionzio called on Dennis Gravinese and he did not speak. Peter Vanduyne stated he is for the changes; the Township does not need more commercial development. Deborah Knawby stated she is against the zoning changes, and questioned if the sale is pending upon the zoning change and who will own the commercial property should the current zoning stay in place. Joseph Hardnock stated he is for the zoning change. Concetta Migliarese asked about the February 19, 2008 public hearing minutes, stated that the Montgomery County Planning Commission setbacks should be increased and asked how East Norriton residents get to give their opinions prior to the planning process. Solicitor Pionzio called on Betty Hurley and she did not speak. Kimberley Henderson stated she opposes the zoning changes, and questioned when will be the time for correction to the traffic issues. Arthur Tilson stated he is in favor of the development. Raymond Damiani questioned if Einstein was a done deal, asked the Board of Supervisors to vote against, and asked if taxes would be paid by the hospital and why East Norriton Township doesn't buy the Wood's property. Solicitor Pionzio called on Francis Hunt Jr. and he did not speak. Gordon Comrie Jr. stated he thought a trauma center should be placed in the other end of the county, and other potential land use could be used for this land. Judith Cocking commented on traffic, infrastructure and asked if a cost analysis has been done on widening the roads, on the utilities and traffic studies. Solicitor Pionzio called on Deborah Clark and she did not speak. Barbara Gulick stated she is one hundred percent behind the zoning change, progress is good, and hospital competition is good if it means better healthcare is available. Nicholas Distefano stated that he is for the zoning changes and the hospital; the project will keep the residents' taxes down. Louis John Caparoni Jr. was treated in a Philadelphia hospital and is in favor

of Einstein. John McMonagle questioned the length of the supervisors terms of office, he stated that he is not in favor of the hospital. Kenneth Christovich stated that if the Board of Supervisors does not encourage a unified plan Einstein could build on the institutional portion today and build on the commercial portion at any point in the future; Einstein has to be responsible to pay for all improvements. Richard Shirk questioned if the supervisors have the capacity to have a hospital built in the Township. Charles Doyle questioned why general commercial retail businesses would be consistent with the medical use character of the property, and commented on green space and sound barrier walls. Laurene Cianfrani asked what level of trauma center is to be built, and is in favor of the green space. Suzanne Howarth stated that she objects to the plan, what happens there affects the whole area. Dianna Loader stated that she totally agrees with what Einstein wants to do. Tyrone Baker stated that he is in favor of the hospital. Solicitor Pionzio called on Gerald McDermott and he did not speak. Dave Tomlinson stated he did not receive notification, and it is cheaper to build up than out; an eight story building is too high. Nick Viglianese questioned has the sale been finalized, what are the conditions of the sale, he stated he spoke with surrounding property owners who prefer a lower and closer building, spoke about Zoning Ordinance 205.2 which outlines the purpose of the Zoning Code to protect the public health, safety and welfare, and that this zoning change will affect the Township for years to come, will affect the roads, and spoke about the helipad at the firehouse. Diane Viglianese was called upon and chose not to speak. Connie Bennett commented on the posting on the website, she felt Einstein had too much time for their presentation, that misinformation is being sent out, the zoning

change would send a wrong message to the residents, and that residents need to be represented.

Mr. Staufenberg made a motion to approve Ordinance Nos. 505 and 506. The motion was seconded by Mr. Serratore and approved unanimously.

The meeting was adjourned at 10:05 p.m.



Helmut J. H. Baerwald
Secretary

