

BOROUGH OF CONSHOHOCKEN BOROUGH COUNCIL
MINUTES OF THE PUBLIC MEETING

Wednesday, March 3, 2021

PUBLIC MEETING held via GoToMeeting video/teleconference

PRESENT: Colleen Leonard, Council President
Tina Sokolowski, Council Vice-President
Robert Stokley, Senior Council Member
Anita Barton, Council Member
Jane Flanagan, Council Member
James Griffin, Council Member
Karen Tutino, Council Member
Yaniv Aronson, Mayor

ALSO PRESENT: Stephanie Cecco, Borough Manager
Michael E. Peters, Borough Solicitor

CALL TO ORDER

The Public Meeting of the Conshohocken Borough Council duly advertised, was held remotely using the GoToMeeting platform. Colleen Leonard, Council President, called the meeting to order at 7:02 PM.

COUNCIL PRESIDENT ANNOUNCEMENTS

Ms. Leonard thanked everyone for attending the virtual Council meeting. She reviewed the meeting logistics and participation instructions. She announced that Council held Executive Session prior to the regularly scheduled meeting on legal and property matters.

PRESENTATIONS

a.) Fire Department Annual Update: Andrew Carlin, Washington Fire Company

Andrew Carlin, President of Washington Fire Company, introduced himself. He provided a brief overview of the history of Washington Fire Company. He shared that the facility is being renovated to bolster retention and create a social incentive for prospective members. Mr. Carlin acknowledged the productive working relationship between both Fire Companies and Borough Administration. He shared that all entities meet monthly to establish strategies to improve overall operation of the Conshohocken Fire Department.

LAND USE MATTERS, PUBLIC HEARINGS AND ORDINANCES

a.) West Third Avenue Wireless Communications Facilities Zoning Hearing Board Application

Eric Johnson, Zoning Officer, stated that the applicant proposes to replace a existing 35-foot utility pole located along the West Third Avenue public right-of-way with a 43-foot tall wood pole and install a wireless antenna on top of the pole for a total height of 45.5 feet. He explained that a variance is required to install wireless communication facilities within the BR-1 Residential Zoning District.

Alyson Fritzges, attorney for the applicant, explained that new wireless antenna is needed to enhance wireless communication services and address capacity issues within this area of the Borough. Shaun Paul, Radio Frequency Expert, explained that small cellular antennas enhance a wireless network by increasing capacity in a specific area, as compared to a larger area served by a traditional cell tower. He described the design of the small cells and stated that the placement of the small cells is consistent with existing structures. He shared photographs of the existing small cells located in the Borough.

Ms. Barton made a motion to make a request to Zoning Hearing Board that, should that application be granted, a condition be placed on the approval requiring installation of the small cell telecommunication facility be consistent in type, size and design with the samples provided by the applicant, seconded by Mr. Stokley. The motion carried 7-0.

Mr. Peters shared that the Borough is currently working on an amendment to the Wireless Communications Facilities section of the Zoning Ordinance to address the growth and focus on 5G technology.

b.) 203 East Twelfth Avenue (Lots 1, 2 and 3) Zoning Hearing Board Application

Mr. Johnson shared that the applicant was granted conditional use and subdivision approvals to demolish the existing residential dwelling on the property and divide the property into three (3) lots for future development. He explained that the applicant is seeking a variance to permit the installation of a driveway and off-street parking spaces on each lot from Hollowell Street.

Gerald Rath, attorney for the applicant, discussed the proposed use of the property, which is to construct three (3) single family detached dwellings with off-street parking spaces in the driveways located in the front yards of the lots. Mr. Rath explained that there is no alley located at the rear of the properties to allow a driveway to be located at the rear of the lots. He shared that the proposal is consistent with the character of the surrounding neighborhood as six (6) of the seven (7) single family detached dwellings fronting on Hollowell Street have a driveway in the front yard.

Ms. Leonard asked if this proposed development project would need to go through the land development process. Mr. Peters responded it is the intent of the Borough, per the resolution granting subdivision approval, for the project to obtain land development approval. Mr. Rath argued that the scope of the project does not meet the requirements of land development under the Borough's planning code. Rob Ratoskey, the applicant, recommended that proposed public improvements be reviewed during permitting process.

Ms. Sokolowski made a motion to make a request to the Zoning Hearing Board that, should the application be granted, a condition be placed on the approval requiring land development approval prior to development and construction activities, seconded by Ms. Flanagan. The motion carried 7-0.

c.) Discussion on an amendment to the Accessory Structure section of the Zoning Ordinance

Mr. Peters reviewed the proposed ordinance amendment. He explained that the amendment requires that property lines be staked before an accessory structure is constructed and permits an increase in accessory structures devoted strictly to the storage of vehicles to a maximum area of 450 square feet. He added that the amendment allows the increase of 100 square feet to be excluded from the applicable impervious surface and building coverage requirements provided the structure is for vehicle storage. Council voiced support of the amendment as it will increase available off-street parking in the Borough and reduce the need for zoning variances for two-car garages.

d.) Discussion on an amendment to the SP-4 District Sign Standards section of the Zoning Ordinance

Mr. Peters reminded Council that the new sign regulations applied very specifically to buildings of a certain height occupied almost entirely by a single principal user in the SP-4 Zoning District. He shared that the Planning Commission reviewed the proposed amendment and recommended adoption of the ordinance with the condition that the ordinance's provisions related to 95% allocation be better clarified. Mr. Peters explained that revisions to the proposed ordinance have been made to determine how common areas are allocated to a single principal user.

COUNCIL BUSINESS

a.) Conduct an interview for the position of Zoning Hearing Board Alternate

Ms. Leonard introduced Terry Cummings who was present to interview for the position of Zoning Hearing Board (ZHB) Alternate. Mr. Cummings shared that he has always had an interest in participating on a Zoning Hearing Board as his father has served as a member in Upper Southampton for over 30 years. He also shared that from a professional standpoint, he has strong skills in contract review and negotiations, and mediation that could be beneficial to the ZHB. Mr. Cummings discussed the importance of maintaining the character of Conshohocken within the code requirements of the Zoning Ordinance. He confirmed that, if appointed, his decisions would be based on facts obtained and by applying the law.

Ms. Leonard introduced Emily Tunney who was present to interview for the position of Zoning Hearing Board Alternate. Ms. Tunney shared that she is looking to serve the community in a meaningful way. She discussed how her experience interpreting and developing bylaws for non-profit organizations could add value to the ZHB. She briefly reviewed the role of the Zoning Hearing Board and stressed the importance of ensuring fair and equitable application of the Zoning Ordinance.

MANAGER MATTERS

a.) Consider approving Resolution 2021-05 approving an extension of the local disaster emergency

Ms. Tutino made a motion to approve Resolution 2021-05 approving an extension of the local disaster emergency through May 5, 2021, seconded by Mr. Griffin. The motion carried 7-0.

b.) Consider approving Resolution 2021-06 approving an extension of the no parking regulations within the Borough

Ms. Tutino made a motion to approve Resolution 2021-06 approving an extension of the no parking regulations within the Borough for a period of 90 days, seconded by Ms. Flanagan. The motion carried 7-0.

DEPARTMENT MATTERS

a.) Discussion on the EAC Residential Tree Replenishment Program

Ray Sokolowski, Executive Director of Operations, shared that Borough Administration in conjunction with the EAC and the Shade Tree Commission are working on a program to replenish street trees in the Borough.

LEGAL MATTERS

There were no legal matters.

COUNCIL MEMBER AND MAYOR MATTERS

Mayor Aronson shared that the Artist's Loft has reopened following a fire that had occurred on the property. He also shared that he is partnering with the Mayor of West Conshohocken for an event, Battle of the Bridge, on Saturday, March 13, 2021 to support local restaurants.

Mr. Griffin reminded rental property owners to provide proper trash and recycling receptacles for their tenants.

PUBLIC COMMENT

Brittany Rogers, Executive Assistant to the Borough Manager, stated that ten (10) individuals submitted written public comment via email submission.

Cynthia Johnson, 214 Maple Street, stated that she is opposed to the sale of the Sewer Authority. Ms. Johnson shared that she is concerned about the impact the sale would have on senior citizens.

Timothy Snyder, 236 West 3rd Avenue, asked Council to consider maintaining the Sewer Authority as it is an asset to the community. He discussed how privatization could lead to higher rates for lower service.

Lisa Lilick, 804 Forrest Street, expressed her concerns related to the privatization of the Sewer Authority. She stated that privatization would lead to rate hikes and shared that private companies focus on profit maximization rather than on quality of service. She discussed House Bill 144 that would amend the public utility laws to require a selling utility to conduct a ratepayer referendum and an annual privatization report.

Jackie Coll, 810 Forrest Street, stated that she is opposed to the sale of the Sewer Authority.

Christina Werth, 134 West 9th Avenue, expressed her opposition to the privatization of the municipal sewer system. She discussed an article which summarizes the impacts other communities have faced after municipal sewer systems were sold. She shared that the cost of buying the systems would be passed on with increased rates. Ms. Werth discussed pending local and federal legislation that would benefit the Borough if the sewer system remained public. She asked Council to consider the needs and desires of the residents when considering this matter.

Deborah Bier, Forrest Street, urged Council to consider other funding sources to finance the infrastructure improvements.

Samantha Hildebrand, 207 East 10th Avenue, voiced concerns related to the sale of the Sewer Authority. She shared that privatization would reduce local control and increase rates. She stated that she would prefer to have taxes raised and maintain the municipal asset.

Carol Smith, 109 Maple Street, shared several reasons why she is opposed to the sale of the Sewer Authority. She discussed how rate hikes are used as a way for private companies to maximize profits. She added that rate increases would affect low to moderate-income families and business owners. She shared information on legislation for a water ratepayer bill of rights, which was recently introduced in the PA House of Representatives. She encouraged residents to join COPE (Conshohocken Opposed Privatization Efforts).

Jason Saro, 4 Nathans Place in West Conshohocken, asked Borough Council not to sell the sewer system.

Alexander Holmes, 211 Front Street in West Conshohocken, discussed case studies related to the privatization of municipal utilities. He shared that efforts to privatize utilities have shown that private companies do not increase efficiency and servicing and that privatization efforts have only been successful in low-income neighborhoods with inadequate infrastructure. He also explained that the sale of public sewer systems yields long-term tax increases and rate increases when compared to government owned utilities.

ADJOURNMENT

The meeting was adjourned at 8:42 PM.

Respectfully Submitted,

Stephanie Cecco,
Borough Secretary