

**Towamencin Township  
Board of Supervisors  
Work Session Meeting  
February 10, 2016  
7:30 PM**

**Present:**

H. Charles Wilson III, Chairman  
Laura Smith, Vice Chairman  
James P. Sinz, Secretary/Asst. Treasurer  
Daniel M. Littley, Jr., Treasurer/Asst. Secretary  
David Mosesso

**Staff:**

Robert A. Ford, Township Manager  
Robert Iannozzi, Esq., Township Solicitor's Office  
Tom Zarko, Township Engineer  
Paul T. Dickinson, Chief of Police  
Maureen Doyle, Finance Director  
Colleen Ehrle, Assistant to the Township Manager

Chairman Wilson called the meeting to order at 7:34 PM and led the assemblage in the Pledge of Allegiance.

**Opening Comments**

Chairman Wilson announced the Board met in Executive Session prior to the meeting to review matters of personnel and real estate transactions.

**Public Comments**

None

**Approval of Minutes**

On a motion by Supervisor Littley, seconded by Supervisor Smith, the meeting minutes of January 27, 2016 were approved.

**Voting Yes:** H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., David Mosesso,  
James P. Sinz

**Voting No:**

**Abstaining:**

**Absent:**

**Old Business**

**Wind Energy Building Options/Ordinances – MCPC Presentation**

At their January 13<sup>th</sup> meeting, the Board authorized the advertising of a public hearing to consider the adoption of a draft amendment to the Township Zoning Code to clarify the procedures and regulations pertaining to wind energy systems as an accessory use in various zoning districts. This draft was reviewed, revised and subsequently endorsed by the Township Planning Commission. The public hearing on this amendment is scheduled for the Board's February 24<sup>th</sup> meeting.

At the request of the Board of Supervisors, Jon Leshar, the Senior Environmental Planner with the Montgomery County Planning Commission, provided a presentation of the different wind energy options available and the regulatory issues associated with them. Mr. Leshar commended the Township for their proposed ordinance and felt it was wise to be proactive and regulate on this technology.

Chairman Wilson explained the Board's primary concern for discussion is the roof-top mounted wind turbines.

Supervisor Sinz asked if there were reports of structural and/or roof damages associated by a "wobble-effect" from roof-mounted systems. Mr. Leshar stated that there were reported incidents.

Supervisor Mosesso asked if this effect and damage would be attributed to improper installation. Mr. Leshar responded that his guess would be if they were installed correctly, in conjunction with a structural-engineer analysis, this should not happen.

Supervisor Mosesso commented on different housing development scenarios, then asked Mr. Leshar if at the very least the structural-engineer reports should be included in the ordinance for building mounted turbines. Mr. Leshar said, "yes, without a doubt, if you were going to allow building-mounted systems." Supervisor Mosesso continued, asking if Mr. Leshar would see any reason to exclude or prohibit the roof-mounted turbines as a whole. Mr. Leshar replied that as the County Renewal Energy Responsible Advocate, he would advocate to allow them, if it was done under the guidance of a structural engineer analysis as the Distributed Wind Energy Association recommends.

Supervisor Mosesso asked if there were preferable models for roof-mounted systems. Mr. Leshar said there are some very site/building specific recommendations. He added there's a recommended one-year wind study, prior to any installation, to test if the area in question would be suitable for wind-energy systems. Supervisor Mosesso asked if the sales of these devices are regulated. Mr. Leshar responded there are devices endorsed by the wind energy industry and wind energy associations.

Supervisor Sinz asked if there were recommended maintenance inspection intervals in place to inspect both the device and structural integrity of the roof. Mr. Leshar replied that he has not seen any maintenance schedule requirements in the ordinances he has reviewed to date.

Resident Joe Silverman asked if the 55 foot height requirement in the wind ordinance would supersede the existing height requirement noted in other zoning codes. Mr. Leshar said that the 55' requirement would supersede existing zoning regulations, but only for wind-energy devices. Mr. Silverman expressed concerns about roof-mounted systems, specifically their design and the

level of noise created. He favored a design that incorporated a building structure coming from the basement, up through the roof, with the turbine attached to said structure, as opposed to the roof itself. Mr. Silverman did not feel it would be a good idea to have the roof-mounted turbines in residential areas, but that pole-mounted structures make more sense in suitable environments. Mr. Leshner agreed that the most practical use for wind-energy would be pole-mounted systems in open-space areas or commercial sites that have available land.

Supervisor Littley asked Mr. Leshner what his thoughts were on the DWEA (Distributed Wind Energy Association). Mr. Leshner said they are proponents of their industry and have an interest in making money off this technology. However, they also have an interest in assuring their systems are safe and have guidelines in place to prevent liability, lawsuits and bad press.

Supervisor Littley cited and read aloud references from DWEA Ordinances and requested they be included in the minutes for the evening:

*Distributed Wind Energy Association - Model Zoning Ordinance – February 2014, Section 4 Permitted Use*

4.3 All Distributed Wind Energy Systems are subject to certain requirements as set forth below

4.3.4 Building Mounted Systems:

Wind turbines mounted on buildings are required to follow the industry standard that the entire wind turbine should be 30' above all obstructions within a 500' radius of the turbine, including the structure to which it is mounted and the surrounding tree height.

*Small Wind Model Zoning Ordinance - October 2013*

4.1.3 Building Mounted Systems

- Building mounted wind turbines are often touted by a fringe segment of the small wind industry as a cost effective alternative to tall towers. In order to understand the full scope of why building integrated wind turbines are not a good idea and why they are not supported by the industry, we have to consider them from two main vantage points: first, from an engineering, structural and mechanical perspective; and second, from a productivity, durability and economic perspective.
- The old adage that, "Just because you can, doesn't mean you should" applies to building - mounted wind turbines. Existing buildings are not designed or engineered to support the static, dynamic, and cyclic loads and forces from a wind turbine. For structural and mechanical confidence, considerable reengineering and structural reinforcements are required to assure the building integrity for a wind turbine.
- Much is known about the physics of airflow and turbulence, and how destructive turbulence is for wind turbines. From a durability perspective, the turbulence caused by the buildings and trees creates a far "tougher" environment for a wind turbine than does a tall tower, often compromising system reliability. Studies regarding the flow of wind around building and other obstacles confirm the industry's stance that tall towers are the correct way to deploy wind turbines, regardless of rotor axis orientation (horizontal or vertical).
- The industry, through various channels, has actively engaged in efforts to gather data that could either corroborate or refute reliability, failure rate, and production claims made by manufacturers of equipment marketed as "building integrated" or "breakthrough technology." After many years, however, the industry has only been provided with minuscule amounts of

data. The limited data we do have does not support the claimed benefits of building-mounted or building-integrated wind turbines.

Supervisor Littley also cited the following reference from the DVRPC's (Delaware Valley Regional Planning Commission) *Renewable Energy Ordinance Framework – Small Wind*.

- There are significant industry concerns about the viability of building integrated or roof mounted wind turbines. Due to the turbulent nature of wind surrounding buildings, roof-mounted or Building integrated Wind Energy Systems have been fraught with issues related to noise intrusion and vibrations (which may pose structural challenges to the buildings, as well as reduce output.) Often, these systems are deemed cost ineffective and produce power far below their rated output. If your municipality wishes to alleviate concerns related to Building Integrated Wind Energy Systems, you may wish to require an added layer of review (e.g., additional engineering analysis) for these applications, or not allow them at all.
- Applications for roof-mounted (or other nontraditionally mounted) turbines must include a wet stamped/sealed/certified structural engineering analysis for the turbine mounting system and for the suitability of the building to which the turbine is to be mounted. (DWEA)

After the Board discussion and questions concluded, it was the consensus of the Board to proceed with the previously scheduled public hearing for this ordinance amendment on February 24, 2016.

## **New Business**

### **Resolution 16-07: Funding for Roadway Improvements**

The Board was asked to approve payment and the transfer of funds to the Towamencin Township Infrastructure Authority as authorized in the approved 2016 Budget. This is for the quarterly debt payment to the First National Bank & Trust of Newtown in the amount of \$53,602.77, which will be paid by TTIA on February 11<sup>th</sup>.

On a motion by Supervisor Smith, seconded by Supervisor Littley, the Board approved the payment and transfer of funds, in the amount of \$53,602.77, to the Towamencin Township Infrastructure Authority.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., David Mosesso, James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent:**

### **Authorization to Advertise Floodplain Ordinance Amendment**

Flood Insurance Rate Maps (FIRMS) have been updated by the Federal Emergency Management Agency (FEMA) for all of Montgomery County. Along with these map updates, all Montgomery County municipalities are required to update their Floodplain Regulations to meet the updated

criteria. These revised regulations must be in effect by March 2, 2016, when the new FIRMs become effective.

In Montgomery County, the Montgomery County Planning Commission (MCPC) has been assigned the task of coordinating this effort. The current floodplain regulations in Towamencin Township have been reviewed and were compared to both the MCPC Model Ordinance and the model ordinance prepared by the Pennsylvania Department of Community and Economic Development (DCED). At their November 24, 2015 meeting, the Board agreed to authorize the recommendations from the Township Engineer so that the updated Floodplain Regulations could be drafted to meet the new FEMA criteria.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board authorized staff to advertise a public hearing and to schedule the consideration of adopting the Floodplain Ordinance Amendment at their February 24<sup>th</sup> meeting.

**Voting Yes: H. Charles Wilson, III, Daniel M. Littley, Jr., James P. Sinz, David Mosesso, Laura Smith**

**Voting No:**

**Abstaining:**

**Absent:**

#### **Extension of Sanitary Sewer Televising & Repair Contract**

The current contract with Sewer Specialty Services, Inc. expires April 3, 2016. Under the terms of the contract, there is an option to extend the term for an additional 365 days, with the same terms and conditions including unit costs. The Township Sanitary Sewer Engineer has recommended this extension.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved extending the Sanitary Sewer Televising & Repair contract, with Sewer Specialty Services, Inc., for an additional 365 days under the same terms and conditions of the existing contract and not to exceed \$250,000.

**Voting Yes: H. Charles Wilson, III, Daniel M. Littley, Jr., James P. Sinz, David Mosesso, Laura Smith**

**Voting No:**

**Abstaining:**

**Absent:**

#### **TYA Baseball Camp 2016 Request – July 11 through July 14**

TYA Baseball wishes to run a baseball camp at Bustard Park for players, ages 8-12 years old, for five days in July. The dates are July 11<sup>th</sup> through July 14<sup>th</sup>, with a day added as a rain-date. There will be a maximum of 55 participants. TYA has asked if the Township would agree to allow the TYA Baseball Program to sponsor this event and not be charged the field registration permit fee by the Township. The camp aims to maintain a low fee, making it affordable for TYA families. This is the basis for the fee waiver. If the camp has to pay the field fee, they will be required to increase the registration fee substantially. The higher fee would make it unaffordable

to some TYA families and may result in low attendance, which could lead to the cancellation of the camp. The cost to rent the fields would be \$800.

On a motion by Supervisor Smith, seconded by Supervisor Littley, the Board agreed to waive the field registration permit fee for the date and times noted for the TYA Baseball Camp.

**Voting Yes:** H. Charles Wilson, III, Daniel M. Littley, Jr., James P. Sinz, David Mosesso, Laura Smith

**Voting No:**

**Abstaining:**

**Absent:**

### **MS Walk North Penn High School – 2016 Rest Stop Request**

The Greater Delaware Valley Chapter of the Multiple Sclerosis Society has requested that the Township allow the Society to use a designated area within the parking lot of the Towamencin Pool Facility as a water/rest stop, between 6:30 a.m. and 10:30 a.m., for the North Penn Walk scheduled for Sunday, April 24, 2016. This event starts at North Penn High School.

Supervisor Mosesso asked if there was a request or need for police at this event. Mr. Ford stated there was no need.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the noted rest stop for the North Penn High School MS Walk.

**Voting Yes:** H. Charles Wilson, III, Daniel M. Littley, Jr., James P. Sinz, David Mosesso, Laura Smith

**Voting No:**

**Abstaining:**

**Absent:**

### **Alan Myers Request to Extend Single Lane Closure - Green Lane Road**

The contractor, Allen Myers, for the Pennsylvania Turnpike Widening Project has requested permission to extend the current 9 a.m. to 3 p.m. single lane patterns on Green Lane Road to 7 a.m. until 5 p.m. during weekdays, until the Stage 3 full closure of Green Lane Road commences in June. They would keep all traffic flowing through the work area and will not hold buses. The Police Department has reviewed this request and has no objection to trying it, as it would likely not impact traffic much. However, the police did emphasize that they must insure buses get through in a timely manner and that any Board approval should include the caveat that it would be revoked if a problem surfaced.

Supervisor Littley added to the caveat that the closure must also account for the ingress and egress of emergency vehicles.

On a motion by Supervisor Smith, seconded by Supervisor Littley, the Board approved the request of Alan Myers to extend the time frame of single lane patterns on Green Lane Road, with the noted caveats for buses and emergency vehicles.

**Voting Yes:** H. Charles Wilson, III, Daniel M. Littley, Jr., James P. Sinz, David Mosesso, Laura Smith

**Voting No:**

**Abstaining:**

**Absent:**

**Request for Overnight Travel for Training**

The Police Department is seeking approval for overnight travel for training for an officer to attend a conference/seminar, sponsored by the PA District Attorney's office, held on April 18<sup>th</sup> through April 20<sup>th</sup>. This training expense is accounted for within the approved 2016 Budget and will be in accordance with the Township's Travel Reimbursement Policy.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the Police Department's request for overnight travel expenses for training.

**Voting Yes:** H. Charles Wilson, III, Daniel M. Littley, Jr., James P. Sinz, David Mosesso, Laura Smith

**Voting No:**

**Abstaining:**

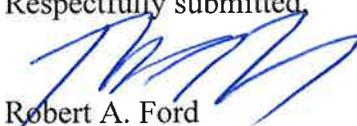
**Absent:**

**Additional Business**

Supervisor Sinz mentioned the recent Towamencin Youth Association meeting held earlier that morning. He asked for an update on the feasibility of having the necessary grading done for the proposed "Nash Softball Field" as a step forward in the ultimate construction of this project. In November, the Board directed staff to research the possibility of initiating necessary grading during 2016 at no or minimal cost to the Township. The idea was a local contractor or developer might complete the grading *gratis*. Mr. Ford advised that he would talk with Bill Muzika of Allan Myers Construction about possible assistance.

There being no additional business, the meeting adjourned at 8:23 PM.

Respectfully submitted,

  
Robert A. Ford  
Township Manager