

**WHITPAIN TOWNSHIP**  
**BOARD OF SUPERVISORS' AGENDA #07-2019**  
**April 2, 2019**  
**8:00 PM**

1. Salute to the Flag.
2. Mission Moment
3. Consent Agenda:
  - a. Motion to approve the minutes of the Board of Supervisors' meeting of March 19, 2019.
  - b. Motion to approve the March Voucher List in the amount of \$890,194.66, check sequence #66644 through #66871.
  - c. Motion to approve the February 2019 Treasurer's Report.
  - d. Supervisors to consider a request from Charles E. Shoemaker, Inc. on behalf of Whitpain Township for a waiver from the requirement of preparing a land development plan to convert two natural grass athletic fields to two synthetic turf fields at Centre Square Park. The location address is 1527 Yost Road. The waiver from land development is conditioned upon the review and approval of the site plans by the Township Engineer and permit approvals from the Montgomery County Conservation District and the PA Department of Environmental Protection.
  - e. Confirming motion to release \$21,011.75 (Release #1) from the escrow fund for 209, 229, 249 Stenton Avenue Subdivision located at 209-249 Stenton Avenue.
  - f. Motion to award the contract for the Stormwater BMP Enhancement Project to Road-Con, Inc. of West Chester, PA in the bid amount of \$306,000 subject to the review of the bid documents by the Township Engineer and the Township Solicitor.

- g. Motion to authorize the Chairman and Secretary to sign an Agreement for Determining Alluvial Floodplain Boundaries between Whitpain Township and MDG #6, LLC, the equitable owner of 1002 Jolly Road, Blue Bell, PA 19422.
  - h. Motion to authorize the Chairman and Secretary to sign an Agreement for Determining FEMA Floodplain Boundaries between Whitpain Township and MDG #6, LLC, the equitable owner of 1002 Jolly Road, Blue Bell, PA 19422.
  - i. Motion to authorize payment to Mid-Atlantic Sports Construction for professional services related to turf field construction design at Centre Square Park in an amount not to exceed \$180,000.
4. Does the Board of Supervisors wish to take any action on the following Zoning Hearing Board cases scheduled to be heard April 18, 2019? The Planning Commission will review these cases at its April 9<sup>th</sup> meeting.

**NO. 2188-19: SALVATORE AND DAWN PILEGGI** request either special exceptions or variances from Article XXIX, Sections 160-222 related to Buildings, Section 160-224 related to Discretion of Zoning Board, Section 160-225 related to Extension of Non-Conforming Use, and Article XXV, Section 160-172A related to Prohibited Uses, Section 160-173(A) and (B) related to Uses and Structures Rendered Non-Conforming, Section 160-174 related to Improvements to Existing Structures in Flood Plain Conservation District, Section 160-176(A) and (B) related to Application for Special Exceptions or Variances, Section 160-178 related to Standards for Approval of Special Exceptions and Section 160-179 and 179.1 related to Standards for Approval of Use by Variance to allow Applicants to install a new foundation and replace an existing 1,006 square foot wooden addition with a new 858 square foot addition on the property located at 1070 North Wales Rd., Blue Bell, PA in the Township's R-1 Floodplain Conservation District. Applicant's requested relief, if granted, will allow Applicants to install the new foundation and construct the new addition in a floodplain when the Ordinance prohibits same.

**NO. 2189-19: 919 SKIPPACK PIKE PROPERTIES, LLC** requests the following variance relief from the Whitpain Township Zoning Ordinance, as amended: (1) Article II, Section 160-7(B) relating to the definitions of front, side, and rear-yard setback orientation; (2) Article V, Section 160-14 relating to lot area and width in the R-1 Residence Districts; (3) Article V, Section 160-15 relating to front-yards in the R-1 Residence Districts; (4) Article V, Section 160-17 relating to side-yards for single-family dwellings in the R-1 Residence Districts; (5) Article V, Section 160-19 relating to rear-yards in the R-1 Residence Districts; (6) Article V, Section 160-21 relating to accessory buildings or structures within the Township; (7) Article XXVIII, Section 160-202 related to

projections in the front-yards within the Township; (8) Article XXVIII, Section 160-203 related to projections in the side-yards within the Township; (9) Article XXVIII, Section 160-204 related to intrusions in the rear-yard within the Township; (10) Article XXVIII, Section 160-216(A) relating to access requirements for flag lots within the Township; (11) Article XXVIII, Section 160-216(B) relating to minimum flag lots size requirements for flag lots within the Township; and (12) Article XXVIII, Section 160-216(D) relating to stack lot provisions for flag lots within the Township.

Applicant proposes to subdivide the property located at 919 Skippack Pike, within the Township's R-1 Residence Districts, into 3 lots: Lot 1, Lot 2, and Lot 3, where Lot 1 will be improved with the existing 2-story single-family dwelling and Lots 2 and 3 will be improved with new single-family dwellings.

Applicant's requested relief, if granted, will result in: (1) the property's front, side, and rear-yard setback orientations being as depicted on the proposed subdivision plan; (2) a lot area for Lot 1 of 26,512 square-feet, 20,670 square-feet for Lot 2, and 24,212 square-feet for Lot 3, where a minimum lot area of 30,000 square-feet is required under the Ordinance; (3) a lot width at the building line for Lot 2 of 140-feet and 132-feet for Lot 3, where a minimum of 150-feet is required under the Ordinance; (4) a front-yard setback for Lot 1 of 45 feet where a minimum of 50 feet is required under the Ordinance; (5) side-yard setbacks for Lots 1, 2, and 3 of 15-feet with an aggregate side-yard setback of 40-feet, where under the Ordinance a minimum side-yard setback of 40-feet with an aggregate side-yard setback of 100-feet is required under the Ordinance; (6) a rear-yard setback of 50-feet for Lots 2 and 3, where a minimum of 75-feet is required under the Ordinance; (7) a reduced flag lot access width of 20-feet, where under the Ordinance a minimum of 25-feet is required when a common driveway for 2 lots utilizes a cross easement; (8) a flag lot size of 20,674 square-feet for Lot 2 and 24,212 square-feet for Lot 3, where a minimum flag lot size of 45,000 square-feet is required under the Ordinance; (9) a reduced common drive width of 14-feet, where a minimum of 16-feet is required under the Ordinance; (10) projections in the front-yard of Lot 1 when the Ordinance prohibits same; and (11) an accessory structure (detached garage) on Lot 1 having a setback of 5-feet, where a minimum of 10-feet is required under the Ordinance.

**NO. 2190-19: MAGAZZI, LLC/GITONIA, LLC** request the following zoning relief from the Whippen Township Zoning Ordinance, as amended: (1) a variance from Article XIX, 160-121(C) relating to front-yard setbacks in the C-Commercial Districts; (2) a variance from Article XXVI, Section 160-191(D) relating to Schedule of Sign Regulations for the Township's SC-Shopping Center, C-Commercial, C1-Commercial, and VC-Village Commercial Districts; (3) a variance from Article XXVII, Section 160-192(B)(2)(e) relating to off-street parking for retail store or other shop within the Township; (4) a variance from Article XXVII, Section 160-192(B)(2)(j) relating to off-street parking for

restaurant, café or other eating or drinking establishment within the Township; and (5) a special exception from Article XXVII, Section 160-193(A) relating to parking facilities for 2 or more establishments within the Township.

Applicant proposes to redevelop the property located at 1 Skippack Pike/11 Skippack Pike, within the Township's C-Commercial District, by removing the existing building and site improvements, and constructing a small 7,425 square-foot retail center consisting of 2 buildings, which will be occupied for retail and restaurant use in certain proportion based upon tenant needs.

Applicant's requested zoning relief, if granted, will permit: (1) a front-yard setback of 13.5-feet on Skippack Pike, 23.6-feet on Butler Pike, and 16.9-feet on the radius at the Skippack Pike and Butler Pike intersection, where under the Ordinance a 25-foot minimum setback is required; (2) a shared parking configuration for 96 parking spaces, whereby 44 parking spaces will be located on the property and 52 parking spaces will be shared with the property located at 25 Skippack Pike, where under the Ordinance, 96 parking spaces for the proposed use mix on the property are required; (3) 2 ground signs (1 with a sign area of 20 square-feet and 1 with a sign area of 30 square-feet) to be placed along the Butler Pike and Skippack Pike frontages, where a maximum 1 ground sign totaling 50 square-feet in sign area is permitted under the Ordinance.

**NO. 2191-19: KARYA PROPERTIES, LLC** requests a modification of Whitpain Township Zoning Hearing Board Decision No. 2095-16 entered on January 19, 2017. Applicant's requested relief, if granted, will permit Applicant to construct the entire driveway serving the subdivision located at 490 Penllyn-Blue Bell Pike, Blue Bell, PA in the Township's R-1 Residential District within the property line of Lot 1 of the subdivision when the Ordinance would otherwise prohibit same.

**NO. 2192-19: STEVE MASUCCI** requests variances from Article VII, Sections 160-34 related to Side Yards for Single Family Detached Dwellings and Article XXVIII, Section 160-203 related to Residential Projections into Side Yards to allow Applicant to extend the roofline on an existing covered porch on his property located at 18 Meade Rd., Ambler, PA in the Township's R-2 Residential District. Applicant's requested relief, if granted, will allow Applicant to extend the roofline of the existing covered porch which will then: (1) project into the side yard when the Ordinance prohibits same and (2) will reduce the side yard width to 10 feet when the Ordinance requires at least 25 feet and (3) will reduce the aggregate side yard width to 38 feet when the Ordinance requires a minimum of 60 feet.

5. Public Comment
6. Old Business/New Business/Closing Comments (Supervisors).