

**WHITPAIN TOWNSHIP PLANNING COMMISSION
OCTOBER 2021**

A hybrid work session of the Whitpain Township Planning Commission was held on Tuesday, October 12, 2021 at 6:30 PM as a video conference using *Zoom* video technology for the purpose of reviewing the agenda of the public meeting to be held that evening. Chair Kenneth Corti presided in person with Planning Commission members attending virtually that included Vice Chair Richard Shorin, Secretary Cathy McGowan, Joe Habboush, Joseph Fay, John O'Hara, Kurt Zintner, and Alternate members John Miller, Marie Golson and Peter Kreher. Township Engineer James E. Blanch, P.E., Code Enforcement Officer Michael McAndrew, Township Planning Consultant Rick Collier, IT Director Robert Marcy (in person) and Recording Secretary Jennifer L. Gallagher were also present virtually.

1. Approval of the minutes

There were no comments or questions on the September meeting minutes.

2. Review of a Land Development Plan for the Montgomery County Community College Hospitality Institute (LD-2-21). This application involves the construction of a 20,300 square ft. Hospitality Institute facility (8,300 SF complete renovation of existing building and a 12,000 SF building addition) on a lot of approximately 190.5 acres of property (entire campus parcel area) located at 340 DeKalb Pike, which is located on the southeast corner of the intersection of DeKalb Pike and Morris Road. Access to the land development is proposed from the same campus access driveways. The property is zoned IN – Institutional Zoning District.

Mrs. Golson questioned if the tree planting has been resolved. Mr. Collier responded the tree planting has not been resolved, explaining that the proposal did not meet code requirements for 56 trees. He continued that some trees were not yet planted, some were given credit previously, some were not shade trees, and the trees were 1.5 inches in caliper instead of 4 inches.

Mr. Blanch commented that the proposed stormwater management system was over top of the sanitary sewer line and the applicant agreed to relocate it as recommended. In addition, the applicant believes that traffic impact and sewage will remain the same since student enrollment will be less. However, Mr. Blanch explained that the applicant would be required to pay traffic and sewer impact fees if any new trips are generated.

Vice Chairman Shorin questioned if this will be part of the community college or a separate entity operating out of the college. Mr. Blanch explained it is part of a degree program like health science center. The hospitality careers will be training at this center, but unsure if the public will be invited in. In the review they must provide an ADA accessibility routing, how trucks will provide access to the facilities for delivery, and where the visitors and students are going to park.

Mr. Shorin commented that impact fees apply to any new project within the township regardless of the use or ownership. Mr. Blanch agreed that this is not a tax, but an impact fee that applies to everyone in the township, including institutions.

Chairman Corti referred to the County's review letter wherein they note the plan showed an inclusion of vegetation on the berms of the basin. Mr. Blanch commented they are missing

information on the apple orchard trees and agreed with the County Planning Commission that nothing should be on the berm and that the trees should be relocated.

Mr. Collier inquired if the proposed apple orchard is just a symbolic gesture or an actual orchard and expressed concern that an orchard can be chemically intensive and a source of pollution right next to the storm basin and adjacent wetland. The maintenance plan will be needed to make sure there is environmentally sound management of the apple orchard.

In response to Secretary McGowan's question concerning the stormwater issue, Mr. Blanch replied that it is not a major relocation, and the applicant is complying with the township concerns on the berm.

3. Review current Zoning Hearing Board cases:

- a. NO. 2289-21 – FREDERICK AND MICHELE OSKANIAN request a special exception pursuant to Article XXV, Section 160-175.E related to Uses Permitted by Special Exception. Applicants also request variances from Article XXV, Section 160-176(A) and (B) related to Application for Special Exception or Variance and Article XXVIII, Section 160-214.C related to Green Area Regulations with respect to their property located at 1505 Skippack Pike, Blue Bell, PA in the Township's R-2/FP Residential District/Floodplain District. Applicant's requested relief, if granted, will allow Applicants to install a driveway in the floodplain without having to comply with the zoning ordinance which requires detailed engineering studies in order to do so and will allow the green area to be reduced to 58,728 square feet when the Ordinance requires 60,689 square feet. Review pertinent planning issues.

Mr. Blanch and Mr. Collier have been in contact with the engineer and have noticed the hydric soils are extending further into the property than the flood map shows. The engineer spoke with the applicant, and they are not seeking any action tonight from the Planning Commission as far as a recommendation or comments. The applicants will request a continuance from the Zoning Hearing Board until next month, but wanted to inform the Planning Commission on their future plans of removing the hydric soil through the short procedures.

- b. NO. 2291-21 – SALY A. GLASSMAN REVOCABLE TRUST requests a variance pursuant to Article XXVI, Section 160-191.A related to Schedule of Sign Uses with respect to its property located at 901 Morris Rd., Blue Bell, PA in the Township's R-5 Agricultural/Rural Residential District. Applicant's requested relief, if granted, will allow Applicant to install a 16.6 square foot, free standing identification sign for the Kindle Hill Foundation between the legal and ultimate right of way on Morris Rd. when the Ordinance prohibits same.

Mr. Blanch explained the applicant should be required to show the sight distance within the exhibit. The applicant should also notify PennDOT with the location of the sign in the ultimate right-of-way of Morris Road. Mr. Collier doesn't believe there is a sight distance or sight triangle problem, but it should be labeled on the plans from a liability point of view. Vice Chairman Shorin expressed the "no smoking," and "please drive slowly" sign should be located inside the property.

- c. NO. 2292-21 – LEANNE LENTZ requests a variance pursuant to Article V, Section 160-17 related to Side Yards for Single Family dwellings with respect to her property located at 1391 Jolly Rd., Blue Bell, PA in the Township’s R-1 Residential District. Applicant’s requested relief, if granted, will allow Applicant to install a new addition and covered porch onto her existing residence which will decrease one side yard width to less than 45 feet and the aggregate side yard width to less than 100 feet when the Ordinance prohibits same.

Secretary McGowan questioned if stormwater management is needed. Mr. Blanch stated that the proposed square footage exceeds the stormwater requirement which would require stormwater management.

- d. NO. 2293-21 – TERRY HUGHES requests variance pursuant to Article V, Section 160-18 related to Side Yards for Other Than Single Family Dwellings, Article V, Section 160-21 related to Accessory Buildings, Article XXVIII, Sections 160-202 related to Residential Projections into Front Yard, Section 160-203 related to Residential Projections into Side Yards and Section 160-204 related to Residential Rear Yard Intrusions with respect to the property located at 997 Stoneybrook Drive, Blue Bell, PA in the Township’s R-1 Residential District. Applicant’s requested relief, if granted, will allow Applicant to install 24’ by 24’ one and a half story detached garage with loft space to the front/side of the existing home which will: (1) reduce the minimum side yard from 25 feet to 5 feet and project into the side yard when the Ordinance prohibits same; and (2) reduce the required minimum aggregate front yard to 35 feet and project into the front yard when the Ordinance prohibits same; and (3) permit a kitchen to be installed in the garage when the Ordinance prohibits same; and (4) allow a 24’ by 16’ covered patio to be installed on the side of the house set back 30; from the side yard property line when the Ordinance prohibits same.

Vice Chairman Shorin commented on the addition size and how close it is to the property line. Secretary McGowan mentioned the property already has a garage and questioned why they can’t push it back with the existing garage. Mr. Collier explained the property will look overcrowded with a large building within the square footage and being 20 feet high. The trees along the edge of the adjacent property would be taken out. Mr. Collier questioned why they would need to install a kitchen and will the area be a secondary residents carriage home. Chairman Corti mentioned in other cases it would be deed restricted for family only and not for rental or leasing purposes. Secretary McGowan mentioned with a R-1 area they are intruding 45 feet into the yard. Vice Chairman noted within 6 feet on the side property. Mr. Collier explained this isn’t a traditional single family neighborhood development plan.

- e. NO. 2294-21 – BRAD S. TABAKIN AND DEBRA TABAKIN request the following relief: an appeal of the September 20, 2021 determination of the Zoning Officer pursuant to Article XXXI, Section 160-237 related to Powers of Board, variances from Article XII, Sections 160-61.C, E, F and G relating to Area Regulations, variance from Article XXVII, Section 160-203 relating to Residential Projections into Side Yards, variance from Article XXVII, Section 160-204 relating to Residential Rear Yard Intrusions and a variance from Article XXIX, Section 160-227 related to Destruction of building by fire or condemnation to allow them to demolish the existing residence located at 801 Morris Rd., Blue Bell, PA in the Township’s R-5 Agricultural-Rural District and construct a new residence thereon. Applicant’s requested relief, if granted will overturn the determination by the Zoning Officer that a variance from Article XXIX, Section 160-227 is required to demolish the residence;

and will permit (1) the present non-conforming lot area to be 37,035 square feet when the Ordinance requires a minimum of 80,000 square feet; and (2) the present non-conforming rear yard depth to be 41 feet when the Ordinance requires a minimum of 75 feet; and (3) the aggregate side yard width to be less than 100 feet when the Ordinance prohibits same; and (4) the side yard width to be 17.90 feet when the Ordinance requires a minimum of 40 feet; and (5) the new additions to project into the side and rear yards when the Ordinance prohibits same; and (6) Applicants to demolish the existing residence when no fire or condemnation has occurred as required by the Ordinance.

Kurt Zintner recused himself from the discussion of this application as he is within the notification area.

Chairman Corti mentioned the proposed plan does not meet the zoning requirements of demolishing the existing house and building a new one due to a fire for a non-conforming property. The footprint is not any bigger than the existing home. Mr. Collier explained this is no bigger than what was previously approved at their last zoning hearing board which was in February 2021.

4. Review pertinent planning issues.

There were no pertinent planning issues.

The work session adjourned at 7:00 PM.

Respectfully submitted,

Jennifer L. Gallagher, Recording Secretary

**WHITPAIN TOWNSHIP PLANNING COMMISSION
OCTOBER 2021**

The seventh hybrid meeting of the Whitpain Township Planning Commission for the year 2021 was held on Tuesday, October 12, 2021 as a video conference using *Zoom* video technology. Chair Kenneth Corti presided in person with Planning Commission members attending virtually that included Vice Chair Richard Shorin, Secretary Cathy McGowan, Joe Habboush, Joseph Fay, John O'Hara, Kurt Zintner, and Alternate members John Miller, Marie Golson and Peter Kreher, Township Planning Consultant Rick Collier. Township Engineer James E. Blanch, P.E., Michael McAndrew, Code Enforcement Officer, IT Director Robert Marcy (in person) and Recording Secretary Jennifer L. Gallagher were also present virtually.

IT Director, Robert Marcy, explained how to use the Zoom technology for the meeting.

Chair Corti called the meeting to order at 7:00 PM. Chair Corti introduced the members of the Planning Commission and Township Staff introduced themselves to the public that were present.

1. Approval of Minutes

Chairman Corti called for any comments or questions on the September 14, 2021 meeting minutes from the Planning Commission Township Staff or the audience. There being none, Vice Chair Shorin made a motion, seconded by Mr. O'Hara to approve the minutes of the September 14, 2021 meeting of the Planning Commission. Chair Corti made a formal roll call vote Vice Chairman Shorin, aye; Secretary McGowan, aye; Mr. Habboush aye; Mr. Fay, aye; Mr. O'Hara, aye; Mr. Zintner; aye; and Chair Corti also voted to pass this motion. The motion passed 7-0.

2. Review of a Land Development Plan for the Montgomery County Community College Hospitality Institute (LD-2-21). This application involves the construction of a 20,300 square ft. Hospitality Institute facility (8,300 SF complete renovation of existing building and a 12,000 SF building addition) on a lot of approximately 190.5 acres of property (entire campus parcel area) located at 340 DeKalb Pike, which is located on the southeast corner of the intersection of DeKalb Pike and Morris Road. Access to the land development is proposed from the same campus access driveways. The property is zoned IN – Institutional Zoning District. Review current zoning hearing board applications.

Present for Applicant: Jesse Mainwaring AIA – DIGSAU - Associate
Celeste Schwartz, MCCC Vice President of Information Technology
James Gleaton, David Mason & Associates – Regional Manager
Megan Whetstone, RA – Watchdog – Project Manager

Mrs. Schwartz introduced the Montgomery County Community College Hospitality Institute plan which is located in Towamencin Township and relocating in Whitpain Township. The college would like to merge the Culinary, Bakery and Pastry programs with tourism and nutrition which is already located at the Blue Bell Campus to the Hospitality Institute. The

project includes 3 foundational culinary labs, a live learning lab restaurant, teaching kitchen, beverage arts, chocolate laboratory, and a bakery. Currently at the at the Culinary Institute students take laboratory courses and all general education courses accrue at the Pottstown Campus, but preliminary at the Blue Bell Campus. They are not expecting any change of the number of students at the Blue Bell Campus. Construction is expected to start early 2022 and to be completed early 2023.

Mr. Mainwaring reviewed the imagery plans with 3 volumes the grey and blue area being laboratories, the orange area is a gathering area indoor, the area above is the outside. A portion of the building is under renovation of the existing bookstore with two additions with a canopy a shade structure for students to be outside and under cover. Images of the exterior of the building carries to the interior of the building.

Mr. Mainwaring explained they have received the review letters and will be relocating utilities but need to move stormwater management to redirect the rain fall from the structure.

Chairman Corti questioned the township review letter on the movement of the basin over top of the sanitary sewer. Mr. Mainwaring agreed, and plans have been resubmitted to address this concern.

Chairman Corti asked if this hospitality institute will be open to the public. Mrs. Schwartz explained this is a live running laboratory like the dental hygiene program. Mrs. McGowan questioned how many visitors do you anticipate from day to day. The available seating is about 40 – 50.

Mr. Zintner questioned what time meals will be provided. Mrs. Schwartz explained it will be open at lunch and evening hours. Cooking and service are provided by students.

Mr. Fay asked if they are looking to achieve a LEED status on this building. Mrs. Schwartz replied no, but there are some considerations for sustainability. Mr. Mainwaring explained the building will exceed the energy food minimal for energy consumption. There is aspect of material to minimize carbon concrete. Steel frame building, concrete foundations, and the general planning of the building will be sustainable through orientation and planning to limit the amount of solar and sun exposure.

Mr. Fay noticed the universal and innovation labs are they going to be hospitality and cooking related or will there ever be a life science or other types of activities with that are to be cohabitating with this kind of hospitality. Mrs. Schwartz explained they will be offering all the nutrition classes. Tourism and hospitality program the students will be integrated into the live learning lab of the bakery from a retail standpoint. They will be integrated into the service at the restaurant, and the beverage program will be held in the innovation lab.

Mr. Fay questioned if any of the storages are hazardous and what is the plan for waste. Mr. Mainwaring replied that nothing hazardous will be stored in the building and they plan to recycle the food waste. Mrs. Schwartz added they are considering a Biodigester plan. Mr. Fay mentioned to keep in mind the wildlife around the campus.

Vice Chairman Shorin had concerns about the review letter on the trees. Mr. Collier commented on the trees being taken down understandably with the expansion of the building. There are 220 calipers that need to be replaced at 4-inches that's 56 trees. The college provided a plan on where the trees have been planted on the campus and it shows the trees in the parking lot and around the campus, but these trees are 1.25 inch instead of 4-inches. We need clarification if some of these trees are from a past project and noted these trees need to be shade trees.

Mrs. Schwartz questioned if we took the trees out, built the building, and then put in the appropriate number of 4-inch diameter trees we would be compliant. Mr. Collier commented the replacement tree requirement can be planted further away from the building. Mr. Collier noted that 6 trees and the orchard are in the plan which you may need less than 56 trees. Chairman Corti mentioned shade trees are required and they are longer living tree species.

Mr. Collier asked for clarification on the apple orchard and if this is for the hospitality and food or are you planning to serve apples. The apple orchards require a lot of care, sometimes chemicals. It's close to the stormwater management system and the wetland which runs along the creek parallel to the road. If it is important to have apples and you have a sustainable maintenance plan it would be acceptable, but if its ceremonial we would recommend a different tree that doesn't require this type of treatment.

Mrs. Schwartz explained the apple orchard is not ceremonial; the intent is to plant a fruit tree to create an orchard. This would create a learning experience for the students and in addition we plan to plant a small vegetable garden.

Vice Chairman Shorin mentioned possibly adding the shade trees along Morris Road or DeKalb Pike once the construction has been completed. Vice Chairman commented on the parking to have ADA parking and include wayfaring signs to help people find this new location.

Chairman Corti and the Planning Commission discussed during the work session that the college noted low enrollment and that the college wouldn't have to pay impact fees whether it's for sewer or traffic. What happens when enrollment numbers increase?

Mrs. Schwartz explained the enrollment for Blue Bell campus has declined from 2007 to present. For in person fall attendance: 2007 – 8,742, 2008 – 9,081, 2009 – 9,857, 2010 – 9,949, 2011 – 9,711, 2017 – 7,147, 2018 – 6,722, 2019 – 6,602, 2020 – 964, 2021 – 3,545.

A motion was made by Vice Chair Shorin and seconded by Mr. Fay to recommend that the Board of Supervisors approve the land development application for Montgomery County Community College Hospitality Institute at 340 DeKalb Pike (LD-2-21) subject to compliance with all review letters of Township Staff, Land Concepts letters, and highlighting concern of the tree issue. Chair Corti made a formal roll call vote: Vice Chair Shorin, aye; Secretary McGowan, aye; Mr. Fay, aye; Mr. Habboush, aye; Mr. O'Hara, aye, Mr. Zintner, aye; and Chair Corti also voted to pass this motion. The motion passed 7-0.

3. Review current Zoning Hearing Board cases:

- a. NO. 2289-21 – FREDERICK AND MICHELE OSKANIAN request a special exception pursuant to Article XXV, Section 160-175.E related to Uses Permitted by Special Exception. Applicants also request variances from Article XXV, Section 160-176(A) and (B) related to Application for Special Exception or Variance and Article XXVIII, Section 160-214.C related to Green Area Regulations with respect to their property located at 1505 Skippack Pike, Blue Bell, PA in the Township’s R-2/FP Residential District/Floodplain District. Applicant’s requested relief, if granted, will allow Applicants to install a driveway in the floodplain without having to comply with the zoning ordinance which requires detailed engineering studies in order to do so and will allow the green area to be reduced to 58,728 square feet when the Ordinance requires 60,689 square feet. Review pertinent planning issues.

Present for Applicant: Anthony Hibbeln
Frederick and Michele Oskanian, Homeowners

Mr. Blanch discussed earlier with Anthony Hibbeln and Rick Collier regarding the hydric soils within the circular driveway. The township offers a short procedure where the applicant could seek to investigate the soil. If the soil is not hydric, they can have it removed so there would be no requirement for relief due to their being no floodplain on the property. The township has concerns on porous paving being placed in the floodplain. The Zoning Code requires porous paving to be installed if the paving is within the flood plain. Porous pavement is designed to allow the stormwater to move through the pavement and infiltrate into the sub soils. However, if it is built upon hydric soils then the water will not infiltrate into the soil and the pavement will fail in time.

Chairman Corti confirmed there is no FEMA mapped floodplain only hydric soil floodplain.

Mr. Hibbeln explained the applicant would like to move forward working with the Township Engineer, township staff, and the township soil consultant to perform a soils study. Mr. Hibbeln agreed this is not FEMA floodplain. The applicant has never witnessed his lawn flooding in the past 23 years. Soil testing has shown positive infiltration rates near the hydric soils. The applicant and Mr. Hibbeln wanted to present this to the Planning Commission for an exemption and green area relief. The porous pavement is considered impervious and requires ZHB relief.

Chairman Corti questioned the applicants if they planned any future improvements. The applicants expressed the need for the driveway to assist with access for a family member.

Mr. Collier mentioned that there are two methods in which hydric soils may be removed. The designation can be removed if it is determined that they are not hydric soils, and then for any future change you wouldn’t need to address hydric soil issues. If the soil is hydric, it could be reduced partially or physically removed with the installation of gravel and pavers allowing for storage capacity under the pavers to infiltrate the water.

Mr. Blanch explained the soil engineer would submit a report to the Code Enforcement Department and the Township Soil Consultant. If agreed by the township, the hydric soil line gets revised to the new location on the property.

Paula Ecker 760 Whitney Drive - Mrs. Ecker commented that they live across the street from the Oskanian and wanted to clarify for the storm on September 1, 2021, there was flooding on the cartway behind our house, and the creek was higher than ever before. The Oskanian yard was completely flooded and she would like for the stormwater runoff issue to be addressed.

Chairman Corti mentioned that typically the Planning Commission remains neutral on Zoning Hearing Board applications. The Planning Commission chose to remain neutral on the subject application.

- b. NO. 2291-21 – SALY A. GLASSMAN REVOCABLE TRUST requests a variance pursuant to Article XXVI, Section 160-191.A related to Schedule of Sign Uses with respect to its property located at 901 Morris Rd., Blue Bell, PA in the Township’s R-5 Agricultural/Rural Residential District. Applicant’s requested relief, if granted, will allow Applicant to install a 16.6 square foot, free standing identification sign for the Kindle Hill Foundation between the legal and ultimate right of way on Morris Rd. when the Ordinance prohibits same.

Chairman Corti noted that the Applicant was not present for the meeting.

Chairman Corti summarized the concern regarding the sight distance for the sign that was installed on Morris Road. Mr. Blanch recommended that the applicant notify PennDOT because it is within the ultimate PennDOT right of way. Mr. Blanch recommended the applicant should notify the PennDOT Highway Occupancy Permit (HOP) office.

Vice Chairman Shorin noted the “smoke free,” and “please drive slowly” signs should be relocated on the driveway.

Chairman Corti mentioned that typically the Planning Commission remains neutral on Zoning Hearing Board applications. The Planning Commission chose to remain neutral on the subject application.

- c. NO. 2292-21 – LEANNE LENTZ requests a variance pursuant to Article V, Section 160-17 related to Side Yards for Single Family dwellings with respect to her property located at 1391 Jolly Rd., Blue Bell, PA in the Township’s R-1 Residential District. Applicant’s requested relief, if granted, will allow Applicant to install a new addition and covered porch onto her existing residence which will decrease one side yard width to less than 45 feet and the aggregate side yard width to less than 100 feet when the Ordinance prohibits same.

Chairman Corti noted that the Applicant was not present for the meeting.

Vice Chairman Shorin commented the addition is significant. Chairman Corti noted the property is near the end of the widening on Jolly Road which is close to the PennDOT Route 202 reconstruction and widening project.

Mr. Blanch explained due to the size of the addition they exceed the stormwater management exemption threshold by 720 square feet. Stormwater management will be required once the zoning process is complete.

Chairman Corti mentioned that typically the Planning Commission remains neutral on Zoning Hearing Board applications. The Planning Commission chose to remain neutral on the subject application.

- d. NO. 2293-21 – TERRY HUGHES requests variance pursuant to Article V, Section 160-18 related to Side Yards for Other Than Single Family Dwellings, Article V, Section 160-21 related to Accessory Buildings, Article XXVIII, Sections 160-202 related to Residential Projections into Front Yard, Section 160-203 related to Residential Projections into Side Yards and Section 160-204 related to Residential Rear Yard Intrusions with respect to the property located at 997 Stoneybrook Drive, Blue Bell, PA in the Township's R-1 Residential District. Applicant's requested relief, if granted, will allow Applicant to install 24' by 24' one and a half story detached garage with loft space to the front/side of the existing home which will: (1) reduce the minimum side yard from 25 feet to 5 feet and project into the side yard when the Ordinance prohibits same; and (2) reduce the required minimum aggregate front yard to 35 feet and project into the front yard when the Ordinance prohibits same; and (3) permit a kitchen to be installed in the garage when the Ordinance prohibits same; and (4) allow a 24' by 16' covered patio to be installed on the side of the house set back 30; from the side yard property line when the Ordinance prohibits same.

Chairman Corti noted that the Applicant was not present for the meeting.

Secretary McGowan noted concerns regarding the corner lot, which transferred two years ago. The zoning hasn't changed since then and it currently has an existing garage on the site. The proposed garage is large and tall which reduces the front yard variance significantly from 75 feet to 35 feet changing the nature of the R-1 zoned neighborhood. Vice Chairman Shorin asked if the proposed garage should be pushed back because it's 6 feet from the property line.

Mr. Blanch added stormwater will be required because there is 1,140 square feet of impervious with a stormwater management exemption amount of 664 square feet. Therefore, 500 square feet of impervious area will need to be controlled.

Mr. Collier noted the size of the building made the front yard overcrowded.

Chairman Corti mentioned that typically the Planning Commission remains neutral on Zoning Hearing Board applications. The Planning Commission chose to remain neutral on the subject application.

- e. NO. 2294-21 – BRAD S. TABAKIN AND DEBRA TABAKIN request the following relief: an appeal of the September 20, 2021 determination of the Zoning Officer pursuant to Article XXXI, Section 160-237 related to Powers of Board, variances from Article XII, Sections 160-61.C, E, F and G relating to Area Regulations, variance from Article XXVII, Section 160-203 relating to Residential Projections into Side Yards, variance from Article XXVII, Section 160-204 relating to Residential Rear Yard Intrusions and a variance from Article XXIX, Section 160-227 related to Destruction of building by fire or condemnation to allow them to demolish the existing residence located at 801 Morris Rd., Blue Bell, PA in the Township's R-5 Agricultural-Rural District and construct a new residence thereon. Applicant's requested relief, if granted will overturn the determination by the Zoning Officer that a variance from Article XXIX, Section 160-227 is required to demolish the residence; and will permit (1) the present non-conforming lot area to be 37,035 square feet when the Ordinance requires a minimum of 80,000 square feet; and (2) the present non-conforming rear yard depth to be 41 feet when the Ordinance requires a minimum of 75 feet; and (3) the aggregate side yard width to be less than 100 feet when the Ordinance prohibits same; and (4) the side yard width to be 17.90 feet when the Ordinance requires a minimum of 40 feet; and (5) the new additions to project into the side and rear yards when the Ordinance prohibits same; and (6) Applicants to demolish the existing residence when no fire or condemnation has occurred as required by the Ordinance.

Chairman Corti noted that the Applicant was not present for the meeting.

Kurt Zintner recused himself from the discussion of this application.

Vice Chairman Shorin noted this home was reviewed in a zoning application in February 2021 and questioned if this is a new owner or existing owner. Mr. McAndrew replied this is the same owner that decided to go a different route. Vice Chairman Shorin questioned rules of demolition buildings. Mr. McAndrew explained nonconforming buildings can be rebuilt in the same footprint and height that are destroyed by fire or act of God or condemnation. Secretary McGowan questioned if this is for all Zoning R-1, R-2, R-5. Mr. McAndrew explained it's for the entire township, regardless of the Zoning or non-conformance. Chairman Corti questioned is the waiver required for change in the roof height and roof lines. Mr. McAndrew explained it's to knock it down and rebuild.

Mr. Blanch noted stormwater is not needed because they are reducing impervious.

Mr. Collier noted this is not a planning issue but a Zoning issue.

Chairman Corti mentioned that typically the Planning Commission remains neutral on Zoning Hearing Board applications. The Planning Commission chose to remain neutral on the subject application.

4. Review pertinent planning issues.

Chairman Corti announced the Liberty Bell Trail Feasibility Study will be available for review at Towamencin Township, Franconia Township, Souderton Township, Upper Gwynedd Township,

North Wales Borough & Lansdale Borough at public meetings and public events. This trail goes from Upper Gwynedd Township to Telford Township.

There being no further business to come before the Commission, a motion was made by Vice Chair Shorin, and seconded by Mr. O'Hara to adjourn. Chair Corti made a formal roll call vote: Vice Chair Shorin, aye; Secretary McGowan aye; Mr. Habboush, aye; Mr. Fay, aye; Mr. O'Hara, aye; Mr. Zintner, aye, and Chair Corti also voted to pass this motion. The motion passed 7-0. The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Cathy McGowan, Secretary