

WHITPAIN TOWNSHIP PLANNING COMMISSION JANUARY 2016

A work session of the Whitpain Township Planning Commission was held on Tuesday, January 12, 2016 at 7:00 PM at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA for the purpose of reviewing the agenda of the public meeting to be held that evening. Chairman Kenneth Corti presided with Commission members Richard Shorin, Penelope Gerber, Tory Meitner, Bradley Tate, Otis Hightower and Edward McLaughlin present. Township Engineer James Blanch, Township Planning Consultant E. Van Rieker, Assistant Zoning Officer William McManus, Recording Secretary Karen Dolga and Gregory Monte were also present.

The Planning Commission discussed the election of its officers, as well as meeting dates and times.

1. Review of a Land Development/ Subdivision Plan for the Centre Square Fire Company Fire Station located at 1290 & 1298 Skippack Pike. This application involves the demolition of the existing fire station and the construction of a new 14,786 Square feet fire station building, which is on the south side of Skippack Pike between DeKalb Pike and Wentz Road. Access to the site will be from Skippack Pike. The property is located entirely within the Community Shopping Center Overlay District.

Mr. Blanch provided a brief summary of the requested application. He stated that the Fire Company and the shopping center still need to come to an agreement regarding stormwater management and construction timing. Mr. Blanch explained that the developer for the shopping center believes that the stormwater should be handled by the Fire Company, while the Fire Company believes that the stormwater should be handled by the shopping center. Mr. Blanch commented that there should be an agreement in place between the two parties. Mr. Tate asked if the two applications can stand alone. Mr. Blanch responded yes. Mr. Blanch added that the shopping center stated that they will construct the access driveway, but that they are not responsible for the stormwater management for the driveway. The stormwater management will have to be worked out in a future agreement.

2. Review current zoning hearing board applications.
 - 1.) **NO. 2064-16: NAN AND ED SWEENEY** request variance relief from the Whitpain Township Zoning Ordinance, as amended, Article XXV, Section 160-171.A relating to prohibited uses in the FP Floodplain Conservation District. Applicant proposes to build a 768 square feet detached garage that will partially encroach into the floodplain boundary line on the property located at 237 Huntsman Lane in the Township's R 5 Residence/FP Floodplain Conservation District. Applicant's requested variance relief, if granted, will allow the construction of the proposed garage to extend into a

portion of the floodplain where no such structure is permitted under the Ordinance.

Chairman Corti questioned if the area is mapped as alluvial soils or is it in the FEMA Floodplain. Mr. McManus replied alluvial soil. Chairman Corti asked if there were any flooding concerns in the past. Mr. Blanch responded that he was not aware of any concerns and stated that the soils are hydric soils.

- 2.) **NO. 2065-16: FRANCIS R. AND LEAH D. DAULERIO** request variance relief from the Whitpain Township Zoning Ordinance, as amended, as follows: (1) Article V, Section 160-17 relating to side yards for single family dwellings; and (2) Article XXVIII, Section 160 203 relating to projections into side yards. Applicants propose to build a 528 square feet semi-detached garage in the side yard of the house on the property located at 665 School Road in the Township's R-1 Residence/FP Floodplain Conservation District. Applicants' requested variance relief, if granted, will allow the proposed garage resulting in a side yard setback of 17-feet, where a minimum of 45 feet is required and an aggregate side yard width of 72 feet where an aggregate of 100 feet is required; and (2) the construction of the proposed garage within the side yard where the Ordinance prohibits any building or part of a building to be erected within the side yard.

Mr. Shorin commented that it would be nice if the new garage looked similar to the existing home.

- 3.) **NO. 2066-16: JEFFREY C. AND MARY KATHLEEN LEE** request variance relief from the Whitpain Township Zoning Ordinance, as amended, as follows: (1) Article XXII, Section 160-154.D.(1)(a) relating to minimum front yard requirements; (2) Article XXII, Section 160 154.D.(2) relating to minimum side yard requirements; (3) Article XXII, Section 160 154.D.(3) relating to minimum rear yard requirements; (4) Article XXII, Section 160-154.D.(4) relating to the erection of buildings and parking areas near a residential district; and (5) Article XXVIII, Sections 160-202, 160-203 and 160-204 regarding projections into front yards, side yards and rear yards, respectively. Applicants further request an appeal from the determination of the zoning officer that the property is an existing non-conformity regarding Article XXII, Section 160-154.E relating to screening of properties near residential districts or alternatively a variance from Section 160-154.E. Applicants propose an expansion of an existing building to 3,590 square feet on the property located at 1975 Morris Road in the Township's I Limited Industrial District. Applicants' requested appeal from the determination of the zoning officer and variance relief, if granted, will allow a building expansion creating: (1) a 69 feet 9 3/16 inch front yard where 150 feet is required; (2) an 88 feet 4 inch aggregate side yard with one side yard 33 feet 10 inches wide

where a 150 feet aggregate side yard is required and a minimum for each side yard is 50 feet, (3) a rear yard of 37 feet 10 inches where 50 feet is required, (4) a building less than the required 150 feet and a parking area less than the required 50 feet from a residential district, and (5) no screening where screening is required abutting residential districts.

The Planning Commission had a discussion regarding setback measurements not being from the corner of the building.

Mr. Rieker raised a concern that screening was not proposed. He suggested that the Planning Commission ask the applicant why they do not believe screening such as small shrubs would be needed.

3. Review of pertinent planning issues.

There were no pertinent planning issues to be discussed.

The work session adjourned at 7:30 PM, at which time the Planning Commission members left for the public meeting.

Respectfully submitted,

A handwritten signature in blue ink that reads "Gregory L. Monte". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Gregory L. Monte, Recording Secretary

WHITPAIN TOWNSHIP PLANNING COMMISSION MEETING JANUARY 2016

The first meeting of the Whitpain Township Planning Commission for the year 2016 was held on Tuesday, January 12, 2016 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA. Chairman Kenneth Corti presided with Commission members Richard Shorin, Penelope Gerber, Bradley Tate, Otis Hightower, Tory Meitner and Edward McLaughlin present. Township Engineer James Blanch, Township Planning Consultant E. Van Rieker, Assistant Zoning Officer William McManus, Recording Secretary Karen Dolga and Gregory Monte were also present.

Chairman Corti called the meeting to order at 7:33 PM. The members of the Planning Commission and Township Staff introduced themselves to the public that were present.

1. Re-organization

A. Election of Officers -2016.

A motion was made by Mrs. Gerber, seconded by Mr. McLaughlin, to elect Kenneth Corti as Chairman, Bradley Tate as Vice Chairman and Richard Shorin as Secretary. The motion passed 7-0.

B. Set Meeting Dates and Times for 2016.

The Planning Commission set the meeting dates and times for the year 2016 as follows: The Planning Commission will meet on the second Tuesday of each month with the work session to begin promptly at 7:00 PM and the public meeting to begin at 7:30 PM. The Planning Commission will recess in the month of August. Any changes to the meeting dates will be advertised for the public. The meeting dates for 2016 are as follows:

January 12	June 14
February 9	July 12
March 8	September 13
April 12	October 11
May 10	November 9 (Wednesday)
	December 13

The motion passed 7-0.

2. Approval of minutes.

Chairman Corti called for any comments or questions on the December meeting minutes from the audience. There being none, Mr. Shorin made a motion, seconded by Mr. Meitner, to approve the minutes of the December 8, 2015 meeting of the Planning Commission. The motion passed 7-0.

3. Review of a Land Development/ Subdivision Plan for the Centre Square Fire Company Fire Station located at 1290 & 1298 Skippack Pike. This application involves the demolition of the existing fire station and the construction of a new 14,786 Square feet fire station building, which is on the south side of Skippack Pike between DeKalb Pike and Wentz Road. Access to the site will be from Skippack Pike. The property is located entirely within the Community Shopping Center Overlay District.

Present for the Applicant: David Davis, Esq., Davis Bucco
Joseph Hanna P.E., Chambers Associates, Inc.

Mr. Davis provided a brief summary of the application, stating that the applicant was before the Planning Commission previously where they received a recommendation for approval for a Conditional Use to build a new firehouse and demolish the existing firehouse. He informed the Planning Commission that the Board of Supervisors had subsequently granted approval. In addition, the full engineering plans have been submitted and the applicant is seeking a recommendation for both preliminary and conditional final approval. Mr. Davis commented that there has been a review of the plans submitted by Joseph Hanna, P.E. and there was a dozen or so points raised by the Township Engineer. He mentioned that they are still in final negotiations with Centre Square Commons regarding the easement agreement. Mr. Davis remarked that the applicant will comply with all comments and requirements issued by the Township Engineer. He stated that the applicant seeks one (1) waiver regarding the size of the storm sewer.

Mr. Hanna stated that the applicant received a review letter in October. He commented that there was a concern regarding the 24" stormwater management pipe tying into an existing 8" pipe. Mr. Hanna stated that they have redesigned the site. He referenced the plan set mentioning that the outfall from the detention basin goes to a controlled structure that has an orifice in it to reduce the flow. He mentioned that in the original application there were two underground basins. Mr. Hanna commented that the plans have been sent to Montgomery County Conservation District for the NPDES permit review.

Mr. Tate questioned if land will be set aside in the easement to provide stormwater management benefiting Centre Square Commons shopping center. Mr. Hanna replied that there are two easements, an access easement and a storm sewer easement.

Mr. Hanna explained the grading design to the Planning Commission by referencing the plan set. Mr. Tate mentioned that the applicant will need to provide stormwater management for new road impervious surface. Mr. Hanna stated that they have discussed providing a landscape easement so that Centre

Square Commons could perform their buffering on the firehouse property. He clarified that the firehouse will be moving to the rear of the property. Mr. Hanna added that there is a flag lot configuration for zoning purposes that gives them frontage to Skippack Pike. Mr. Hanna referenced an area on the plan set depicting the commercial pad lot. He stated that there has not been any discussion with the developers of Centre Square Commons regarding stormwater. Mr. Hanna commented that Centre Square Commons is responsible for the stormwater.

Mr. Davis stated that the definitions of improvements have been agreed upon. He commented that Centre Square Commons has agreed to be responsible for the design, construction, repair and maintenance of the improvements. Mr. Davis commented that the final area of the easement has not been officially identified because the fire company has to give Centre Square Commons a construction easement so they can build a retaining wall along the cartway.

Mr. Tate mentioned that it would be punitive and not in the spirit of good engineering practice when you have land available that can easily be used for an at grade water quality basin and provide stormwater management in lieu of pipes. Mr. Hanna responded that over the last several months they had to look at the Centre Square Commons site and compare how it impacts their site. He stated that they conducted an infiltration test in the front corner of the parking lot between the old diner and their pavement and they did not get any infiltration. Mr. Hanna also noted that there is a ten (10') foot grade difference from the edge of the cartway to the property line.

Mr. Tate asked for clarification regarding whether the first responder's driveway was entrance only. Mr. Hanna responded yes.

Chairman Corti asked Mr. Hanna if the firehouse square footage has been changed from 17,900 sq. ft. to 14,786 sq. ft. as mentioned in the October MCPC review letter. Mr. Hanna responded that he didn't believe there was a change, but believed that the county wanted the gross area of the building.

Chairman Corti inquired if the commercial pad site has been accounted for in their stormwater management. Mr. Hanna responded no. Chairman Corti asked for clarification that stormwater management will need to be completed for the frontage along Skippack Pike. Mr. Hanna responded yes. Mr. Hanna mentioned that they would need to come back for a Conditional Use and go through an amendment of the NPDES permit.

Mr. Shorin commented that the coordination and timing seems to be complex. He questioned if there has been coordination between the applicant and Centre

Square Commons. Mr. Hanna explained he put together a schedule of how things would work and occur.

Mr. Shorin inquired about a plan for shade trees in terms of lights and noise. Mr. Hanna replied that they will have a double row of evergreens along the entire easterly boundary. Mr. Hanna also stated that the applicant will comply with the consultant's lighting comments.

Mr. Rieker remarked if there is any scenario that would permit the applicant to withhold granting the 64' right of way to Centre Square Commons. Mr. Davis responded that they are bounded by the Conditional Use decision to execute the easement agreement as approved by the Township.

Chairman Corti called for any additional comments or questions from the audience. There were none.

There being no further comments or questions, a motion was made by Mr. Meitner, and seconded by Mrs. Gerber to recommend that the Board of Supervisors approve the Land Development/Subdivision Plan for the Centre Square Fire Company Fire Station. The Planning Commission expressed its concern on the apparent lack of communication and cooperation in connection with the driveway access easement area between the Centre Square Fire Company Fire Station and Madison Development Group, developer of the Centre Square Commons Community Shopping Center, and requested that the stormwater management issues be resolved as quickly as possible.

The motion passed: 7-0.

4. Review of current Zoning Hearing Board applications.

- 1.) **NO. 2064-16: NAN AND ED SWEENEY** request variance relief from the Whitpain Township Zoning Ordinance, as amended, Article XXV, Section 160-171.A relating to prohibited uses in the FP Floodplain Conservation District. Applicant proposes to build a 768 square feet detached garage that will partially encroach into the floodplain boundary line on the property located at 237 Huntsman Lane in the Township's R 5 Residence/FP Floodplain Conservation District. Applicant's requested variance relief, if granted, will allow the construction of the proposed garage to extend into a portion of the floodplain where no such structure is permitted under the Ordinance.

Present for the applicant: Nan & Ed Sweeney, Applicant

Chairman Corti asked for clarification that the area is mapped for alluvial soil and the applicant is asking for a variance. Mr. Sweeney responded yes. Chairman

Corti inquired if there are any flooding concerns on the property. Mr. Sweeney responded no.

Mr. Shorin asked if the applicant has had a discussion with his neighbors. Mr. Sweeney responded yes. He stated that they have signatures from their immediate surrounding neighbors and everyone seems to be on board.

Chairman Corti mentioned that typically the Planning Commission remains neutral on Zoning Hearing Board applications.

Chairman Corti called for any additional comments or questions from the audience. There were none.

There being no further comments or questions, the Planning Commission chose to remain neutral on the subject application.

- 2.) **NO. 2065-16: FRANCIS R. AND LEAH D. DAULERIO** request variance relief from the Whitpain Township Zoning Ordinance, as amended, as follows: (1) Article V, Section 160-17 relating to side yards for single family dwellings; and (2) Article XXVIII, Section 160 203 relating to projections into side yards. Applicants propose to build a 528 square feet semi-detached garage in the side yard of the house on the property located at 665 School Road in the Township's R-1 Residence/FP Floodplain Conservation District. Applicants' requested variance relief, if granted, will allow the proposed garage resulting in a side yard setback of 17-feet, where a minimum of 45 feet is required and an aggregate side yard width of 72 feet where an aggregate of 100 feet is required; and (2) the construction of the proposed garage within the side yard where the Ordinance prohibits any building or part of a building to be erected within the side yard.

Present for the applicant: Francis Daulerio, Applicant

Chairman Corti asked if the applicant has spoken to his neighbors. Mr. Daulerio stated that he has signed agreements with his neighbors. Mr. Shorin commented that it would be nice if the new garage looked similar to the existing home.

Chairman Corti mentioned that typically the Planning Commission remains neutral on Zoning Hearing Board applications.

Chairman Corti called for any additional comments or questions from the audience. There were none

There being no further comments or questions, the Planning Commission chose to remain neutral on the subject application.

- 3.) **NO. 2066-16: JEFFREY C. AND MARY KATHLEEN LEE** request variance relief from the Whitpain Township Zoning Ordinance, as amended, as follows: (1) Article XXII, Section 160-154.D.(1)(a) relating to minimum front yard requirements; (2) Article XXII, Section 160 154.D.(2) relating to minimum side yard requirements; (3) Article XXII, Section 160 154.D.(3) relating to minimum rear yard requirements; (4) Article XXII, Section 160-154.D.(4) relating to the erection of buildings and parking areas near a residential district; and (5) Article XXVIII, Sections 160-202, 160-203 and 160-204 regarding projections into front yards, side yards and rear yards, respectively. Applicants further request an appeal from the determination of the zoning officer that the property is an existing non-conformity regarding Article XXII, Section 160-154.E relating to screening of properties near residential districts or alternatively a variance from Section 160-154.E. Applicants propose an expansion of an existing building to 3,590 square feet on the property located at 1975 Morris Road in the Township's I Limited Industrial District. Applicants' requested appeal from the determination of the zoning officer and variance relief, if granted, will allow a building expansion creating: (1) a 69 feet 9 3/16 inch front yard where 150 feet is required; (2) an 88 feet 4 inch aggregate side yard with one side yard 33 feet 10 inches wide where a 150 feet aggregate side yard is required and a minimum for each side yard is 50 feet, (3) a rear yard of 37 feet 10 inches where 50 feet is required, (4) a building less than the required 150 feet and a parking area less than the required 50 feet from a residential district, and (5) no screening where screening is required abutting residential districts.

Present for the applicant: Bernadette Kearney, Hamburg, Maxwell, Lupin
Jeffrey Lee, Applicant

Ms. Kearney gave a brief summary of the requested relief, stating that the applicant has filed revised plans to reference the correct dimensions. She noted that the building expansion is remaining the same, but the applicant was measuring it incorrectly. Ms. Kearney mentioned that it is an expansion of 3,590 sq. ft. and the total building is 4,800 sq. ft.

Mr. Lee presented a set of pictures that show the landscaping that surround his property and the properties that abut his property.

Mr. Tate inquired what the building is being used for. Mr. Lee responded that last year he received a special exception because he previously was parking cars there and he didn't want to get fined anymore. He added that he believes that he will move some of his cars from the adjacent property he owns. Mr. Tate commented that the approval for the building does not give you approval for a use as a special exception. Ms. Kearney responded that they did not ask for any relief for the use. She added that there was a discussion about what the use will be and they decided to take care of the dimensions first.

Mr. Shorin raised some concern regarding the need for vegetative screening in the form of landscaping along Morris Road, and that the fence looks very stark. Mr. Lee responded that he doesn't have a problem putting some screening on his side of the fence.

Mr. Tate questioned if the applicant has public sewer on the property. Mr. Lee responded that he did not. Mr. Tate also asked where the septic is for the building. Mr. Lee stated that the septic is on the Dera Lee side. Mr. Tate inquired if the septic facility has been inspected. Mr. Lee stated someone looked at the septic facility along with a private well.

Mrs. Gerber commented that she agrees with Mr. Shorin regarding the stark look of the fence.

Chairman Corti mentioned that typically the Planning Commission remains neutral on Zoning Hearing Board applications.

Chairman Corti called for any additional comments or questions from the audience. There were none

There being no further comments or questions, the Planning Commission chose to remain neutral on the subject application, but requested that the applicant install additional landscaping to soften the view.

5. Pertinent Planning Issues

There were no pertinent planning issues to be discussed.

There being no further business to come before the Commission, a motion was made by Mr. Meitner, and seconded by Mrs. Gerber to adjourn. The meeting adjourned at 8:10 PM.

Respectfully submitted,



Richard Shorin, Secretary