

WHITPAIN TOWNSHIP PLANNING COMMISSION MAY 2016

A work session of the Whitpain Township Planning Commission was held on Tuesday, May 10, 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 Bradley Tate, Richard Shorin, Penelope Gerber, Otis Hightower, Tory Meitner, and Edward McLaughlin present. Township Engineer James Blanch, Township Planning Consultant E. Van Rieker, Assistant Zoning Officer William McManus and Recording Secretary Gregory Monte were also present.

1. Review of a Land Development Plan for 298 Norristown Road. This application involves the construction of a 520 Square feet building addition and parking lot improvements at 298 Norristown Road, which is located at the intersection of Stenton Avenue, Norristown Road and Narcissa Road. Access to the site will be from Stenton Avenue and Norristown Road. The property is located entirely within the R-1 Zoning District (non-conforming use).

Mr. Blanch provided a brief summary of the application stating that this application is before the Planning Commission for recommendation approval to the Board of Supervisors. Chairman Corti asked if everything went well with the PennDOT HOP permit. Mr. Blanch responded yes. Mr. Blanch stated that PennDOT would like the new access to be an exit only so that it is aligned with signal heads that are on Stenton Avenue. He noted that this would aid with getting the applicant's fuel truck deliveries in and out. The Planning Commission had a discussion regarding the Traffic Signal pattern and design for the six point intersection. Mr. Blanch stated that they have updated the signals to LEDs.

2. Review of the Whitemarsh Township Riverfront Plan – an amendment to their 2003 Comprehensive Plan

Mr. Blanch provided a brief summary of the plan stating that Whitemarsh Township is asking neighboring townships for comments on their Riverfront Plan. He asked the Planning Commission to provide him with any comments that that may have regarding the plan. Mr. Rieker noted that it is a requirement of the Pennsylvania Municipalities Planning Code to have the Montgomery County Planning Commission, school district, and neighboring municipalities notified.

3. Review current zoning hearing board applications.

- 1.) **NO. 2072-16: LMT REAL ESTATE, LLC** requests the following variance relief from the Whitpain Township Zoning Ordinance, as amended: (1) Article XIX, Section 160-121.C regarding front yard regulations; (2) Article XIX, Section 160-121.G regarding green space; (3) Article XXVIII, Section 214.C(1) relating to green area regulations; (4) Article XXVII, Section 160-192.B(2)(j) relating to parking requirements for restaurants; and (5) a special exception or

variance from Article XXVII, Section 160-193.A and Section 160-193.B regarding parking facilities for two or more establishments for property located at 602 Skippack Pike, Blue Bell, Whitpain Township, PA 19422 in the Township's C Commercial District. Applicant's requested relief, if granted, will allow a 2,900 square feet outdoor paver eating area which would require an additional 39 parking spaces. The Applicant will limit its outdoor seating to 50 seats and will restrict 50 seats inside the restaurant when outdoor seating is used. Applicant's relief, if granted, will allow Applicant's use of parking spaces located at 921 Penllyn Blue Bell Pike, 650 Skippack Pike and 725 Skippack Pike to meet parking requirements, which space is more than 200 feet from the subject property. Applicant's requested relief, if granted, will allow green space of 15.53%, where a minimum of 35% is required under the Ordinance; and no front yard, where 25 feet is required, as a portion of the outdoor eating area will extend into the ultimate right-of-way, but not into the legal right-of-way.

Mr. McManus provided a brief summary of the application stating the applicant has removed its previous request for an LED sign. The Planning Commission had a lengthy discussion regarding factors of the application which include amplified music, outdoor seating, parking, sidewalks, and lighting. Mr. Blanch mentioned that the applicant would also be required to obtain a pillar agreement with the township.

- 2.) **NO. 2074-16: PAULINE D. WATSON** requests variance relief from the Whitpain Township Zoning Ordinance, as amended, as follows: (1) Article V, Section 160-19 relating to rear yards in the R-1 Residence District; and (2) Article XXVIII, Section 160-204 relating to rear yard intrusions. Applicant proposes to construct a 578 square-foot addition on the property located at 902 Union Meeting Road in the Township's R-1 Residence District. Applicant's requested variance relief, if granted, will allow (1) a 40'8" rear yard setback, where a 75' rear yard setback is required under the Ordinance; and (2) the construction of the proposed addition within the rear yard where the Ordinance prohibits any building or part of a building to be erected within the required rear yard.

Chairman Corti asked Mr. McManus if the location is the house on the corner of Union Meeting Road and Skippack Pike. Mr. McManus responded yes. Chairman Corti asked if the addition will be in the back of the house. Mr. McManus responded yes, adding that the addition is opposite Union Meeting Road and it does not encroach on the front yard on Skippack Pike.

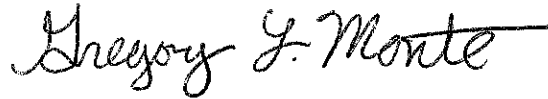
4. Review of pertinent planning issues.

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.

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Respectfully submitted,

A handwritten signature in black ink that reads "Gregory J. Monte". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Gregory L. Monte, Recording Secretary

WHITPAIN TOWNSHIP PLANNING COMMISSION MEETING MAY 2016

The fifth meeting of the Whitpain Township Planning Commission for the year 2016 was held on Tuesday, May 10, 2016 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA. Chairman Kenneth Corti presided with Commission members Bradley Tate, Richard Shorin, Penelope Gerber, Otis Hightower, Tory Meitner and Edward McLaughlin present. Township Engineer James Blanch, Township Planning Consultant E. Van Rieker, Assistant Zoning Officer William McManus and Recording Secretary Gregory Monte were also present.

Chairman Corti called the meeting to order at 7:32 PM. 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 April meeting minutes from the audience. There being none, Mr. Meitner made a motion, seconded by Mr. Hightower, to approve the minutes of the April 12, 2016 meeting of the Planning Commission. The motion passed: 7-0.

2. Review of a Land Development Plan for 298 Norristown Road. This application involves the construction of a 520 Square feet building addition and parking lot improvements at 298 Norristown Road, which is located at the intersection of Stenton Avenue, Norristown Road and Narcissa Road. Access to the site will be from Stenton Avenue and Norristown Road. The property is located entirely within the R-1 Zoning District (non-conforming use).

Present for the applicant: Robert Blue, Robert E. Blue Consulting Engineers, P.C.
Luigi & Maria Colella, Applicant

Mr. Blue gave a brief summary of the application stating that 298 Norristown Road is the Gulf station located at the six point intersection. He commented that Luigi Colella has work at the property for 21 years. Mr. Blue mentioned that the applicant recently purchased the property. He added that there are a large number of cars on the property as well as on the next door property. Mr. Blue noted that the applicant met with township staff to come up with a plan to help improve the situation. He mentioned that the area along the front of the property has no restrictions regarding the curbing. Mr. Blue also stated that there have never been any accidents at the intersection. Mr. Blue mentioned that the applicant sent PennDOT a plan and the applicant is proposing an entrance only island with landscaping in the front of the property. He also added that the applicant is proposing an exit only driveway.

Mr. Rieker asked if the driveway will be on a separate traffic signal cycle. Mr. Blue responded that it will be on the Stenton Avenue cycle. Mr. Rieker inquired if the traffic signal will be activated by PennDOT. Mr. Blue commented that there will be a video camera and loop detector.

Mr. Shorin inquired about the location of the stop line on Stenton Avenue. Mr. Blue responded that they will have an emergency preempt in and out. Mr. Blanch stated that it is a separate phase in Stenton Avenue cycle. Mrs. Gerber asked if this will make the light time shorter. Mr. Blanch mentioned that people exiting the gas station are going to exit at the same time the traffic proceeds eastbound on Stenton Avenue. Mrs. Gerber inquired if the driveway exit will be a right turn only. Mr. Blanch responded that you will be able to make a right or a left. He added that the driver will have their own light lined up with Stenton Avenue, adjacent to Wings Field. Mr. Tate mentioned that it will not be a protected exit. Mr. Blanch confirmed Mr. Tate's comment.

Mr. Blue commented that the township would like a trail on the westerly edge of the property down. Mr. Rieker commented that township staff requested that the trail be relocated away from the parking area. Mr. Tate asked if the trail could be narrower. Mr. Blanch responded that the intent is for the trail to be the same surface and width as the Wings trail across the street. Mr. Blue mentioned that the applicant would consider adjusting the width of the trail to four feet (4') if recommended by the Planning Commission. Mr. Blanch noted that what is proposed for the trail will work because there are wheel stops and a two foot (2') overhang between the trail and parking. He added that it is not ideal but believed that township staff and the applicant have come up with a plan that will work. Mr. Blanch mentioned that the idea is to tie it in with the Wings trail so that residents in the Village of Oxford may access the trail by crossing at the signal to access the Wings trail. He added that the township staff would be willing to look at reducing the width of the trail to four feet (4').

Mrs. Gerber noted that currently there are a lot of cars on the property. She asked how this plan will change the situation. Mr. Blue replied that the applicant proposed landscaping on the frontage of the property. He added that in response to a suggestion by the Planning Consultant the applicant will provide more than one species of Twp. approved trees. Mr. Blue mentioned that the property is currently almost 100% blacktop. He stated that they are adding areas of green space and a handicap parking space. Mr. Blue noted that there are currently 30 spaces. Chairman Corti mentioned that 36 parking spaces will be delineated and marked out.

Mr. Shorin asked how the applicant will manage the business with fewer spaces. Mr. Colella responded that they will have one more service bay allowing more repairs to be made and reducing the number of parking spaces necessary.

Mrs. Gerber asked who owns the property behind the applicant's property on Narcissa Road. Mr. Colella replied Pat Sparango. Mr. Blue added that Pat Sparango's property is residential and that the applicant has inquired to buy the property, but the owner is not currently interested in selling.

Mr. Meitner stated that he is encouraged by the plan and is all for it.

Mr. Shorin noted that it is a visible property. Mr. Colella responded that he does the best that he can, but explained that if someone drops off a car to him, he cannot refuse business.

Mrs. Gerber inquired how many cars are on the property currently. Mr. Colella responded 40 cars.

Mr. Tate mentioned that once the parking is addressed, it will look great.

Mr. Rieker noted that the Planning Commission should compliment the whole team including the applicant and Township staff.

Mr. Blanch inquired about the location of the dumpsters. Mr. Colella responded that they will need to find a place for them. Mr. Blanch mentioned that the applicant may need to look at the plans to find a placement for the dumpsters.

Mr. Blue added that the applicant is proposing a waiver from a stormwater requirement which requires the applicant to have 12" freeboard. He mentioned that the basin is located in the southeast portion of the site. Mr. Blue noted that the basin only fills up to 6". Chairman Corti noted that this is part of Mr. Blanch's comment #14 in his May 9th review letter. Mr. Blanch stated that the township staff would be open to looking at. He added that he believed that this is something that can definitely be worked out and felt that it would not hold up the project.

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. Shorin, and seconded by Mr. Meitner to recommend that the Board of Supervisors approve the Land Development Plan for 298 Norristown Road, subject to complying with Township review letters and County review letters. Additionally, the Planning Commission noted that they would like to see Item #14 of the Township Engineer's review letter (dated May 9, 2016) regarding the measurement of freeboard within the basin be resolved between the applicant and the Township Engineer.

The motion passed: 7-0.

3. Review of the Whitmarsh Township Riverfront Plan – an amendment to their 2003 Comprehensive Plan

Chairman Corti explained to the public that the Planning Commission discussed in the work session that they can send comments to the Township Engineer until June 1st on the proposed Whitmarsh Riverfront Plan.

Chairman Corti asked Mr. Blanch if the public is able to comment as well on the Plan. Mr. Blanch responded that generally the Planning Commission makes comments, but if the public has any comments, they can be included.

Chairman Corti gave a brief background on the Plan stating that it is a plan between Whitmarsh Township and Conshohocken Borough on a Riverfront Development to link the borough across the river.

Mrs. Gerber asked where along the riverfront is the development. Chairman Corti responded that the development is from the Spring Mill complex up towards Conshohocken. He added that there are plans for a pedestrian bridge across the river to link the two sides.

Chairman Corti reiterated to the Planning Commission that they can provide any comments they may have to the Township Engineer by June 1st.

4. Review of current Zoning Hearing Board applications.

1.) **NO. 2072-16: LMT REAL ESTATE, LLC** requests the following variance relief from the Whitpain Township Zoning Ordinance, as amended: (1) Article XIX, Section 160-121.C regarding front yard regulations; (2) Article XIX, Section 160-121.G regarding green space; (3) Article XXVIII, Section 214.C(1) relating to green area regulations; (4) Article XXVII, Section 160-192.B(2)(j) relating to parking requirements for restaurants; and (5) a special exception or variance from Article XXVII, Section 160-193.A and Section 160-193.B regarding parking facilities for two or more establishments for property located at 602 Skippack Pike, Blue Bell, Whitpain Township, PA 19422 in the Township's C Commercial District. Applicant's requested relief, if granted, will allow a 2,900 square feet outdoor paver eating area which would require an additional 39 parking spaces. The Applicant will limit its outdoor seating to 50 seats and will restrict 50 seats inside the restaurant when outdoor seating is used. Applicant's relief, if granted, will allow Applicant's use of parking spaces located at 921 Penllyn Blue Bell Pike, 650 Skippack Pike and 725 Skippack Pike to meet parking requirements, which space is more than 200 feet from the subject property. Applicant's requested relief, if granted, will allow green space of 15.53%, where a minimum of 35% is required under the Ordinance; and no front yard, where 25 feet is required, as a portion of the outdoor eating area will extend into the ultimate right-of-way, but not into the legal right-of-way.

Present for the Applicant: Bernadette Kearney Esq., Hamburg, Rubin, Lupin
Robert Blue, Robert E. Blue Consulting Engineers, P.C.
Habib Troudi, Applicant

Ms. Kearney provided a brief summary of the application stating that the applicant filed a zoning application that included a LED reader board sign, which has been removed from the current application being presented to the Planning Commission. She noted that the original application also included a Parc Plaza parking agreement, which township staff felt was a little too far from the site and asked for something closer to the restaurant. Ms. Kearney mentioned that the applicant will keep the agreement with Parc Plaza because the applicant may have his employees park at the location. She commented that in terms of valet parking for customers and patrons, the Wissahickon Valley Library is working on a parking agreement with them. Additionally, she noted that the applicant's neighbor is working on a parking agreement as well. Ms. Kearney stated that the applicant is requesting relief for the outdoor seating within the front yard. She mentioned that it will extend into the ultimate Right-of-Way but not the legal Right-of-Way. Ms. Kearney mentioned that the applicant is also requesting relief from the green area as well as for valet parking. She stated that with an additional 2,900 sqft paver area on the outside, the applicant would need 39 additional parking spaces. Ms. Kearney reiterated that the applicant would have valet parking at Parc Plaza, Wissahickon Valley Library, and the neighbor across from the restaurant located at 921 Penllyn-Blue Bell Pike. Ms. Kearney stated that the applicant is willing to limit outdoor seating to 50 seats and will restrict seats inside when the valet is not available. She mentioned that Palermo's Pizza had a similar agreement in place for their outdoor seating.

Mr. Rieker asked for clarification that the applicant will voluntarily restrict existing seats when the deck is being used. Ms. Kearney responded that the applicant will restrict seats only when valet is not available. Mr. Rieker asked if the seats will be defined on a plan so that township staff can see which seats will be restricted. Mr. Troudi responded that at his other restaurant, Castello's, they took out a section of seats. He added that they could put a red rope to define that these seats are not to be used during a certain time. Ms. Kearney responded that the applicant would be willing to work with township staff on a plan for the restricted seating. Mr. McManus stated that the applicant could block a single dining room off, similar to what was done at Castello's.

Mr. Blue commented that something that was important to township staff was to interconnect the sidewalk from the gas station, convenience store, and bank. He referenced his plan, showing where the applicant will place the new sidewalk.

Mr. Shorin asked for clarification regarding the sidewalk being used for valet parking and for customers on Penllyn Blue Bell Pike. Mr. Blue responded that township staff requested sidewalks on the Skippack Pike side.

Mr. Tate asked if there was no exterior seating, would the existing parking lot be sufficient. Ms. Kearney responded that if the applicant was not proposing the outdoor seating, the existing 84 parking spaces would be adequate because it is non-conforming.

Mr. Shorin inquired about the outdoor seating area regarding the music. Mr. Troudi responded that he would have music during happy hour, between 4pm and 8pm. He added that the music would be very casual, laid back jazz music. Mr. Shorin asked if the applicant would be willing to put in writing that he will not play amplified music. Mr. Troudi responded yes. Mr. Shorin stated that he had a concern with the music because of noise for the neighbors in the adjacent Highgate community. Mr. Rieker commented that the questions asked by the Planning Commission are asked to everyone.

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.

Audience Comments

James Kernaghan, 567 Skippack Pike – Mr. Kernaghan commented that he is a restaurant owner in Center City. He stated that he has outside seating and that everyone would like to have outside seating. Mr. Kernaghan felt that it was challenging to hear a discussion on whether the applicant should be allowed to have outside seating. He stated that the restaurant location has failed at least (3) three or (4) four times. Mr. Kernaghan noted that the Planning Commission should be encouraging business in the township and should be granting the applicant his outdoor seating, because the applicant is investing his own money and he will bring employment. He added that in reference to the noise, the Blue Bell Inn plays a band on Friday and Saturday nights with amplified speakers, which he believed to be in compliance with the Township noise ordinance. Mr. Kernaghan commented that in his restaurant he has music coming through speakers, but not at a decibel that guests cannot talk to one another. He added that he is a neighbor and everybody during the spring and summer time wants to sit outside and enjoy their meal. Mr. Kernaghan preferred the board take a position instead of remaining neutral on the application. Additionally, he felt that the township should invest in a walkable community.

Chairman Corti responded that the Zoning Hearing Board makes zoning case decisions and the Planning Commission is only advisory to the board.

There being no further comments or questions, the Planning Commission chose to remain neutral on the subject application. The Planning Commission recommended the following to the Zoning Hearing Board:

- 1) The applicant works with Township staff to come up with a plan to restrict seating when valet parking is not available.
 - 2) The applicant works with Township staff on a plan to decommission specific areas of indoor seating when the outdoor deck is in use.
 - 3) Amplified music shall not be allowed when the outdoor deck is in use
 - 4) Any outdoor music shall be played at times in compliance with the Township noise ordinance.
 - 5) All outdoor lighting be in compliance with Township lighting regulations.
 - 6) The applicant works with the Township staff to install the two missing sidewalk sections between the site and the Wissahickon library on Skippack Pike.
 - 7) The applicant installs bollards or boulders as a buffer along Penllyn-Blue Bell Pike.
 - 8) The applicant obtains a pillar agreement with the Township for the improvements located within the ultimate Right of Way of Penllyn-Blue Bell Pike.
- 2.) **NO. 2074-16: PAULINE D. WATSON** requests variance relief from the Whitpain Township Zoning Ordinance, as amended, as follows: (1) Article V, Section 160-19 relating to rear yards in the R-1 Residence District; and (2) Article XXVIII, Section 160-204 relating to rear yard intrusions. Applicant proposes to construct a 578 square-foot addition on the property located at 902 Union Meeting Road in the Township's R-1 Residence District. Applicant's requested variance relief, if granted, will allow (1) a 40'8" rear yard setback, where a 75' rear yard setback is required under the Ordinance; and (2) the construction of the proposed addition within the rear yard where the Ordinance prohibits any building or part of a building to be erected within the required rear yard.

The applicant was not present for the meeting. 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.

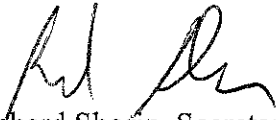
There being no further comments or questions, the Planning Commission chose to remain neutral on the subject application.

5. Pertinent Planning Issues

Mr. Rieker noted that the township prepares zoning updates. He asked the Planning Commission that if they have any questions or comments on zoning that they have found, they can send them to him for consideration.

There being no further business to come before the Commission, a motion was made by Mrs. Gerber, and seconded by Mr. McLaughlin to adjourn. The meeting adjourned at 8:20 PM.

Respectfully submitted,



Richard Shorin, Secretary