

VIA E-MAIL

October 9, 2017

TO: Whitpain Township Planning Commission
FROM: E. Van Rieker, Township Planning Consultant
RE: Township Planning Commission Meeting – October 10, 2017

Regular Session - 7:30 P.M.

1. Approval of Minutes
2. Review of the Subdivision Plan for 490 Penllyn-Blue Bell Pike (S-2-17). This application involves a 5-lot subdivision of approximately 9.54 acres of property located at 490 Penllyn-Blue Bell Pike, which is on the eastern side of Penllyn-Blue Bell Pike between Beale Road and Morris Road. Access to the site will be from the existing driveway off of Penllyn-Blue Bell Pike. The property is zoned R-1 Residential Zoning District.

Comments:

- *This Plan was previously reviewed by Township Staff in May of 2017 and was listed for consideration by the Planning Commission at the regulation meeting June 13, 2017.*
 - *For ready reference my initial review memo under date May 15, 2017 is attached and I have included the applicable decision from the Whitpain Township Zoning Hearing Board (#2095-16). Please note conditions that were incorporated into the decision.*
 - *It is my understanding that there may be an open issue relative to acceptable buffers.*
3. Review of a Subdivision Plan for 499 Morris Road (S-4-17). This application involves a three-lot subdivision of approximately 2.80 acres of property located at 497-499 Morris Road, which is on the northern side of Morris Road between Pinecroft Place and Penllyn-Blue Bell Pike. Access to the site will be from the existing driveways on Morris Road. The property is zoned R-5 Residential District.

Comments:

- *This is a proposal to basically introduce one new lot – resulting in a total of three residential lots (two of which have already been built upon). Lot numbers 2 and 3 would be served by a private road. Jim Blanch issued a complete engineering review under date September 21, 2017. It is my understanding that applicant has responded to it although I have not yet seen a revised plan.*
 - *For ready reference please find attached a copy of my review memo dated September 25, 2017 sent to Jim Blanch with a copy to the design engineer, Mr. Tim Woodrow.*
4. Review of a Land Development Plan for Kidz Konnect Daycare (LD-2-17). This application involves the renovation of the existing building and the construction of a 3,846 square ft. building addition on a lot of approximately 2.45 acres of property located at 1302 Union Meeting Road, which is located on the eastern side of Union Meeting Road between Hoover Road and Jolly Road. Access to the land development is proposed from a new driveway located off of Union Meeting Road. The property is zoned R-1 Residential District.

Comments:

- *You may remember that the initial authority for this Daycare Proposal was created pursuant to Ordinance #4-246 enacted August 15, 2017, which created the authority for extended daycare subject to specific locations limited in the overlay pursuant to a text amendment and a “Extended Day-Care Center Overlay Option”. As a part of a previous review to Jim Blanch, I suggested that the Zoning Data Table listed on the plan submission be expanded to indicate compliance with the numerous design standards beginning at Section 160-220.1, Subsection C through K. In those instances where there is a requirement outside of the Extended Day-Care Overlay Option such as the outside play area requirements based on regulations of the Commonwealth of Pennsylvania or lighting standards then these should be listed along with the calculation requirement on which the plan is based.*
- *Subsequently extensive reviews have been received from the following:*
 - *Jim Blanch, Township Engineer, September 19, 2017.*
 - *SC Engineers, Inc. by Alfred S. Ciottoni, PE, August 30, 2017.*
 - *A reply memo from Jim Blanch to Marc Toth answering questions from Jim’s September 19th review letter (above).*
 - *McMahan Associates, Inc. by Sandy A. Koza, revised October 5, 2017.*

4. ZHB #2134-17

Jeffrey C. & Mary Kathleen Lee
(1975 Morris Road)

Non-Conforming
Expansion

Comments:

- *This is a fact sensitive application that will rely on specific exhibits, which basically request a vertical expansion related only to increasing the height of the roof over the existing building footprint.*
- *In order to follow the exact nature of the proposal, suggest looking at the Exhibit titled Existing Elevations and then relating to the Exhibit titled Proposed Elevations, both dated 9/18/17.*
- *My only question would be does the requested relief simply increase the height of the first floor or is the construction of a second floor included as part of the proposal?*

7. Review pertinent planning issues.

cc: Jim Blanch Nicole Godson Greg Monte
Kent Conway Joe Habboush John O'Hara
Ken Corti Otis Hightower Roman Pronzak
Joseph Fay Cathy McGowan Richard Shorin
Jennifer Gallagher William McManus Kyle Peece
Penny Gerber

Van Rieker

From: Van Rieker <vanplan@verizon.net>
Sent: Monday, September 25, 2017 3:11 PM
To: Jim Blanch
Cc: Tim Woodrow
Subject: RE: 499 Morris Road S-4-17

Jim,

Thanks for having Greg send over the revised subdivision plan. Obviously, the new plan consists of three lots, two of which will take access to Morris Road via a private road. This is a change from the initial submission so the Flag Lot Standards under zoning will not apply in this instance.

Your review covers virtually all the items that are relevant and I would add only that the disposition of the exiting driveway will need to be resolved as to whether or not it will essentially be removed and folded into the right-of-way configuration proposed for the private road.

I note that a clear sight triangle has been designated at the intersection, a small part of which traverses over private land not within the public right-of-way and not owned by the applicant. Thus, it may be necessary for the applicant to negotiate the right to clear any obstructions with the clear sight triangle in order to maintain visibility to and from the private road.

I want to restate that we did send over an example of the Woodland Canopy Preservation Plan to Tim to be utilized in the preparation of the submission of the final plan.

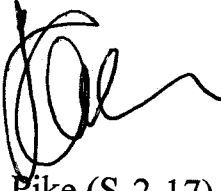
Call with questions.

Thanks,

VAN

From: Van Rieker [mailto:vanplan@verizon.net]
Sent: Monday, September 25, 2017 11:27 AM
To: Jim Blanch <jblanch@whitpaintownship.org>
Cc: Tim Woodrow <twoodrow@woodrowinc.com>
Subject: 499 Morris Road S-4-17

May 15, 2017

TO: Jim Blanch
FROM: E. Van Rieker, AICP 
RE: 490 Penllyn Blue Bell Pike (S-2-17)

This is basically a large flag lot consisting of 7.24 acres having a single access from Penllyn – Blue Bell Pike and having an existing barn and an existing dwelling along with other accessory buildings, which is proposed as a 4 lot subdivision. (Lot #5 basically exists but is being slightly reconfigured)

My comments are summarized below:

1. Access Drive

- a. The condition of the access drive should be reviewed by the Township Engineering Department regarding the proposed width, method of construction and reviewed regarding acceptable sight distance at its intersection with Penllyn-Blue Bell Pike.
- b. The details of the access easement including required participation and the legal description of the access easement as well as maintenance obligations, etc. should be noted on the Plan and the specific homeowners' document should be subject to the review and approval of the Township Solicitor.
- c. The width and configuration of the access drive relative to its suitability to safely serve four (4) single family dwellings should be reviewed by the Township Fire Marshall. In addition the requirement for a new fire hydrant should be evaluated.

“The Planning Commission suggested that the applicant take into consideration the width of the private drive so that it is wide enough for emergency and delivery vehicles to access.”

2. Zoning

- a. The subject property is Zoned R-1 Residential. The proposed lots are substantially larger than the minimum required lot for the district of 30,000 sf. Therefore, a note should be provided on the Plan and a restriction added to each Deed of Conveyance indicating a prohibition of future subdivision for the purpose of creating new or additional building lots.
- b. The note regarding variance requests should also be positioned on the Record Subdivision Plan (sheet 3 of 14). In addition, Zoning Hearing Board Application should be reformulated to represent the Application Number, the Decision and Order of 1-19-17 and all relevant conditions that were required as a part of the items approved: there are 4 conditions noted in the attachment to the ZHB Decision, which for ready reference are attached to this review.

3. Lot Configuration.

- a. Lot #1 - the status of the existing building situated in the required side yard of Lot # 1 should be resolved (this may be an issue that was favorably resolved by the ZHB at Decision #2095-16) if not, then a note should be placed on the Plan that the existing secondary building should be removed.
- b. Yard designations for lot #1 and #2 should be reviewed by Mike and Bill for conformance with the manner in which yards are normally attributed to proposed building lots.
- c. The building envelope for each lot should be reduced to exclude the areas of permanent easements associated with storm water management facilities such as biobasins and rain gardens. In view of the fact that they are not buildable, these areas should net out of the building envelope.

- d. To be accurate, the proposed sizes listed for the new houses on lot #3 and lot #4 should instead say "house pad" since the dimensions represent outside dimensions of a single floor.
4. The Canopy Regulations apply and the requirements from the SALDO should be identified on the Grading Plan (Sheet #5).

If there are any questions, please do not hesitate to contact me.

VAN

Cc:	Roman Pronczak	Ken Corti	Joe Habboush
	Mike McAndrew	Penny Gerber	Ken Conway
	Bradley Tate	Richard Shorin	William McManus
	Greg Monte	John O'Hara	
	Otis Hightower	Cathy McGowan	

DECISION AND ORDER

WHITPAIN TOWNSHIP ZONING HEARING BOARD

APPLICATION #2095-16

FIRST HEARING: 1-19-17

APPEAL OF: **KARYA PROPERTIES, LLC**

DECIDED: 1-19-17

PROPERTY ADDRESS:
490 Penllyn Blue Bell Pike
Blue Bell, PA 19422

COPY MAILED: 1/20/17

At a public hearing on the above application, the Zoning Hearing Board decides and orders as follows:

1. Variance from Article II, Section 160-7.B relating to the definition of the term "yards", in order to orient the front yards for proposed Lots 1 and 2 away from Penllyn Blue Bell Pike, which is the access street to the proposed subdivision of the Applicant's property at 490 Penllyn Blue Bell Pike, when the Ordinance prohibits same is:

~~GRANTED~~ DENIED

2. Variance from Article V, Section 160-17 and Article XXVIII, Section 160-203 relating to projections into side yards to permit the existing barn on the subject property to remain on proposed Lot 1 and be converted to a single-family dwelling with a side yard setback of 27 feet, where a minimum setback of 45 feet is required, is:

~~GRANTED~~ DENIED

3. Variance from Article V, Sections 160-18 and 160-21, and Article XXVIII, Section 160-203 relating to projections into side yards and locations for accessory structures to permit the existing barn to remain on proposed Lot 1 and be utilized as an accessory structure in the side yard, where accessory structures are permitted in the rear yard only, is:

~~GRANTED~~ DENIED Withdrawn

4. Variance from Article XXVIII, Section 160-216.C regarding flag lot (rear lot) requirements to permit the proposed shared, private access drive to extend through more than two tiers of lots, when the Ordinance prohibits the same is:

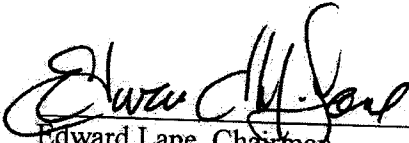
~~GRANTED~~ DENIED


5. Variance from Article XXVIII, Section 160-216.D regarding flag lot (rear lot) requirements to permit the proposed shared, private access drive to serve four (4) lots, when the Ordinance prohibits the same is:

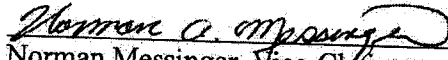
~~GRANTED~~ DENIED

APPLICATION #2095-16

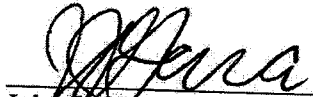
KARYA PROPERTIES, LLC


Edward Lane, Chairman


Kathryn M. Schilling, Member


Norman Messinger, Vice-Chairman


Harry Phifer, Member


John S. O'Hara, Secretary

This Decision and Order of the Board is final and any appeal of it must be filed with the Court of Common Pleas of Montgomery County within thirty (30) days following the copy mailing date set out above.

Section 160-241. *Expiration of Special Exceptions and Variances*, of the Whitpain Township Zoning Ordinance of 1950, as amended, Chapter 160 of the Code of the Township of Whitpain, provides that unless otherwise specified by the Board, a special exception or variance shall expire if the Applicant fails to obtain a building permit or use and occupancy permit, as the case may be, within six (6) months from the date of authorization thereof.

6. The Applicant's appeal to the Zoning Hearing Board for a determination that no alluvial soils are present on the subject property pursuant to Article XXV, Section 160-170.B relating to boundary disputes and appeals in a FP Floodplain Conservation District, where the map for the FP Floodplain Conservation District depicts the presence of such soils, is:

~~GRANTED/DENIED~~ Continued

THIS DECISION AND ORDER IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. All use and development allowed by any granted application shall conform to the exhibits and testimony presented at the hearing unless inconsistent with these conditions in which case these conditions shall take precedence.

2. Applicant shall provide a 15 foot permanent landscape buffer along the southern property line for proposed Lots 2 and 4 to maintain and supplement the existing buffer in accordance with the Township Subdivision and Land Development Ordinance.
3. Applicant shall revise the side yards on Lot 4 adjacent to the Beale Road properties to 55 feet with the remaining side yard at 45 feet.
4. Applicant shall allow, upon request to the Applicant, reasonable access to the property to individuals seeking access to the property to photograph and document the nature of the buildings and other features on the property, prior to the demolition or other renovations to such features.