

WHITPAIN TOWNSHIP PLANNING COMMISSION
APRIL 2022

A hybrid work session of the Whitpain Township Planning Commission was held on Tuesday, April 12, 2022 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, Joseph Fay, Kurt Zintner presided in person with Planning Commission members attending virtually that included Vice Chair Richard Shorin, John O’Hara, and Peter Kreher, and Township Engineer James E. Blanch, P.E., Assistant Code Enforcement Officer Travis DeCaro, Planning Consultant Rick Collier, IT Director Nicole Leininger (in person) and Recording Secretary Jennifer L. Gallagher were also present virtually. Planning Commission member Secretary Cathy McGowan, Joe Habboush, John Miller and Lewis Silver were absent.

1. Approval of the minutes

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

2. Review current Zoning Hearing Board cases:

- a. **2312-22 – MADISON CAPITAL GROUP MANAGEMENT, LLC** - requests a variance from Article XIX, Section 160-119 related to Use Regulations with respect to its property located at 953 Penllyn Blue Bell Pike, Blue Bell, PA, in the Township’s C-Commercial District. Applicant’s requested relief, if granted, will allow Applicant to construct a three story, 38’ 11” high, 100,950 square foot storage facility on its property when the Ordinance prohibits same.

Chair Corti noted the applicant is proposing a 3-story self-storage building when the ordinance prohibits the same in a zoned commercial district.

The Planning Commission raised concerns with the height visibility of the 3-story building near the residential homes and surrounding businesses. Mr. O’Hara noted the buildings second elevation side of the residents have removed the garage doors. Vice Chair Shorin expressed concerns with the neighboring properties to provide minimal impact with the new building; concerns included the sight of the building, noise and lighting.

Chair Corti questioned the stormwater flow of the basin along the library parking lot. Mr. Blanch explained the stormwater from the building will flow towards the water tower to the basin. The flow from the parcel drains toward the Skippack Pike storm sewer system. The applicant will be responsible for stormwater management on their site prior to any discharge from their site.

Mr. Blanch expressed the entrance is narrow with the anticipated movement of vehicles. Mr. Collier noted the circular pattern with parking of trucks, or emergency vehicles how will they move around 9 ft to get to the storage doors.

- b. **2313-22 – SIMRAN PROPERTIES** – request variances from Article XXVII, Section 160-192.B.1.q and Section 160-192.B.2.q.2 related to Required Off-Street Parking Facilities and Article XXVIII, Section 160-214.C.1 related to Green Area Regulations with respect to its property located at 646 Skippack Pike, Blue Bell, PA, in the Township’s C-Commercial

District. Applicants' requested relief, if granted, will allow Applicants to construct: (1) 23 parking spaces at the site when the Ordinance requires a minimum of 25 spaces; and (2) first row angled parking spaces of less than 10 feet in width when the Ordinance requires perpendicular parking spaces having a 10 foot minimum width; and (3) an aisle of 17 feet in width when the Ordinance requires a minimum of 30 feet and (4) a reduction of the green area to 24.3% when the existing lot is non-conforming having a green area of 30.6 percent when the Ordinance requires a minimum of 35%.

The Planning Commission raised concerns on the 12 parking spaces within the station area including the 5 shared parking spaces within the library area without an access path or signage to the station. Chair Corti noted in prior approval plans for the 5 parking spaces the record plan showed a pathway to be constructed but was never completed.

Mr. Corti questioned if the car wash was being maintained or if it's part of the expansion. Mr. Blanch explained the car wash will remain in use.

Mr. Zintner raised concerns if the parking spaces are in use how will the emergency vehicles move around.

- c. **2314-22 – HERMAN L. AND MILAGROS M. EASON** - request variances from Article VII, Section 160-36 related to Rear Yards and Article XXVIII, Section 160-204 related to Residential Rear Yard Intrusions with respect to their property located at 1509 Vernon Rd., Blue Bell, PA, in the Township's R-2 Residential District. Applicant's requested relief, if granted, will allow Applicant to construct a new addition onto their existing residence which will project into the rear yard when the Ordinance prohibits same and will reduce the minimum yard width to 36 feet when the Ordinance requires a minimum of 50 feet.

Mr. Blanch noted stormwater management is not required.

- d. **NO. 2315-22: PATELLIE, LLC** requests the following relief from the Whitpain Township Zoning Hearing Board: (1) a variance from Article XXIX, Section 160-225 related to Expansion of Non-Conforming Use; (2) a variance from Article XXXI, Section 160-241 related to Expiration of Special Exceptions and Variances; and (3) a modification of Whitpain Township Zoning Hearing Board Decisions No. 781-1990, 1691-2006 and 2219-2019. Applicant's requested relief, if granted, will: (a) permit the Applicant to construct a 772 square foot addition and one deck to the right of the Main Entrance having 639 square feet on its property located at 1529 Dekalb Pike, Blue Bell, PA in the Township's C-1 Commercial District which will: (a) expand the non-conforming use of the property when the Ordinance prohibits same; and (b) will extend the expiration date of the variances to eighteen months when the Variance expiration date in the Ordinance is six months.

Mr. Corti questioned if the applicant's non-conforming use was expired or reduced. Mr. Blanch explained the applicant is reducing and will need relief for a smaller deck which will reduce the parking spaces.

Mr. Blanch explained the applicant submitted a Land Development in 2019 that approved two decks. In 2020 when Covid began, the applicant decided not to proceed. The applicant submitted a waiver from land development to install a temporary stone parking lot and move dining outside to the rear of the building. The Township approved it in March 2021 for a one-year period.

Chair Corti questioned stormwater management. Mr. Blanch explained that the applicant is proposing an underground stormwater management system below the new parking lot.

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
APRIL 2022**

The fourth hybrid meeting of the Whitpain Township Planning Commission for the year 2022 was held on Tuesday, April 12, 2022, as a video conference using *Zoom* video technology. Chair Kenneth Corti, Joey Fay, Kurt Zintner presided in person with Planning Commission members attending virtually that included Vice Chair Richard Shorin, John O'Hara, Peter Kreher, Township Engineer James E. Blanch, P.E., Assistant Code Enforcement Officer Travis DeCaro, Planning Consultant Rick Collier, IT Director Nicole Leininger (in person) and Recording Secretary Jennifer L. Gallagher were also present virtually. Planning Commission member Secretary Cathy McGowan, Joe Habboush, John Miller, and Lewis Silver were absent.

A moment of silence was held in memory of Code Enforcement Officer, Michael E. McAndrew.

1. Approval of Minutes

Chair Corti call for any comments or questions on the March 8, 2022, meeting minutes from Planning Commission Township Staff or the audience. There being none, Vice Chair Shorin made a motion, seconded by Mr. Fay to approve the minutes for the March 8, 2022, meeting of the Planning Commission. Chair Corti made a formal roll call vote Vice Chair Shorin, aye; Mr. Fay, aye; Mr. O'Hara, aye; Mr. Zintner, aye; Mr. Kreher; and Chair Corti also voted to pass this motion. The motion passed 6-0.

2. Review current Zoning Hearing Board cases:

- a. **2312-22 – MADISON CAPITAL GROUP MANAGEMENT, LLC** - requests a variance from Article XIX, Section 160-119 related to Use Regulations with respect to its property located at 953 Penllyn Blue Bell Pike, Blue Bell, PA, in the Township's C-Commercial District. Applicant's requested relief, if granted, will allow Applicant to construct a three story, 38' 11" high, 100,950 square foot storage facility on its property when the Ordinance prohibits same.

Present For Applicant: Christen G. Pionzio, Esquire
Bob Blue, Robert E. Blue Engineers, P.C.
Dave Horner, Traffic Engineer
Jim Faber, Landscape Architect
Joseph Neitzel, Architect
Ben Waldon, Applicant

Mrs. Pionzio explained the applicant met with neighboring residents via zoom on March 30, 2022 to review the plans. The residents requested the garage doors be on the commercial side of the building including a 4 ft. berm with landscaping on the back side of the residential homes.

Mr. Zintner questioned if the neighbors reviewed the revised landscaping plans. Mrs. Pionzio noted the plans were not reviewed, but they plan to have them available at the upcoming Board of Supervisors or Zoning Hearing Board meeting.

Chair Corti questioned the length of the berm when circling the building near the residential homes. Mr. Faber explained due to existing shade trees and additional evergreens including a board on board 6 1/2 ft. fence around the entire property perimeter, direct lighting on the residential homes would be prevented.

Mr. Fay questioned if the berm could be located closer to the building for more open space near the residential homes. Mrs. Pionzio explained the applicant is willing to work with the neighboring properties. Mr. Faber commented that with the fence buffer 4 foot inside the property line, 12 ft. between the fence and the start of the berm to maximize and preserve the trees.

Vice Chair Shorin expressed concerns on the circulation and the width of the road for trucks to park and move around including emergency vehicles. Mr. Blue explained that the road is 30 feet wide and an additional 5 feet is for off-loading with one way circulation.

Brian McGarth 649 Midway Lane

Mr. McGarth questioned if there are windows located on the second floor that is in view of Midway Lane. Mr. Faber explained there are faux windows on the second floor which are not transparent on either side.

Mr. McGarth expressed concerns of the 3-story building and questioned if they would consider a 2-story building. Mrs. Pionzio explained the height wouldn't be feasible without the third floor. Mr. McGarth questioned the exterior color of the building. Mrs. Pionzio noted they will accommodate the demands of the neighbors.

Mr. McGarth questioned if the business folded can the building be repurposed. Mr. Neitzel explained the building would not be retrofitted to a distribution center. Mr. Kreher noted the use variance on the property can only be the permitted use by zoning.

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

- b. **2313-22 – SIMRAN PROPERTIES** – request variances from Article XXVII, Section 160-192.B.1.q and Section 160-192.B.2.q.2 related to Required Off-Street Parking Facilities and Article XXVIII, Section 160-214.C.1 related to Green Area Regulations with respect to its property located at 646 Skippack Pike, Blue Bell, PA, in the Township's C-Commercial District. Applicants' requested relief, if granted, will allow Applicants to construct: (1) 23 parking spaces at the site when the Ordinance requires a minimum of 25 spaces; and (2) first row angled parking spaces of less than 10 feet in width when the Ordinance requires

perpendicular parking spaces having a 10 foot minimum width; and (3) an aisle of 17 feet in width when the Ordinance requires a minimum of 30 feet and (4) a reduction of the green area to 24.3% when the existing lot is non-conforming having a green area of 30.6 percent when the Ordinance requires a minimum of 35%.

Present For Applicant: Neil Stein, Esq., Attorney
Bob Blue, Robert E. Blue Engineers, P.C.
Dave Horner, Transportation Consultant

Chair Corti commented on the parking analysis whether there is enough parking and what happens if you need to require additional parking from the library. Mr. Stein explained it would be a necessity from an operational standpoint to provide enough parking.

Mr. Blue noted the bank, service station, and office are all units within the condominium.

Vice Chair Shorin expressed concerns on the parking and the use of the library parking to have a pathway to the gas station. Vice Shorin questioned if slot machines are in the facility. Mr. Blue explained two employees work at the station. Mr. Fay expressed the parking signage for vacuuming and a pathway would improve the area.

Mr. O'Hara questioned the footprint of the convenience store comparison to the size of a WAWA. Mr. Stein explained this convenience store will be 1,545 sq. ft., with storage for goods of 680 sq. ft., a restroom of 58 sq. ft. totaling 4,720 sq. ft. whereas a WAWA is about 5,500 sq. ft. which is about 1,000 sq. ft. difference.

Mr. Collier questioned the reduction on the green area when there is no additional asphalt or concrete being added. Mr. Blue explained to the applicant that additional landscaping is needed.

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

- c. **2314-22 – HERMAN L. AND MILAGROS M. EASON** - request variances from Article VII, Section 160-36 related to Rear Yards and Article XXVIII, Section 160-204 related to Residential Rear Yard Intrusions with respect to their property located at 1509 Vernon Rd., Blue Bell, PA, in the Township's R-2 Residential District. Applicant's requested relief, if granted, will allow Applicant to construct a new addition onto their existing residence which will project into the rear yard when the Ordinance prohibits same and will reduce the minimum yard width to 36 feet when the Ordinance requires a minimum of 50 feet.

Present For Applicant: Herman L. Eason & Milagros M. Eason, Applicant
Anthony Hibbeln, Engineer

Chair Corti explained that there is no stormwater management required based on the size of the improvements.

Vice Chair Shorin mentioned adding some landscaping.

Mr. Collier suggested having the materials and colors available for the Zoning Hearing Board. Mr. Eason agreed the color scheme will match the house.

Chair Corti stated 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. 2315-22: PATELLIE, LLC** requests the following relief from the Whitpain Township Zoning Hearing Board: (1) a variance from Article XXIX, Section 160-225 related to Expansion of Non-Conforming Use; (2) a variance from Article XXXI, Section 160-241 related to Expiration of Special Exceptions and Variances; and (3) a modification of Whitpain Township Zoning Hearing Board Decisions No. 781-1990, 1691-2006 and 2219-2019. Applicant's requested relief, if granted, will: (a) permit the Applicant to construct a 772 square foot addition and one deck to the right of the Main Entrance having 639 square feet on its property located at 1529 Dekalb Pike, Blue Bell, PA in the Township's C-1 Commercial District which will: (a) expand the non-conforming use of the property when the Ordinance prohibits same; and (b) will extend the expiration date of the variances to eighteen months when the Variance expiration date in the Ordinance is six months.

Present for Applicant: Bernadette Kearney, Esq., Attorney
Joseph P. Hanna, P.E., Engineer
Patrick Tronoski, Applicant

Chair Corti noted the application was before the Planning Commission in June 2019.

Mr. Collier recommended buffering the residential neighbors and parking area with additional greenery.

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

3. Review pertinent planning issues.

There were no pertinent planning issues.

There being no further business to come before the Commission, a motion was made by Vice Chair Shorin, and seconded by John O'Hara to adjourn. Chair Corti made a formal roll call vote: Vice Chair Shorin, aye; Joe Fay, aye; John O'Hara, aye; Kurt Zintner, aye; Peter Kreher, aye; and Chair Corti also voted to pass this motion. The motion passed 6-0. The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Cathy McGowan, Secretary