

WHITPAIN TOWNSHIP PLANNING COMMISSION

OCTOBER 2017

A work session of the Whitpain Township Planning Commission was held on Tuesday, October 10, 2017 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 Corti presided with Planning Commission members Richard Shorin, Cathy McGowan, Joe Habboush, Joseph Fay, and Alternate members Kent Conway, John O'Hara and Kyle Speece. Township Planning Consultant E. Van Rieker, Township Engineer James E. Blanch, P.E., Assistant Zoning Officer William McManus and Recording Secretary Gregory Monte were also present. Planning Commission Members Otis Hightower and Penny Gerber were absent.

1. 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.

Mr. Blanch provided a background on the application noting that this application was previously viewed by the Planning Commission at its June 13th meeting. He noted that the applicant has revised the proposed stormwater management for the site, specifically they have shifted the proposed stormwater basin on lot 3 further away from the property line. The applicant has also agreed to place a 20-foot permanent landscape buffer on the northside of the property and a 15-foot permanent landscape buffer on the southside of the property. Mr. Blanch commented that the township has requested a conservation easement for both the 15-foot and 20-foot permanent landscape buffers.

2. Review of a Subdivision Plan for 499 Morris Road (S-4-17). This application involves a three-lot subdivision of approximately 5.93 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.

Mr. Blanch provided a background of the application stating that the applicant is proposing to develop a new lot as part of a three-lot subdivision. The three lots will be accessed by an 18' wide private driveway.

3. Review Ordinance #4-247 – An Ordinance Amending Chapter 160 (Zoning) Article XXVIII (General Provisions) Of The Township's Code To Add Section 160-221 (Flagpoles), Allowing Up To Three Flagpoles In The Front Yard, Side Yard, And Rear Yard Of Properties In Every District, And Creating Setback And Height Requirements For All Flagpoles.

Mr. Rieker noted that the ordinance is being considered to regulate the number of flagpoles to three per lot. He noted that the ordinance will additionally create required setbacks equal to the height of the flag poles. Mr. Rieker commented that in

residential districts the flag pole cannot exceed 25 feet in height. Additionally, in nonresidential districts the flag pole cannot exceed the height of the building.

4. Review current zoning hearing board applications.

1. **NO. 2131-17: STEPHEN D. BALLASAY** requests variances from Article VII, Section 160-34 relating to Side Yards for One Family Detached Dwellings and Article XXVIII, Section 160-203 relating to Projections into side yards to allow construction on the property located at 1786 Clearview Ave., Blue Bell, PA in the Township's R-2 Residential District of a 20 foot long by 12 foot wide by 9 foot high car port on the side of the residence which will project into the side yard when the Ordinance prohibits same and which will reduce the aggregate width of the side yards to less than 60 feet when the Ordinance requires a minimum aggregate width of 60 feet and will reduce the width of one side yard to 9 feet 6 inches when the Ordinance requires a minimum width of 25 feet.

The Planning Commission commented that they felt the application was benign.

2. **NO. 2132-17: GENO AND SUSAN PELLECHIO** request variances from Article V, Section 160-14 relating to Lot Area and Width and Section 160-17 relating to Side Yards for Single Family Dwellings to allow construction on the property located at 1051 Wentz Rd., Blue Bell, PA in the Township's R-1 Residential District of a new home on a lot having a width less than 150 feet when the Ordinance requires a minimum lot width at the building line of 150 feet and having an aggregate side yard width of 102.43 feet when the Ordinance requires a minimum of 100 feet and reducing the width of one side yard to 20 feet when the Ordinance requires a minimum of 45 feet.

The Planning Commission had a concern that the lot may be too small in size to build the proposed house. They also were concerned with the width of the proposed side yards.

3. **NO. 2133-17: JAMES DiDONATO** requests variances from Article V, Section 160-17 relating to Side Yards for Single Family Dwellings and Article XXVIII, Section 160-203 and ZHB Decision No. 1326-00 relating to Projections into Side Yards to allow conversion of an existing garage into a family room on the property located at 998 Union Meeting Rd., Blue Bell, PA 19422 in the Township's R-1 Residential District which family room will reduce the side yard width to 33 feet when the Ordinance requires a minimum of 45 feet and will project into the side yard when the Ordinance prohibits same.

The Planning Commission commented that they felt the application was benign.

4. **NO. 2134-17: JEFFREY C. AND MARY KATHLEEN LEE** request variances from Article XXIX, Section 160-225.A and Article XXIX, Section 160-225.B relating to Expansion of Non-Conforming Use to allow construction of one cohesive roof over the existing building located on the property at 1975 Morris

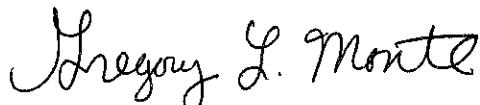
Rd., Blue Bell, PA 19422 in the Township's I Limited Industrial District which roof will not exceed 50 feet in height when the Ordinance prohibits: (1) the vertical expansion of a non-conforming use if it exceeds the height limitations of the existing non-conforming use in the zoning district in which the nonconforming use is located; and (2) vertical expansion which will exceed the height limitations of all other buildings or structures in the zoning district in which the non-conforming use is located; and (3) vertical expansion that increases the bulk, volume or square footage of the non-conforming use in excess of 25% of the non-conforming use as of the date the use first became non-conforming; and (4) vertical expansion above the first floor level if such expansion exceeds the yard setbacks in the zoning district in which the non-conforming use is located.

The Planning Commission commented that they felt the application was benign.

5. Review of pertinent planning issues.

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

Respectfully submitted,



Gregory L. Monte, Recording Secretary

WHITPAIN TOWNSHIP PLANNING COMMISSION MEETING OCTOBER 2017

The seventh meeting of the Whitpain Township Planning Commission for the year 2017 was held on Tuesday, October 10, 2017 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA. Chairman Corti presided with Planning Commission members Richard Shorin, Cathy McGowan, Joe Habboush, Joseph Fay, and Alternate members Kent Conway, John O'Hara and Kyle Speece. Township Planning Consultant E. Van Rieker, Township Engineer James E. Blanch, P.E., Assistant Zoning Officer William McManus and Recording Secretary Gregory Monte were also present. Planning Commission Members Otis Hightower and Penny Gerber were absent.

Chairman Corti called the meeting to order at 7:31 PM. The members of the Planning Commission and Township Staff introduced themselves to the public that were present.

Chairman Corti announced that the Kidz Konnect Daycare land development application (LD-2-17) initially scheduled to be viewed this evening has been postponed to the November 14, 2017 meeting.

1. Approval of minutes.

Chairman Corti called for any comments or questions on the September meeting minutes from the audience. There being none, Mr. Shorin made a motion, seconded by Mr. Speece, to approve the minutes of the September 12, 2017 meeting of the Planning Commission. The motion passed 7-0.

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.

Present for the Applicant: Amee S. Farrell, Esq., Kaplin Stewart
James Kilduff, Kilduff Development Co.
Jason Sheridan, P.E., Pennoni Associates
Bala Balasubramanian, Applicant

Ms. Farrell provided a background of the application stating that this application was before the Planning Commission in June. She noted the applicant has received zoning relief from the Zoning Hearing Board for this application. Ms. Farrell noted that the applicant is currently building a house on the adjacent property, 450 Penllyn Blue Bell Pike. She mentioned that currently the applicant plans to subdivide the parcel of 490 Penllyn Blue Bell Pike into 4 lots and transfer a piece of the parcel to the 450 Penllyn Blue Bell Pike parcel. Ms. Farrell noted that the shared driveway was originally proposed to be almost entirely on the 450 Penllyn Blue Bell Pike property, however after discussions with township staff the driveway will now be on the 490 Penllyn Blue Bell Pike parcel with an added access easement for 450 Penllyn Blue Bell Pike.

Ms. Farrell commented that when the applicant was before the Planning Commission in June, a concern arose regarding the location and configuration of the stormwater basin on lot 3 of the subdivision. She noted that the applicant has since met and have had discussions with the adjacent property owner, Mr. Gilmore regarding his concerns and have come to an agreement regarding the proposed stormwater basin. She noted that the applicant has shifted the proposed home on lot 3 back further from the property line so they could shift the stormwater basin further back from the property line. Ms. Farrell also mentioned that the applicant will be providing a 20-foot permanent landscape buffer along the shared property line between Lot 3 & Mr. Gilmore's property.

Ms. Farrell noted that the applicant also will provide a 15-foot permanent landscape buffer on the southern side of the 490 Penllyn Blue Bell Pike parcel.

Chairman Corti asked what the width of the proposed driveway will be to access the 4 lots. Ms. Farrell responded 18 feet wide.

Chairman Corti inquired if the applicant would be open to recording a conservation easement for the permanent landscape buffers. Ms. Farrell replied yes, the 20-foot and 15-foot landscape buffers are called out on the plans which will be recorded.

Chairman Corti also asked if the applicant would place conservation markers in the areas of the permanent landscape buffer easements. Ms. Farrell replied yes.

Mr. Shorin asked if the applicant will comply with the Woodland Canopy ordinance. Ms. Farrell replied that the applicant and the Township Engineer have had discussions regarding the compliance of the ordinance.

Mr. Blanch noted that since 450 Penllyn Blue Bell Pike has been added to the subdivision, it must comply with the Woodland Canopy ordinance in addition to the 4 lots proposed.

Mr. Sheridan asked if the canopy area for 450 Penllyn Blue Bell Pike will need to be added to the green area plan. Mr. Blanch replied that the canopy area will need to be analyzed for all five lots.

Mr. Blanch noted that the township would require that the applicant place the permanent 15' & 20' landscape buffers in a conservation easement.

Audience Comments

Louis Gilmore, 556 Morris Road – Mr. Gilmore commented that he appreciates that the applicant has agreed to move the stormwater basin away from the property line as well as providing the landscape buffer. He noted that he had a concern on how the permanent landscape buffer will be preserved.

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

Chairman Corti called for a motion to recommend that the Board of Supervisors approve the Subdivision Plan for 490 Penllyn Blue Bell Pike (S-2-17).

A motion was made by Mr. Shorin, and seconded by Mr. Conway to recommend that the Board of Supervisors approve the Subdivision for 490 Penllyn Blue Bell Pike (S-2-17). Additionally, the applicant shall comply with all review letters of Township Staff and Consultants. The Planning Commission specifically recommended that a conservation easement be placed on the property in the areas of the proposed permanent landscape buffering and shall be defined with conservation markers on the site. The applicant shall also agree to comply with the Township Tree Canopy ordinance.

The motion passed: 7-0.

3. Review of a Subdivision Plan for 499 Morris Road (S-4-17). This application involves a three-lot subdivision of approximately 5.93 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.

Present for the Applicant: Salvatore Paone Jr.

Mr. Paone provided a background of the application stating that the property is located between Mathers Road & Penllyn Blue Bell Pike and backs up to Cedarbrook Country Club. He noted that 499 Morris Road is approximately 3.65-acre lot and 497 Morris Road is approximately 2.65-acre lot. Mr. Paone commented that the applicant is proposing to build an additional lot in between the two existing lots.

Mr. Paone noted that there is a pumping station located on the 499 Morris Road property, which would help to service the proposed lot with public sewer utilities.

Mr. Paone noted that a highway occupancy permit was obtained back in the 1990s to install the driveway to access the 499 Morris Road property. He commented that the applicant understands that with the additional new lot proposed, they would need to obtain an updated permit.

Mr. Paone mentioned that proposed lots 1 and 3 will not have any trees on them. Lot 2 has several trees, the largest of which are on the property lines of Lot 1 and 3. He also noted that the applicant has surveyed an area of the property for a potential stormwater area.

Mr. Speece referenced the Township Engineer's September 21 review letter and asked if the applicant has intentions to place sidewalks along Morris Road. Mr.

Paone replied that they would request a waiver or a deferral from the township and are willing to post funds in an escrow to the township.

Chairman Corti inquired if the proposed private driveway will be 18 feet wide. Mr. Paone responded yes.

Mr. Shorin asked what are the applicant's plans for the bulb at the end of the driveway. Mr. Paone replied that the bulb is on the plan as a legal representation and the applicant is not proposing to build it. He noted that 499 Morris Road has an existing circle driveway.

Mr. Shorin asked how the fire department would be able to access and exit the driveway. Mr. Paone replied that they would be able to utilize the circle driveway on lot 3 (499 Morris Road).

Audience Comments

Eliza Walbridge, 240 Penllyn Blue Bell Pike - Ms. Walbridge commented that her property borders the proposed three lots of the subdivision. She asked for clarification that the private road will need to be offset of the property line and mentioned that the line of sight goes through her property.

Mr. Blanch mentioned that the applicant is required to place an 18-foot wide driveway per the road provisions ordinance. He noted that applicant is not allowed to grade within 5 feet of the property line. Mr. Blanch mentioned that there will need to be a discussion between the owners to come to a resolution to meet the site distance provision.

John and Heide Marcelis, 479 Morris Road - Mr. Marcelis noted that he lives adjacent to the proposed subdivision and has lived there for 20 years. He commented that his property would be directly in view of the proposed new lot. Mr. Marcelis mentioned that he has restored and maintained his property for the last 20 years which includes an original farmhouse and barn. He noted that the existing tree line is a large part of the existing nature of the property which he and his wife enjoy. Mr. Marcelis showed the Planning Commission the locations of his farmhouse, barn, well tower and chicken coop on the subdivision plan. He noted that some of the trees have a circumference of 11 feet. He noted that no one has had discussions with him regarding planned development. Mr. Marcelis additionally asked if Mr. Paone has requested any variances.

Chairman Corti commented that the Planning Commission is not aware of any variances requested from the applicant.

Mr. Marcelis additionally inquired about the orientation of the proposed house as well as the specifics of the proposed private road.

feet and will reduce the width of one side yard to 9 feet 6 inches when the Ordinance requires a minimum width of 25 feet.

Present for the Applicant: Stephen D. Ballasay, Applicant

Mr. Shorin asked if the applicant has spoken to his neighbors. Mr. Ballasay replied that his next-door neighbor is fine with his requested relief. Mr. Shorin suggested that Mr. Ballasay invite his neighbor to the Zoning Hearing Board meeting on October 19th or obtain a letter from them to bring to the Zoning Hearing Board meeting.

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

Chairman Corti mentioned that the Planning Commission remains neutral on Zoning Hearing Board applications. The Planning Commission chose to remain neutral on the subject application. The Planning Commission suggested that the applicant invite his adjacent neighbor to the Zoning Hearing Board meeting on October 19th or obtain a letter stating their approval of the requested relief.

2. **NO. 2132-17: GENO AND SUSAN PELLECHIO** request variances from Article V, Section 160-14 relating to Lot Area and Width and Section 160-17 relating to Side Yards for Single Family Dwellings to allow construction on the property located at 1051 Wentz Rd., Blue Bell, PA in the Township's R-1 Residential District of a new home on a lot having a width less than 150 feet when the Ordinance requires a minimum lot width at the building line of 150 feet and having an aggregate side yard width of 102.43 feet when the Ordinance requires a minimum of 100 feet and reducing the width of one side yard to 20 feet when the Ordinance requires a minimum of 45 feet.

Present for the Applicant: Geno Pellechio, Applicant

Mr. Shorin asked if the applicant has had discussions with his neighbors. Mr. Pellechio replied that he did not believe there are any problems with his neighbors on the requested relief.

Mr. Shorin suggested that the applicant provides some additional screening on the side yard.

Gregory Wiedor, 1055 Wentz Road – Mr. Wiedor commented that they are the neighbors that are on the side of the property where the variance is being requested. He mentioned that even though the 45-foot side yard ordinance requirement seems excessive, it protects the side yards of the properties. Mr. Wiedor noted that the proposed location of the house will significantly impact his view of his backyard. He commented that it would be better if the plan had the proposed house more in line with the other homes on Wentz Road. Mr. Wiedor commented that he strongly opposes the current plan as proposed but would be open to a revised plan.

Kyle Boyd – 1027 Wentz Road – Mr. Boyd agreed with Mr. Wiedor's concerns regarding the placement of the proposed house. He mentioned that they use their backyards a lot with their children. He also wanted to know if there will be new screening placed where the existing screening is located on the property.

Chairman Corti commented that the Planning Commission encourages Mr. Wiedor and Mr. Boyd to attend the Zoning Hearing Board on October 19th to voice their concerns.

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

Chairman Corti mentioned that the Planning Commission remains neutral on Zoning Hearing Board applications. The Planning Commission chose to remain neutral on the subject application. The Planning Commission suggested that the applicant meet with their neighbors to discuss their concerns with the application prior to the Zoning Hearing Board meeting on October 19th.

3. **NO. 2133-17: JAMES DiDONATO** requests variances from Article V, Section 160-17 relating to Side Yards for Single Family Dwellings and Article XXVIII, Section 160-203 and ZHB Decision No. 1326-00 relating to Projections into Side Yards to allow conversion of an existing garage into a family room on the property located at 998 Union Meeting Rd., Blue Bell, PA 19422 in the Township's R-1 Residential District which family room will reduce the side yard width to 33 feet when the Ordinance requires a minimum of 45 feet and will project into the side yard when the Ordinance prohibits same.

Present for the Applicant: James DiDonato, Applicant

Mr. DiDonato noted that after reading the zoning ordinance he did not believe that the requested variance was required. Mr. McManus recommended that the applicant meet with him prior to the Zoning Hearing Board meeting on October 19th to determine if the proposed plan requires a variance.

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

Chairman Corti mentioned that the Planning Commission remains neutral on Zoning Hearing Board applications. The Planning Commission chose to remain neutral on the subject application. Mr. DiDonato will meet with the Code Enforcement Department prior to the ZHB hearing to determine if the proposed plan requires variances.

4. **NO. 2134-17: JEFFREY C. AND MARY KATHLEEN LEE** request variances from Article XXIX, Section 160-225.A and Article XXIX, Section 160-225.B relating to Expansion of Non-Conforming Use to allow construction of one cohesive roof over the existing building located on the property at 1975 Morris Rd., Blue Bell, PA 19422 in the Township's I Limited Industrial District which roof will not exceed

50 feet in height when the Ordinance prohibits: (1) the vertical expansion of a non-conforming use if it exceeds the height limitations of the existing non-conforming use in the zoning district in which the nonconforming use is located; and (2) vertical expansion which will exceed the height limitations of all other buildings or structures in the zoning district in which the non-conforming use is located; and (3) vertical expansion that increases the bulk, volume or square footage of the non-conforming use in excess of 25% of the non-conforming use as of the date the use first became non-conforming; and (4) vertical expansion above the first floor level if such expansion exceeds the yard setbacks in the zoning district in which the non-conforming use is located.

Present for the Applicant: Carl Wiener, Esq., Hamburg, Rubin, Mullin, & Lupin
Jeffrey C. Lee, Applicant

Mr. Wiener provided a background on the requested relief noting that the applicant owns the subject parcel at 1975 Morris Road. He stated that the applicant also owns the adjacent parcel. Mr. Wiener commented that the parcel initially had a house on it that burned down, and a detached garage remained. The applicant intends to place a new roof on the garage. He noted that the garage was initially built in 3 different sections and two of the roofs are flat and leak. Mr. Wiener noted that the applicant is requesting zoning relief being that the building is non-conforming.

Chairman Corti asked Mr. Lee what his plan is for the property. Mr. Lee replied that he intends to keep it the same use as it is now.

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

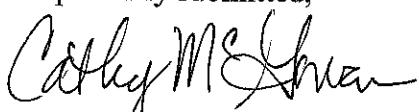
Chairman Corti mentioned that the Planning Commission remains neutral on Zoning Hearing Board applications. The Planning Commission chose to remain neutral on the subject application.

6. Review of pertinent planning issues.

There were no pertinent planning issues to discuss.

There being no further business to come before the Commission, a motion was made by Mr. Conway, and seconded by Mrs. McGowan to adjourn. The meeting adjourned at 8:40 PM.

Respectfully submitted,



Cathy McGowan, Secretary