

**LOWER POTTS GROVE TOWNSHIP
PLANNING COMMISSION**

Meeting Minutes for January 22, 2007

The Lower Pottsgrove Township Planning Commission held their regularly scheduled meeting on Monday, January 22, 2007. The meeting was called to order by Chair, Geoffrey Dailey, at 6:32 p.m. and the following were in attendance:

Geoffrey Dailey, Chair
Frank Cebular, Vice Chair
Nick Hiriak
Rich Wood
Ron Dinnocenti

Alyson Elliott, Assistant Manager
Thomas Yugas, Township Engineer
Matthew Edmond, MCPC

A motion was made by Mr. Cebular, seconded by Mr. Hiriak, and carried unanimously by a 5-0 vote to approve the minutes of the December 18, 2006 meeting.

OLD BUSINESS

(#06-17) Buchert Ridge Community Phase I, *Amended Site Development Plan*: Proposal to remove the bus turnaround from the entrance and other resulting changes in a mixed-use, age-restricted development consisting of 40 dwelling units, including singles, twins, and triplexes; a converted office building on 7.5 acres at 2011 Buchert Road in an R-2 Residential District. The Board of Commissioners approved the original site plan on July 7, 2005. [Plan prepared by ProTract Engineering, Inc., dated 11-20-2006, and consisting of 31 pages].

The applicant, Wil Hallman, and the applicant's engineer, John McMenamin, represented this application. Mr. McMenamin gave an update on the progress of the Highway Occupancy Permit (HOP) application

Action: The Planning Commission took no action on this application. The applicant will wait for the HOP approval and revise plans as necessary.

(#06-05) Buchert Ridge Community II, *Preliminary Land Development Plan*: Proposal for a 44-unit, mixed-use, age-restricted development consisting of 40 dwelling units, including garden apartments, singles, twins, and triplexes; community center; offices; accessory buildings; and a bus turnaround on 5.86 acres at 2011 Buchert Road in an R-2 Residential District. [Plan prepared by ProTract Engineering, Inc., dated 12-04-2006, and consisting of 17 pages].

The applicant, Wil Hallman, and the applicant's engineer, John McMenamin, represented this application. Mr. McMenamin presented two exhibits (Buffer Zone and Steep Slopes) for the conditional use hearing for development of steep slopes that the Board of Commissioners will consider on February 5, 2007 at 6:30 p.m.

Mr. McMenamin explained to the Planning Commission, using the Buffer Zone Exhibit, that he is required to provide a 20 foot buffer from the highest point of the bank above the stream as per the zoning hearing board's decision and order from January 17, 2006. He then used the Steep Slope Exhibit to show areas on the property that have slopes greater than 25 percent. According to this Exhibit, Mr. Yugas said he thought more than 50 percent of the two apartment/community center buildings would disturb slopes of greater than 25 percent. Additionally, portions of the bus turnaround and Ludwig Lane would also be located in areas with slopes of greater than 25 percent. Mr. Yugas said that Mr. McMenamin's previous submission did not

display the fact this great an area of the parcel would be developed on land with slopes of greater than 25 percent, which would have significantly altered his review of the proposal.

There was discussion about how the how development in the buffer would occur and treatment of the steep slopes on the development side of the buffer would occur. Mr. Yuhas pointed out that the applicant's zoning order required him to provide a 100 foot buffer from the property line, which was not done in this respect. Mr. McMenamain cited the January 17, 2006, zoning order, which gave final authority to the Board of Commissioners to amend the buffers if they chose. Mr. Yuhas pointed out that the current plan would actually increase the steep slopes, but said he would support a flattened area in the buffer with sidewalks, a retaining wall with fence, and drainage to allow access for maintenance behind the building. Mr. Dinnocenti concurred that he would prefer an attractive wall and/or terrace than a steeply-filled slope.

There was also discussion of what this project would look like from Kepler Road and other areas of the site. Mr. Yuhas said it would essentially appear to be a three- to four-story building sitting on top of a steep hill from Kepler Road. Mr. Dailey expressed concern that he would be making a recommendation on something he cannot visualize and suggested that the applicant may want to consider providing drawings to the Planning Commission and Board of Commissioners depicting how the site would look with the proposed development. Mr. Hallman was reluctant to provide engineering and architectural drawings for projects before he has begun construction, citing that he usually makes these decisions in the field. Mr. Yuhas said these decisions are not to be made in the field. The Board of Commissioners has authorized him to make field changes to sites only if they are by less than one foot change in elevation. Changes that are greater than one foot must submit an amended site plan application through the land development process. As this is the case, Mr. Hallman must present the Township with detailed engineering plans prior to approval by the Planning Commission and Board of Commissioners.

Action: A motion was made by Mr. Wood, seconded by Mr. Dinnocenti, and unanimously approved by a 5-0 vote to recommend approval of the conditional use for construction on steep slopes, provided the applicant produces the following information and satisfies the concerns of the Township Engineer:

- Answer concerns in Mr. Yuhas' letter dated January 19, 2007, which requires the applicant to address all the conditional use requirements of §425.5, Steep Slopes.
- Provide architectural renderings to show how the buildings would be situated on the slopes from all angles
- Use retaining walls and attractive terracing and landscaping to stabilize the steep slopes, rather than backfill

Mr. Wood left the meeting at 7:30 p.m.

(#06-15) Tanager Woods Development LLC, Minor Land Development Plan: Proposal to develop a 6,1741 sq. ft. drive and parking area, 399 sq. ft. of sidewalks and stormwater system on .448 acres in an R-4 Residential District with a VC Sanatoga Village District Overlay. [Plan prepared by ProTract Engineering, Inc., dated 10-06-2006 and consisting of 7 sheets].

The applicant John McMenamain represented this application. Mr. McMenamain reported on his meeting with Dr. Rinaldi about sharing parking: he said there was no real need on either party's part to share parking. As a result, he said he would pursue not to pursue shared parking with her at this time. Mr. Dailey asked Mr. McMenamain if he would be amenable to providing easements on each side of his property to facilitate any future shared parking scheme. The applicant was amenable to this.

The applicant discussed a request to defer the installation of curbing and sidewalk, at least until the stormwater study and plan for the south East High Street area is complete. Mr. Edmond discussed the

importance of providing sidewalk in the Sanatoga Village District, and other areas of the Township, to promoting the goal of a pedestrian- and bicycle-friendly community. Even if the sidewalk “goes nowhere” at the time it is installed or approved, it will eventually connect to other sidewalks and/or trails to create a safe, continuously accessible community. Mr. Yuhas said he would support the deferment because curbing will make the stormwater situation worse for the downstream neighbors on First Avenue. Mr. Edmond also requested that Mr. McMenamain extend the sidewalk accessing the front door be extended to the street to allow safe pedestrian access to the street. The applicant was amenable.

Mr. McMenamain said he will address the lighting and other standards of the Sanatoga Village District, as per the Township staff suggestions. Ms. Elliott said he will be required to install lighting in the front yard and rear parking lots that fits with the context of the Sanatoga Village District, not necessarily using the lights approved for High Street.

Action: A motion was made by Mr. Dinnocenti, seconded by Mr. Cebular, and unanimously approved by a 4-0 vote, to recommend approval of this application with the understanding that the applicant will meet the following conditions:

- Provide cross easements along both the northern and southern borders of the property to facilitate shared parking, stormwater, or other actions, as approved by the Township Solicitor
- Install lighting to match the scheme of the Sanatoga Village District, as approved by Township staff
- Provide \$2,500 toward the stormwater management study of the south East High Street region
- Extend sidewalk from front door along driveway to the street to facilitate safer access from street by pedestrians
- Install curb and sidewalks at a time when the Township requires them at the applicant’s expense

(#06-16) Sunnyville Office Complex II, *Preliminary Land Development Plan*: Proposal to convert a residence into a 4,750 sq. ft. commercial office building on a 19,500 sq. ft. parcel at 1954 East High Street in an R-4 Residential District with a Sanatoga Village District Overlay. [Plan prepared by Aston Surveyors/Engineers, Inc., dated 12-15-2003, last revised 01-17-2007, and consisting of 5 pages].

The applicant, Mr. James Vlahos, and his engineer, Mr. John Aston, represented this application. Mr. Vlahos said he was granted an up-to-date special exception and variances by the Zoning Hearing Board at their January meeting. He said he was granted additional relief from §2805 of the Zoning Ordinance, the requirement to provide a Historical Building Impact Study. In response to Mr. Yuhas’ review letter, Mr. Vlahos asked how §902.D of the Zoning Ordinance, the requirement to provide an eight foot buffer between his property and the neighboring residential property, should be treated. Is it a pre-existing condition, a waiver request, or a variance request? Mr. Yuhas responded that variance relief was granted for section 902.D, of which 902.D.(1) is a part, and the extent of relief would be that as shown on the plan presented to the Zoning Hearing Board. Additionally, Mr. Yuhas noted that waiver request #4 should be amended to read: “...to allow lighting and landscaping as approved by Township Staff.”

Mr. Aston presented a plan showing revisions requested by the Planning Commission at their December meeting. The revised plan showed a fence along the driveway between the applicant’s drive and the residential neighbor’s driveway. In place of porous paving, Mr. Aston proposed to use GrassTrak with wheel stops and a stone filter at the southern edge. It will look like a lawn and act much like a lawn with regard to stormwater management. Mr. Dailey pointed out that 20 out of the 23 parking spaces would utilize the GrassTrak system – could this be reduced? Mr. Yuhas said that he will be meeting with a representative from Maple Ridge later in the week to discuss the possibility of a stormwater easement along the back edge of the

property, and others along High Street, to allow stormwater to flow in that direction. If this easement could be granted, Mr. Vlahos would be able to pave more of the parking lot. Mr. Vlahos said he was amenable to contributing \$2,500 toward the cost of the stormwater study.

Mr. Yuhas asked the applicant to consider extending the cross easement along the western edge of his property all the way from High Street to the back of his property to accommodate any future shared driveways and stormwater easements. The Planning Commission also asked the applicant if he would be willing to provide another cross easement along the eastern edge of his property to facilitate any future shared parking. The applicant was amenable to both easements.

Ms. Elliott said she spoke with the Fire Marshal prior to the meeting and relayed to the Planning Commission that he would either prefer a 16-foot wide driveway or a connection from parking lot of the neighbor on the east that would allow access to the parking lot in case of a car fire or other type of emergency in the rear of the building. Mr. Vlahos explained the neighbor on the east's reluctance to the project and did not think it would be an easy task to gain permission to do so; additionally, there is a swale between the two properties that would make the connection difficult. Mr. Dailey said it would be physically difficult to provide the access the Fire Marshal requested.

Action: A motion was made by Mr. Hiriak, seconded by Mr. Cebular, and unanimously approved by a 4-0 vote, to recommend approval of this application with the understanding that the applicant will meet the following conditions:

- Meet the requirements of the Township Engineer's letter expected to be issued January 26, 2007
- Provide cross easements along both the eastern and western borders of the property to facilitate shared parking, stormwater or other actions, as approved by the Township Solicitor
- Provide stormwater management certification of design for the record plan.
- Determine the best solution for the requirement of §902 of the Township Zoning Ordinance
- Provide lighting calculations to the satisfaction of the Township Engineer
- Agree to install lighting to match the scheme of the Sanatoga Village District, as approved by Township staff
- Provide \$2,500 toward a regional stormwater management study for the area south of East High Street that runs from the Sprogels Run Creek east to the high point at Norco auto dealer.
- Amend waiver notes, as appropriate, and provide a formal letter to the Township outlining the waivers being requested

(#06-07) John J. & Megan A. McMenemy, *Minor Subdivision Plan:* Proposal for a three-lot subdivision on 8.1 acres at 2039 North Pleasant View Road in an R-1 Residential District. [Plan prepared by ProTract Engineering, Inc. dated 06-12-2006, last revised 11-11-2006 and consisting of 1 page].

The applicant, John McMenemy, represented this project. Mr. McMenemy gave an overview of the progress this application has made since the Planning Commission last saw it. Mr. McMenemy redesigned the subdivision for two lots, with an option for a third parcel in the future. Mr. Edmond said he thought that access provided through both side yards of the existing home for the potential second and third parcels was a creative idea.

He has received an approval from the Montgomery County Health Department for on-lot systems on two lots and is awaiting Township and DEP review. His preference is to connect to public sewer if it could be

made available in a timely manner. He outlined one option for connection would be through the future Spring Valley Farm subdivision, which would benefit his parcels, but not the other 10-20 properties along Pleasant View Road which have failing septic systems. Mr. McMenamin is working with Township staff to explore an option that would benefit all the affected properties along Pleasant View between his property and Sanatoga Road, by connecting into a sanitary sewer system on Sanatoga Road.

Mr. Dailey said he was intrigued by the idea that Mr. McMenamin would need approval from the Township and Pottstown Metropolitan Regional Planning Committee to connect to sewer because the parcel is not located in a growth area, but he would be required to install sidewalks. He questioned the vision for this area – is it rural or suburban?

Mr. Edmond argued that Mr. McMenamin's parcel is located near the proposed Spring Valley Farm trail system and a bikeway/trail, as proposed in the Township's *Open Space, Recreation & Environmental Resource Protection Plan* of 2005. The proximity to these proposed amenities make it ideal for a trail/sidewalk connection. He offered that, instead of a sidewalk, the Planning Commission may want to consider extending the shoulder of Pleasant View Road to allow safe access for bikers and pedestrians, thereby maintaining the rural feel of the area, but improving accessibility. Mr. Yuhas and Mr. McMenamin said this would be an expensive process, requiring a HOP and the relocation of a utility pole. Mr. McMenamin said there is also a swale and pipe located close to the edge of the road that may make this idea difficult.

Mr. Dailey said, in summation, that he would rather support the installation of sewer along Pleasant View Road, rather than a trail, since it seems prohibitive.

Action: The Planning Commission took no action on this application. The applicant will return to the Planning Commission when he has more solid information from his meetings with Township staff and the Authority on the sanitary sewer proposal.

OTHER BUSINESS

Zoning Ordinance Rewrite

Mr. Edmond reported that Township staff had completed its review of the zoning ordinance narrative. County staff is making comments on that section. At the next Township staff meeting, they will review those comments and make comments on the sign tables. Mr. Edmond said he anticipates the Planning Commission receiving a copy of the sign ordinance early in February for review.

Joint Lower Pottsgrove and Limerick Township 422 Sanatoga Exit Area Master Plan

Ms. Elliott reported that she and Limerick Township Manager are working to finalize a draft of the RFP. It will be distributed to the Montgomery County Planning Commission and representatives of the Joint Study Committee for review shortly. She anticipates that they will be interviewing consultants the first week of March and start the project a few weeks there after.

Zoning Ordinance Map

At the December meeting, members of the Planning Commission asked Ms. Elliott for copies of the Township Zoning Map for reference. She reported to the members that she and members of Township staff are reviewing the map for consistency and will have it to the members as soon as it is complete.

Natural Resources Protection

Ms. Elliott said that the Township Solicitor, Kurt Holloway, recently reviewed the Township's *Open Space, Recreation & Environmental Resource Protection Plan* of 2005 and found that one of the priorities set forth in the plan is to create an addition to the Township's Zoning Ordinance to protect the Township's woodlands. He will ask the Board of Commissioners for authorization to research model ordinances to meet this priority. Ms. Elliott said she performed some precursory research and found that several communities have Natural

Resources Protection sections in their Subdivision & Land Development Ordinance which place special considerations on environmentally sensitive lands such as woodlands, wetlands, steep slopes, riparian buffers, etc. If the Commissioners authorize such a project, the Planning Commission will be asked for input on the future ordinances.

There being no other business, the meeting was adjourned at 8:47 p.m. by a motion made by Mr. Dinnocenti, seconded by Mr. Hiriak, and unanimously approved by a 4-0 vote.

The next meeting of the Planning Commission is scheduled for February 26, 2007 at 6:30 p.m.

Respectfully submitted by:

Alyson Elliott, Assistant Manager