

LOWER POTTS GROVE TOWNSHIP PLANNING COMMISSION

Meeting Minutes for May 21, 2007

The Lower Pottsgrove Township Planning Commission held their regularly scheduled meeting on Monday, May 21, 2007. The meeting was called to order by Chair, Geoffrey Dailey, at 6:30 p.m. and the following were in attendance:

Geoffrey Dailey, Chair
Frank Cebular, Vice Chair
Ron Dinnocenti
Michael McGroarty

Alyson Elliott, Assistant Manager
Susan Ebling, Township Engineer
Matthew Edmond, MCPC

A motion was made by Mr. Dinnocenti, seconded by Mr. Cebular, and carried unanimously by a 4-0 vote to approve the minutes of the April 23, 2007.

Mr. Dailey welcomed Michael McGroarty to his first official meeting of the Planning Commission.

OLD BUSINESS

(#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, last revised 03-30-2007 and consisting of 19 pages].

John McMenamin of ProTract Engineering and the applicant, Wil Hallman of WHRD, represented this application. Mr. McMenamin gave an overview of the progress made on both Phase I – Modified and Phase II of the Buchert Ridge Community. The applicant is waiting for the issuance of the Highway Occupancy Permit (HOP) from PennDOT, which will be issued once PennDOT records the right-of-way dedication. Mr. McMenamin presented the Planning Commission with a letter, dated May 21, 2007, outlining a list of waivers to re-affirm waivers already requested under the Phase I approval and address some new stormwater waivers from the recent application. At Mr. Dailey's request, Township staff said they agreed with the waivers requested.

Action: A motion was made by Mr. Cebular, seconded by Mr. McGroarty, and unanimously approved by a 4-0 vote, to recommend approval of the Phase I – Modified waivers outlined in the ProTract waiver request letter dated May 21, 2007.

With the approval of the waiver letter for Phase I – Modified, Mr. McMenamin discussed progress made on Phase II. Since the applicant's Conditional Use approval, Mr. McMenamin submitted revised drawings to address the latest round of Township comments and a waiver letter dated May 21, 2007. Mr. McMenamin discussed the waivers requested and said he will also need to request relief from a condition of the zoning hearing that grant the applicant necessary relief to develop this site. He asked for a recommendation from the Planning Commission on relief from the 50 dimensional buffer required at the rear of the lot. As per discussions from the Conditional Use Hearing, the applicant said he required a 25 foot buffer.

Mr. McMenamin also reported that the applicant has met with representatives of the Walnut Ridge Homeowners Association and an individual property owner to discuss the sidewalk locations on Buchert Ridge opposite his development. He is in the process of finalizing the sidewalk designs.

Mr. Dailey asked Township staff if they had any concerns with the preliminary plan for Buchert Ridge Community Phase II. Township staff replied that they believed the application met the conditions for preliminary approval.

Action: A motion was made by Mr. Dinnocenti, seconded by Mr. Cebular, and unanimously approved by a 4-0 vote, to recommend preliminary approval of Buchert Ridge Community Phase II, including the waivers outlined in the ProTract waiver request letter dated May 21, 2007, and the request for relief from the zoning decision and order requirement, dated April 28, 2007, to maintain a 50 foot dimensional buffer

along the rear property line and allow the applicant to reduce the buffer to 25 feet, contingent upon the applicant addressing the following conditions:

- Receipt of the Phase II PennDOT HOP
- Receipt of the NPDES Permit
- Approval of the Planning Module
- Concerns identified in Township staff review letters

(#07-01) Saylor Tract, Subdivision & Land Development Plan. Proposal for a 13-lot subdivision on 8.96 acres at 1559 North Pleasantview Road in an R-2 Residential District. [Plans prepared by Langan Engineering and Environmental Services, dated 01-19-2007 and consisting of pages Z-1 and RP-1].

The application was represented by Ted Kochen of Gambone Construction Co., Adam Fernandez of Hamburg, Rubin, Mullin, Maxwell & Lupin, and Keith Otis of Langan Engineering and Environmental Services. Mr. Fernandez presented the applicant's by right plan, which consisted of 13 lots on 20,000 sq. ft. lots and two cul-de-sacs. Discussion with Township staff and the Planning Commission yielded a desire to connect the two cul-de-sac roads, reduce the need for retaining walls, align the new through-road with Donna Lane across Pleasantview Road, and preserve the view shed of the historic site. As a result, the applicant was asked to present a conservation design with smaller lots of 12,000 sq. ft. to accommodate these requests.

After investigating the requirements of the Township's cluster provision and R-2 Residential District, the applicant determined it would require less variances if they requested variances from the R-2 Residential District, rather than seeking variances from the cluster provision. They asked the Planning Commission to consider six dimensional variances from section 703.B: Width and Yard Regulations of the Zoning Ordinance, as listed below, and make a recommendation on them:

1. §703.B(1): Increase maximum required **building coverage** from 20 percent to 30 percent of the lot to accommodate building additions either pre or post construction. The proposed building coverage is approximately 18 percent.
2. §703.B(2): Reduce the required **lot width** of 100 feet measured at the street line to 80 measured at the street line to accommodate the various definitions of lot width in the Township's Zoning Ordinance.
3. §703.B(3): Reduce the required **front yard** depth from 40 feet measured at the ultimate right-of-way to 20 feet measured at the ultimate right-of-way.
4. §703.B(4): Reduce the required **side yard** depth from 20 feet to 10 feet measured from the property line.
5. §703.B(5): Reduce the required **rear yard** depth from 40 feet to 20 feet measured from the rear property line.
6. §703.B(5): Allow an **accessory use structure** to be erected within the rear yard not closer than 10 feet from the rear property line, rather than the required 20 feet from the rear property line.

Mr. Dailey commented that the revised plan appeared to address the main concerns of the Planning Commission and felt he could generally support the proposed layout so the applicant could pursue the zoning relief application and asked Mr. Edmond for his input on the layout. Mr. Edmond replied that the revised plan address the three comments from his original review letter requesting that the applicant consider preserving the historic view shed, realign the proposed street alignment, and consider treatment of the historic site. He did, however, ask that the applicant complete an historic impact statement and that he be given the opportunity to review the application again prior to preliminary plan approval.

Mr. Dinnocenti asked whether the accessory structure variance was a blanket variance for all lots or if it was for certain lots. He said he was against granting blanket relief to this requirement. The applicant affirmed that all variances requested would be applied to all lots in the development. Mr. Edmond suggested that the Planning Commission may want to consider not recommending the variance for accessory structures and allowing individual property owners to seek relief on a case-by-case basis. Mr. McGroarty agreed and thought requiring future owners to request variances on an individual basis would allow neighboring residents the opportunity to weigh in on the proposed accessory structure if they desired.

Mr. Dailey asked about the proposed building sizes. Mr. Kochen replied that the buildings would range between 2,400 and 3,600 sq. ft. He also asked for clarification on the lot width variance request. Mr. Fernandez replied that if the lot width is measured at the street line, he would require the lot width variance for lots 7 and 8. If it lot width is measured

at the building setback, then the 100 foot lot width requirement can be met with the current plan. He said this lot width reduction enables the applicant to provide more land around the farm complex.

Mr. Dailey asked the members of the Planning Commission if there was any concern over the road width, specifically the 20-foot road width in the center of the development. Members of the Planning Commission said they supported the narrower road width.

Action: A motion was made by Mr. Cebular, seconded by Mr. McGroarty, and unanimously approved by a 4-0 vote to recommend that the Zoning Hearing Board grant the requested variances, with the exception of §703.B(5), which requires an accessory structure to be located not closer than 20 feet to the rear property line.

NEW BUSINESS

(#07-03) Herbert W. Hartman, *Minor Land Development Plan:* Proposal to convert an existing residential building into a 2,240 sq. ft. commercial office building on a 27,000 sq. ft. lot at 2047 East High Street in an R-4 Residential District with a VC Sanatoga Village District Overlay. [Plans prepared by Aston Surveyors/Engineers, Inc. dated 01-30-2007 and consisting of two pages].

Action: A motion was made by Mr. Dinnocenti, seconded by Mr. Cebular, and unanimously approved by a 4-0 vote, to accept this application for review.

The applicants, Carol, Herbert and Catherine Hartman represented this application, along with their attorney, Mr. Gregory Shantz and engineer Rich Hettrick. Mr. Shantz introduced the project explaining that the project consisted of a residential conversion and would the addition of a handicap ramp in the rear and the striping of parking spaces and began to address comments disclosed in the Township Engineer's review letter dated May 7, 2007.

Mr. Shantz requested an explanation for why the applicant is required to provide a lighting plan, historic impact study, and meet other requirements addressed in the letter if only minor changes are being made to the site. Ms. Elliott replied that changes to the use of a site, in this case from residential to commercial, require a land development review to ensure the applicant adequately addresses any safety, aesthetic, or other concerns such conversion might pose to the public. The Township's Subdivision and Land Development Ordinance outlines requirements to reduce the impact of such concerns to the public. As such, the applicant shall address the requirements of this ordinance through their application.

Mr. Shantz questioned the need for a lighting plan if the applicant has lighting on the building. Ms. Ebling replied that the applicant should, as per the ordinance, provide a lighting plan showing the existing lighting scheme and the Township will review it for adequacy. He questioned the "Old Style" lighting requirement. Ms. Elliott explained that the applicant is located in the Sanatoga Village District which has streetscape requirements governing such things as parking layout, lighting, and landscaping. As such, there is a design for street lights, that all new land development projects are requested to include in their design. He also questioned the need for an historic impact study since the applicant was not changing the building. Ms. Ebling said it was a requirement for the Sanatoga Village District, but the applicant can request a waiver from the Zoning Hearing Board from this requirement. Ms. Elliott added that the applicant's building looked like it was in good condition and appeared consistent with the Village District. As a result, she did not think the applicant would have trouble being granted this request.

Mr. Shantz explained that the applicant requires nine parking spaces and intends to provide parking on the lot. The applicant, however, is short one space and plans to provide reserve parking as per the SALDO, but requested guidance on how to demonstrate this. Ms. Ebling said the applicant can show on the plan where another space can be accessed, if necessary. The applicant also said that a dumpster will not be used on site, eliminating the need for proper screening.

The applicant plans to ask for relief from the landscaping requirement citing that the existing landscaping is mature and provides adequate buffering. The applicant will provide tire stops at the parking spaces, but does not intend to provide interior curbing. The applicant intends to request a waiver from the 18 foot driveway width to avoid removing a planter in one section of the drive which limits that area to 16 feet. A number of other waivers will also be requested regarding sidewalks and landscaping.

The applicant requested guidance on the Township Engineer's stormwater comments. Ms. Ebling responded that although the applicant's impervious surface would not change she would like to see the applicant incorporate some sort

of BMP into the plan to comply with stricter stormwater management requirements. Mr. Hettrick replied that he would see if he could do so.

Mr. Dailey asked Mr. Edmond for comment. Mr. Edmond asked the applicant to clarify that the site is currently residential, a special exception was received to convert it to commercial office, and that the macadam in the parking area currently exists. The applicant confirmed that this was the case. Mr. Edmond said his comments related to parking lot configuration, suggesting that the Village District requires parking in the rear of the site, rather than the front, and encourages interconnecting parking lots.

Mr. Dinnocenti expressed concern with interconnecting parking lots and the liability those connections pose.

Mr. Shantz thanked the Planning Commission for their input on the plan and said the applicant would revise plans based on those comments.

OTHER BUSINESS

Evergreen Ridge Development Proposal

Mr. J. Wilmer Hallman and Mr. Will Selman presented a proposal for a mixed-use development consisting of commercial buildings, a banquet facility, garden apartments with a community center, upscale age-restricted homes, and approximately 400 parking spaces on 40 acres in an LI Limited Industrial District off Evergreen Road. Mr. Hallman said he has taken great care in designing a plan he believes will be an asset to the Township by incorporating mixed uses, utilizing a Traditional Neighborhood Design concept, and developing parking spaces that could be shared by the Township in the neighboring Sanatoga Park. Mr. Hallman said his project, combined with the neighboring Genesis nursing home, would create a Continuing Care Retirement Community (CCRC).

Mr. Hallman would require a zoning change to allow this project.

Mr. Dinnocenti, as owner of this site, recused himself from the discussion.

Mr. Hallman asked the Planning Commission for their support to pursue this project by working with the consultant the Township is hiring to complete the 422-Sanatoga Interchange Gateway Study. He said he did not receive a favorable response from the Board of Commissioners for this course of action.

Ms. Elliott said Mr. Hallman, along with other property owners in this study area, would be contacted by the consultant as part of this study to understand any plans they may have for their sites. She also said there will be several public meetings throughout the process to allow comment on the plan. Mr. Hallman requested that, since he has gone to the expense of developing a plan for his site, he should be allowed to work with the consultant to work his plan into the study and be given preference over other property owners who do not have plans.

Ms. Elliott explained the study is a project initiated by both Limerick and Lower Pottsgrove townships to help them react to and plan for potential development that could be fueled by the Philadelphia Outlet Mall and continuing expansion up the Route 422 Corridor. Both townships are keeping an open mind throughout this process so they can develop and implement a plan beneficial to both Townships. Township staff, with the support of the Board of Commissioners, would like the opportunity to complete this project prior to granting Mr. Hallman or any other developer zoning relief to develop. Since this study will address infrastructure such as stormwater and road networks, she said it would be unwise for the Township to proceed with Mr. Hallman's plan, during which they could miss important opportunities. This plan will also identify appropriate uses for this area. Not knowing what the market study for this project will bring, she and Township staff cannot support Mr. Hallman's project.

Mr. Hallman argued that this 40 acre project is small and that the Township should take advantage of his willingness to develop it because the Township may not have this opportunity again. Mr. Edmond responded that while 40 acres may be small compared to the tracts available in Limerick, 40 acres is almost half of Lower Pottsgrove's 100-acre portion of the study area. Anything done on that site will have a significant impact on Lower Pottsgrove. Both Mr. Edmond and Ms. Elliott said they believe the Philadelphia Outlet Mall will be a catalyst for development in the study area. With careful planning, this site will be just as valuable for development.

Mr. Dailey, Mr. McGroarty, and Mr. Cebular said they would support Mr. Hallman showing his plans to the townships' consultant during the study; however, they supported the Township's efforts to pursue this study with an open mind and develop a plan that will bring the highest and best uses to the Township.

Joint Lower Pottsgrove and Limerick Township 422-Sanatoga Interchange Gateway Study

Ms. Elliott reported that Limerick and Lower Pottsgrove are working through contract negotiations with the consultants and plan to begin the project in July.

Zoning Ordinance Rewrite

Mr. Edmond reported that Township staff will be working through one last detail regarding electronic sign standards at their next meeting. H will be wrapping it up after that meeting and plans to have a draft to the Planning Commission for review in June or July.

There being no other business, the meeting was adjourned at 8:27 p.m. by a motion made by Mr. Cebular, seconded by Mr. Dinnocenti, and unanimously approved by a 4-0 vote.

The next meeting of the Planning Commission is scheduled for June 18, 2007 at 6:30 p.m.

Respectfully submitted by:

Alyson Elliott, Assistant Manager