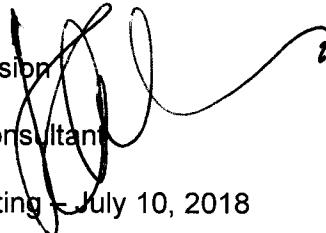


VIA E-MAIL

July 9, 2018



TO: Whitpain Township Planning Commission  
FROM: E. Van Rieker, Township Planning Consultant  
RE: Township Planning Commission Meeting - July 10, 2018

---

Regular Session – 7:30 P.M.

1. Approval of Minutes
2. Review of Subdivision Plan for 1030 Skippack Pike (S-2-18 & LD-1-18). This application involves a 3-lot subdivision of approximately 2.00 acres located at 1030 Skippack Pike. The property is split zoned R-1/R-2 Residential Zoning District.

*Comment:*

- *Applicant has submitted a Canopy Calculation and Existing Features Plan received about a week ago. This particular exhibit is still under review.*

3. Review the sanitary sewer planning module request for the proposed three lot subdivision located at 499 Morris Road.

*Comment:*

- *This is a routine form required by DER which is completed by the Planning Commission any time there is a sewer extension.*

4. Review Ordinance #4-250 – An Ordinance of Whitpain Township, Montgomery County, Pennsylvania; Providing For The Amendment Of The Zoning Ordinance of Whitpain Township To Establish Uniform Standards For The Siting, Design, Permitting, Maintenance, And Use of Wireless Communications Facilities; Providing For Purposes And Findings of Fact Related To The Adoption Of The Amendment, Providing For Definitions And Removing Certain Definitions From Section 160-7; Establishing Certain General And Specific Standards Relating To The Location, Placement, Construction And Maintenance of Tower-Based Wireless Communications Facilities And Non-Tower Wireless Communication Facilities; Providing Further For the Regulation Of Such Facilities Within The Public Rights-Of-Way And Outside The Public Rights-Of-Way; Providing For the Enforcement Of Said Regulations; And Providing For An Effective Date; And Leaving The Remainder Of The Ordinance In Full Force And Effect.

**Comment:**

- *This is a complex but necessary Amendment to the Township Zoning Ordinance. This Proposal is in response to the Act of the State Legislature which basically establishes preemption for the application of Tower-Based and Wireless Communications Facilities (WCFs).*
- *This Ordinance establishes categories of Wireless Communication Facilities within the Township. These fall into the following sets of regulations:*
  - (1) *General and specific requirements for all Non-Tower WCFs*
  - (2) *Non-Tower WCFs located in the Public Rights-Of-Way*
  - (3) *Non-Tower collocated WCFs that do and those that do not substantially change the Wireless Support Structure*
  - (4) *General and specific requirements for all Tower-Based WCFs*
  - (5) *Tower-Based WCFs located outside the Public Rights-Of-Way*
  - (6) *Tower-Based WCFs located in the Public Rights-Of-Way*
- *Please note that a WCFs Exhibit is attached to the Draft. However, at the reduced scale or in black and white the exhibit is not legible. However, its purpose is important and as can be seen it identifies those streets where WCFs are permitted or not permitted. If not done already, it is recommended that any street or road identified as a scenic highway in the comprehensive plan be protected from Non-Tower WCFs in or adjacent to the road or street Right-Of-Way.*
- *The current draft requires the removal of a Non-Tower or Tower-Based WCF when the use shall be discontinued. I would recommend that each WCF Application include a removal bond (to be held in escrow) to be used by the Township if the owner is nonresponsive or not existent.*

5. Review current zoning hearing board applications.

**Comment:**

- *This request to use a single family dwelling located at 813 Stony Brook Drive for a “Sober House” for nine unrelated individuals.*
- *A variance has been requested since such a configuration has been determined not to be a family in accordance with the Township Zoning Ordinance.*
- *No additional information has been provided at this time. The factors to be considered would include:*
  - (1) *Whether or not the proposal could meet the test of a “functional family equivalent” and whether or not the impacts of the operation of such a facility is adverse to the residential neighborhood in which the property is situated.*

2. ZHB# 2162-18      Joseph P. & Heather L. Meier      Side Yard  
(879 Crestline Drive)

*Comment:*

- *This is a residential application and typically the Planning Commission remains neutral unless the proposal has a community-wide impact.*

3. ZHB# 2163-18 Lamar Advertising of Penn, LLC Signage  
(1625 Union Meeting Road)

**Comment:**

- *This is a request for a static (non-digital, non-changeable) off premises advertising sign – aka a billboard. This proposal is situated within the Whitpain Township Off-Premises Advertising Sign Overlay District.*
- *This application has a significant history with the Whitpain Township Zoning Hearing Board as well as Whitpain Township Zoning Administration.*
- *The current Appeal is to reestablish prior approval and/or obtain variances determined necessary by the Township Zoning Officer.*

4. ZHB# 2164-18      Anthony Magdalinski      Grading in Floodplain  
(579 Stenton Ave)

**Comment:**

- *This is a fairly straight forward request which requires approval from the Zoning Hearing Board provided the applicant is able to demonstrate that the proposed grading and impervious surfaces will not adversely impact the 100 year floodplain which is a part of the Township Floodplain Conservation District.*

**Comment:**

- Please note that this Appeal is related to and in effect triggered by the request of the Min's (see below).
- However in my view the test is different: the below applicant is asking for shared parking, whereas in this request the applicant is asking for a variance to permit fewer parking spaces than required by Ordinance.
- As with most cases of this kind the nature of the Appeal is very fact specific which will be considered by the Zoning Hearing Board.

6. ZHB# 2143-18      Hung Sik Min & Somie Min      Green Area/Parking  
(1339-1353 Township Line Road)

**Comment:**

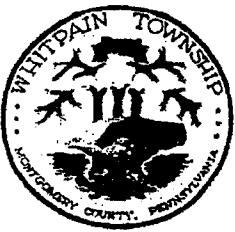
- *This request is at least in part caused by the taking of permanent rights-of-way along Township Line Road frontage as part of the improvement and expansion of State Route 202 (DeKalb Pike).*
- *The subject Appeal is requesting a determination for the permission to use shared parking on an adjacent property to support the current.*
- *Please note that this request is related to and perhaps even caused by of the need to file ZHB# 2165-18 (see above).*
- *Please note attached a letter under date January 16, 2018 from Bill McManus which summarizes all the issues that are raised by this Appeal as well as the Appeal of #2165-18 (see above).*

6. Review pertinent planning issues.

cc: Jim Blanch  
Kent Conway  
Ken Corti  
Joseph Fay  
Kurt Zintner

Greg Monte  
Joe Habboush  
Otis Hightower  
Cathy McGowan

John O'Hara  
Roman Pronzak  
Richard Shorin  
Rachel Streit



**WHITPAIN TOWNSHIP**  
MONTGOMERY COUNTY  
COMMONWEALTH OF PENNSYLVANIA

960 WENTZ ROAD  
BLUE BELL, PA 19422-1835  
(610) 277-2400  
FAX: (610) 277-2209

**RECEIVED**

FEB 08 2018

*WHITPAIN TOWNSHIP*

January 16, 2018

Hung Sik & Somie Min  
515 Leslie Lane  
Blue Bell, PA 19422

RE: Shopping Center (1339 Township Line Road)

Dear Mr. & Mrs. Min,

The widening of Dekalb Pike is tentatively scheduled for the spring of 2018. The widening of Dekalb Pike will result in a loss of parking which will affect the future use and viability of the shopping center. The township wanted to notify you so you can discuss the situation and make appropriate plans.

Based on today's zoning you are required to provide 1 parking space per 150 square feet of floor area plus 1 parking space for each full-time employee working day shifts for the retail and personal service uses (the food store cleaners, video store, and salon). For the restaurant you are required to provide 1 parking space per 75 square feet of total floor area.

You will lose 10 parking spaces in the front of the building with the Dekalb Pike widening. This reduction in parking is not permitted without a variance. Feel free to contact me about applying for a variance.

The parking spaces in the rear and side of the building were never approved by land development and they may not comply with today's standards. Therefore, in addition to seeking relief for the loss of the 10 parking spaces you can also seek relief for the pre-existing parking spaces on the side and rear.

If you have any other questions feel free to contact me at 610-277-2400 ext 327.

Very Truly Yours,

*W.M. McManus*

William McManus  
Assistant Zoning Officer

CC: Active Property Folder  
Chron