

WHITPAIN TOWNSHIP PLANNING COMMISSION
MAY 2009

A work session of the Whitpain Township Planning Commission was held on Tuesday, May 12, 2009 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. Planning Commission members Kenneth Corti, Rick Shorin, Dan Kluger, Mark Clemm, Harry Phifer, and Yongli Min were present. Township Engineer Roman M. Pronczak, Assistant Township Engineer Jim Blanch, Code Enforcement Officer Michael McAndrew, Assistant Zoning Officer Bill McManus, and Recording Secretary Michele Alifano were also present.

1. Update on administrative issues. Mr. Pronczak advised the Planning Commission that Assistant Zoning Officer Bill McManus would be in attendance at the meetings to answer any questions that may arise from a zoning stand point. He also introduced the newest member of the Planning Commission, Mr. Yongli Min.
2. Review of Ordinance #4-224 – Reed’s. Mr. Pronczak updated the Planning Commission on the most recent revision to the plans for development at the Reed’s property. Originally, it was proposed to have six buildings with 180 units at the site, which was proposed for an age-restricted overlay district. The revised plan proposes 90 units with decreased density and decreased building and impervious coverage. There was discussion regarding what the applicant could build by right, traffic concerns, and floodplain issues at the site.
3. Subdivision proposal at 1620 North Wales Road. Mr. Pronczak advised that the railroad tracks bisect the property, and there are floodplain issues on the rear portion of the property. He advised that the applicant may need to further revise the plan, and that they were not seeking a decision from the Planning Commission this evening.
4. Zoning Hearing Board cases.
 - a. #1812-08. This application proposes new signage at the Village Crossing shopping center which is located at 721 Skippack Pike. The Planning Commission was in agreement that the applicant had submitted a favorable proposal.
 - b. #1827-09. This application, filed by Korman Communities, is to allow five (5) eighteen (18) square foot leasing signs along Jolly Road. Mr. McManus stated that the applicant has put up illegal signs in the past, but they are seeking to do it legally now with a time limit placed as a condition.

- c. #1829-09. This application, filed by TD Bank, requests relief for various signage at the subject property. Mr. McManus stated that the applicant is not seeking to add any new signage, but to simply replace the current ones due to the name change from Commerce Bank to TD Bank. Mr. McAndrew stated that all the signage currently in place was granted by variance, and the new tenant is trying to rectify the non-compliance that was left by Commerce Bank.

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

Respectfully submitted,

Michele Alifano, Recording Secretary

**WHITPAIN TOWNSHIP PLANNING COMMISSION MEETING
MAY 2009**

The fifth meeting of the Whitpain Township Planning Commission for the year 2009 was held on Tuesday, May 12, 2009 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA. Chairman Ken Corti presided with Commission members, Rick Shorin, Dan Kluger, Mark Clemm, Harry Phifer, and Yongli Min present. Township Engineer Roman M. Pronczak, Assistant Township Engineer Jim Blanch, Township Planning Consultant E. Van Rieker, Code Enforcement Officer Michael McAndrew, Assistant Zoning Officer Bill McManus, and Recording Secretary Michele Alifano were also present.

Chairman Ken Corti called the meeting to order at 7:30 PM. The members of the Planning Commission introduced themselves to the members of the public that were present.

1. Approval of minutes.

A motion was made by Mr. Shorin, seconded by Mr. Kluger, to approve the minutes of the April 14, 2009 meeting of the Planning Commission. The motion passed 6-0.

2. Review Ordinance #4-224, an Ordinance amending the codified Ordinances of the Township of Whitpain, Chapter 160 (Zoning) to adopt a new Article to be known as "Article XXXII Age-Qualified Overlay District" establishing an Age-Qualified Overlay District in the R-1 Residence District and the R-2 Residence District and repealing any Ordinances or portions of any Ordinances in conflict therewith. This ordinance and rezoning request pertains to the Reed's property on Skippack Pike, west of Route 202.

Present for the applicant: Neil Stein, Esquire

Charles Guttenplan, AICP, The Waetzman Planning Group

Peter Gebbert, Franklin Realty

Joseph Hanna, PE, Chambers & Associates

Mr. Stein was on hand to provide an informational update as to the status of this project. He informed members of the public that there has not yet been a decision requested of the Planning Commission, and without a recommendation at this level, they cannot proceed to the Board of Supervisors. That hearing has been postponed indefinitely. He stated that to date, three sets of plans have been furnished to Township staff. Mr. Stein reviewed the pertinent features of the current proposal, which he stated was shared with surrounding neighbors at a recent meeting at Reed's. The current plan proposes a decrease in the number of condo units and a lower density than previous submissions, as well as a decrease in building coverage and impervious coverage. The plan includes the removal of Reed's night club, and also proposes interior trails and other amenities. Mr. Stein further added that the Montgomery County

Planning Commission reviewed the proposal in 2008, and indicated that this type of community is consistent with the Comprehensive Plans of both the County and the Township.

Mr. Charles Guttenplan exhibited the previous and revised versions of the proposed plan for comparison, and expanded upon the information that was provided by Mr. Stein.

Planning Commission comments:

Mr. Corti inquired about the 50 ft. buffer conservation area around the perimeter of the development. Mr. Gebbert stated there will be a conservation area that will be deed restricted, preventing further development and protecting existing vegetation. Mr. Corti also inquired as to the height of the proposed three story building. Mr. Guttenplan stated the building height would be 48 feet. Mr. Shorin asked what is the allowable height of buildings in that zoning district. Mr. Stein commented he believes the allowable height in R1/R2 zoning district is 40 feet.

Mr. Phifer asked how the wetlands would be controlled. Mr. Hanna stated that the intent is not to disturb any of the wetlands on the property, and a study was conducted which was subsequently submitted to, and approved by FEMA.

Mr. Shorin also inquired about the possible removal of the age-restriction. Mr. Stein advised that the applicant is looking at "age-targeted" as opposed to "age-restricted", and he felt that the market will be determined by the design of the units. Mr. Shorin also voiced his concern over the amount of traffic the development could potentially generate.

Public comments:

Mr. Frank McMullen, 1151 Fairview Drive, showed pictures of his property following a rainstorm and the amount of water that accumulates there. He stated he is highly opposed to the overlay and the project.

Mr. Marshal Bleefeld, 985 Carriage Drive, commented that he would like to hear the applicant's basis for the request to change the zoning on the property, as he felt the applicant had not presented any facts supporting their position. He also questioned how the proposed ordinance would restrict the overlay to just this property.

Mr. Clemm responded by saying that the Ordinance that is referenced is currently not being considered. He stated the presentation tonight is for informational purposes, and to create discussion to identify the issues that need consideration. The applicant seeks

to be given the chance to modify their proposal based on input they receive from the Planning Commission and members of the local community.

Ms. Sheila Curristan, 981 Blue Rock Lane, asked if the Ordinance would need to be amended if the project were to go forward, and if the overlay would be unique to just this property. Mr. Rieker stated that a map amendment could be repeated on other properties, but that it was unlikely that a recommendation would be made on anything other than a site specific proposal.

Mr. Richard Stauffer, 892 Crestline Drive, was concerned about the height of the buildings being in violation of the zoning code.

Ms. Judy Flaherty, 965 Carriage Lane, expressed her concern over increasing traffic at the intersection of Routes 202 & 73.

Mr. Antonio Matos, 975 Clover Court, felt that this type of development would drive down property values in the immediate area.

Mr. Pat Kane, 1487 Skippack Pike, was not happy with the design of the structures.

Ms. Sheila Curristan, 981 Blue Rock Lane, requested a clearer definition of the traffic and signaling studies that have been conducted.

At this time, Mr. Corti concluded the question and answer session for this agenda item, and he thanked everyone for coming out to give their input.

3. Review of a subdivision proposal of approximately 7.6 acres of the property located at 1620 North Wales Road, which is on the eastern side of North Wales Road between Township Line Road and Pulaski Drive.

Present for the applicant: Rick Mast, P.E., Richard C. Mast Associates, P.C.

Mr. Mast gave a brief presentation regarding the updated plans to develop the subject property. He stated that the decision was made to put most of the density near North Wales Road, with reduced density on the opposite side of the railroad tracks. There are now four proposed single family dwellings in addition to the farmhouse that is located on the property. Mr. Mast indicated the revised plan allows for better management of stormwater. Although zoning relief is still required, the applicant is seeking an alternative access to the one proposed building lot that would not require crossing of the railroad tracks.

Planning Commission comments:

Mr. Clemm stated the Zoning Hearing Board is unlikely to grant relief that would include the crossing of the railroad tracks for access.

Chairman Corti inquired if the applicant would be willing to deed restrict the rear of the property if they are not granted access over the railroad tracks, and there is no alternate access available.

Mr. Pronczak asked if the applicant would be willing to deed restrict the rear portion of the property so there would be no further subdivision, and there would be no more than one house on 5.6 acres.

For clarification, Mr. Kluger asked if it was the intent to place four homes on less than two acres of land.

Public comments:

Mr. Kevin Finlay, 1815 Township Line Road, stated that the neighbors of this property are located in a hundred year floodplain, and the stormwater is impossible to manage. He asked how much impervious surface would be put in, and he felt that much more information was required before the Planning Commission could make their recommendation.

Mr. Mast responded by saying that the entire property was surveyed, and the most likely solution to the stormwater management issue would be a detention basin that is not located in the floodplain.

Chairman Corti asked how the water would be released from the detention basin. Mr. Mast replied that the water would go under the railroad tracks and into a stream channel, where it would then be taken to the stream.

Mrs. Margaret Phiambolis, 1655 Forest Creek Drive, stated that it is erroneous to believe that any portion of the property can be developed between the railroad tracks and the creek.

Mr. Brian Dietrich, 1635 Forest Creek Drive, inquired as to what relief is being requested to accommodate the proposed plan. Mr. Mast explained that they are seeking a reduction in lot area and lot width. They can develop both sides of the lot by right, but the applicant would like to limit development on the rear of the property, and have higher density on the front portion of the property.

Ms/ Heidi Hansen, 1725 Forest Creek Drive, stated she is opposed to the project because of the stormwater issue.

Ms. Gail Szeker, 835 Whitney Drive, stated that the only party that is given consideration is the developer. She stated none of the neighbors want this type of development in their community.

Chairman Corti stated that the applicant has the right to come before the Planning Commission with a plan to develop their property. Mr. Clemm added that decisions are made according to the laws that are in place, and not on the popular vote of Township residents.

Mr. Jeff Prushankin, 1585 Forest Creek Drive, expressed his concern over the removal of trees from his property by the developer.

Mr. Clemm concluded the question and answer session by stating that the next step in the process involves the applicant either modifying their plan or proceeding on to the Zoning Hearing Board to ask for relief. He advised that the applicant could also submit a by-right plan, but that no recommendation on the plan was being made by the Planning Commission at this time.

4. Zoning Hearing Board Applications.
 - a. #1812-09. Application filed by Village Crossing Blue Bell, LLC as owner of the property located at 721 Skippack Pike, Blue Bell, PA 19422, for variances from the terms of Article XXVI, Section 160-182.2 and to amend ZHB Decision No. 1379-01 at the subject property:
 1. To allow the free-standing monument sign to be increased from 40 sq. ft. to 52.5 sq. ft. decreasing the base from 3' to 19" and increasing the number of tenants on the sign from 6 to 8, and a panel for the center's name.
 2. To allow 18.6 sq. ft. of sign area on the left side of the awning and to allow 19.55 sq. ft. of sign area on the front of the awning for Stonebridge Bank.
 3. To allow a 5.1 sq. ft. façade sign for WSFS Bank.
 4. To allow a 5 sq. ft. façade sign for Harleysville Bank.
 5. To allow a 4 sq. ft. sign on the front of the awning for Alison at Blue Bell.
 6. To allow each tenant to choose either a 5 sq. ft. wall mounted plaque sign or an 88" x 84" awning with a 17.75 sq. ft. sign on the sides.

7. To allow all existing window and door signs to remain.

The zoning classification of the subject property is “C” Commercial District.

Mr. Pronczak explained to the Planning Commission that Township staff had previously met with representatives for the applicant at a Planning Committee meeting, where it was recommended that they develop a plan for a more unified look to their signage. Mr. Pronczak stated that after viewing the exhibits for the amended Zoning Hearing Board application, the applicant has fulfilled this request.

A motion was made by Mr. Shorin, seconded by Mr. Phifer to recommend that the Zoning Hearing Board approve the subject application. The motion passed 6-0.

- b. #1827-09. Application filed by Whitpain Associates, LLC d/b/a Korman Communities as owner of the property located at 1350 Jolly Road, Blue Bell, PA 19422, for variances from the terms of Article XXVI, Sections 160-182.2.A and 160-180.B to allow five (5) eighteen (18) sq. ft. leasing banners along Jolly Road. The zoning classification of the subject property is “R-1” Residence District.

Present for the applicant: Ms. Kerry Cass, General manager of Korman Suites.

Ms. Cass addressed the Planning Commission, and she explained that the housing complex is requesting temporary signage on Jolly Road for a time frame of 3-6 months.

Chairman Corti stated the Planning Commission was in agreement that the request for five signs was excessive, and they would be agreeable to a request that was limited to three signs, which would be removed by the end of the calendar year. Mr. Shorin expressed his concern over issue of blocked site lines while exiting the community. Mr. Rieker asked if the applicant would be agreeable to amending the application and having the location of the signs approved by Township staff. Ms. Cass was willing to comply with this recommendation.

A motion was made by Mr. Clemm, seconded by Mr. Kluger to recommend that the Zoning Hearing Board approve the application subject to the following conditions:

- a. The number of signs requested will be reduced from 5 signs to 3 signs.
- b. The signs are to be removed by December 31, 2009.
- c. The location of the signs will not obstruct the sight line.

The motion passed 6-0.

- c. #1829-09. Application filed by TD Bank N.A. as owner of the property located at 1799 Swede Road, Blue Bell, PA 19422, for the following relief at the subject property:
 1. Variances from the terms of Article XXVI, Section 160-182.2.C and ZHB Decision No. 1001-94 to allow an advertising sign “America’s Most Convenient Bank” on the back of the triangular free-standing identification sign.
 2. Variances from the terms of Article XXVI, Section 160-182.2.C and ZHB Decision No. 1001-94 to allow 4 TD Bank initials on door handles.
 3. Variances from the terms of Article XXVI, Section 160-182.2.C and ZHB Decision No. 1001-94 to allow an interior TD Bank wall sign.
 4. Variances from the terms of Article XXVI, Section 160-182.2.C and ZHB Decision No. 1001-94 to allow TD on the Directory Sign on the front of the building.

The zoning classification of the subject property is “C-1” Commercial District.

With the applicant not being present at the meeting, Chairman Corti called for any comments or questions from the Planning Commission or Township staff. There were none.

A motion was made by Mr. Phifer, seconded by Mr. Min to recommend that the Zoning Hearing Board approve the subject application. The motion passed 6-0.

There being no further business to come before the Commission, a motion was made by Mr. Clemm, and seconded by Mr. Kluger to adjourn. The meeting adjourned at 9:20 PM.

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Respectfully submitted,

Richard Shorin, Secretary