

**WHITPAIN TOWNSHIP PLANNING COMMISSION  
OCTOBER 2009**

A work session of the Whitpain Township Planning Commission was held on Tuesday, October 13, 2009 at 6:30 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, Vincent Philomeno, Daniel Kluger, Richard Shorin, Mark Clemm, Harry Phifer, and Yongli Min were present. Township Engineer Roman M. Pronczak, Assistant Township Engineer James Blanch Township, Township Planning Consultant E. Van Rieker, Assistant Zoning Officer William McManus, and Recording Secretary Michele Alifano were also present.

1. Review Ordinance #4-224 – Reed’s Rezoning – Age-Qualified Overlay District.

Chairman Corti explained to the Planning Commission members that the applicant would not be presenting any new information at the regular meeting, nor would the Planning Commission be hearing any public comment or discussion. He felt that the Planning Commission was ready to give their recommendation on the Ordinance, and that the details of the recommendation would be reflected in the official meeting minutes.

Mr. Rieker stressed that the Planning Commission is to vote on the Ordinance and whether or not it should be given approval to go forth with a public hearing, or consider if there are aspects of the plan that are still not deemed to be appropriate.

The Planning Commission discussed the specific points about which they still have reservations including traffic impact, density, ingress/egress, and age-restriction. Mr. Rieker advised that the Planning Commission should hold the applicant to a standard of being able to adequately satisfy all impacts without the benefit of having the age-restriction.

There was some further discussion regarding permitted uses and density at the location, and Mr. Pronczak stated that the current proposal is the first of a residential nature that has been seen. He advised that this is a rezoning request, and that any type of land development, stormwater management, floodplain, or code issues must be addressed at the land development stage or the project would not be permitted to proceed, regardless of the density. He further added that the Board of Supervisors may request that the applicant revise or change the Ordinance, but that they were specifically seeking input from the Planning Commission on the current proposal.

2. Review subdivision application for 480 Morris Road (Genuardi).

Mr. Pronczak provided an overview of the revised application stating that the current proposal reduces the number of lots from five to four, with all access being from Morris Road, with a reconfiguration of the driveway that would significantly improve sight line issues that had existed. He stated the applicant will be required to obtain a highway occupancy permit, and be subject to approval by PennDOT.

3. Review Zoning Hearing Board application #1842-09.

This application, filed by Liberty Towers, LLC, requests relief for the use of a communications facility on a property that is zoned “R-2” Residential, and also requests the increase in the maximum height from 40’ to 180’ for the proposed antenna support structure.

Mr. Pronczak advised that this Zoning Hearing Board case has already appeared on the last Board of Supervisors agenda, and they have authorized the Township Solicitor to appear in opposition of the application. There was also information received from the applicant that the case was to be continued indefinitely. He explained that the tower is free-standing and that it is located only several feet away from a residence. Mr. Shorin felt the facility could better serve the Township if it was to be placed on an existing PECO tower. Mr. Blanch commented that the applicant wants to provide service for people traveling on the turnpike.

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  
OCTOBER 2009**

The ninth meeting of the Whitpain Township Planning Commission for the year 2009 was held on Tuesday, October 13, 2009 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA. Chairman Kenneth Corti presided with Commission members Vincent Philomeno, Daniel Kluger, Richard Shorin, Mark Clemm, Harry Phifer, and Yongli Min present. Township Engineer Roman Pronczak, Assistant Township Engineer James Blanch, Township Planning Consultant E. Van Rieker, Assistant Zoning Officer William McManus, and Recording Secretary Michele Alifano were also present.

Chairman Kenneth 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. Philomeno, seconded by Mr. Shorin, to approve the minutes of the September 8, 2009 meeting of the Planning Commission. The motion passed 6-0. Mr. Min abstained from the vote, as he was not present for the September meeting.

2. Recommendation regarding Ordinance #4-224 – Reed’s Property.

Chairman Corti advised members of audience that the applicant would not be presenting any new information, nor would the Planning Commission be hearing any public comment or discussion on the proposed Ordinance. He stated that the Planning Commission was ready to give their recommendation on the Ordinance, and that the details of the recommendation would be reflected in the official meeting minutes.

Mr. Pronczak provided a brief history of the application and detailed its various revisions. He also noted that a slightly different procedure was followed with this particular Ordinance in that the Whitpain Township Planning Commission received the Ordinance for review and comment prior to the Board of Supervisors giving their authorization to advertise the Ordinance, with the review to follow. The Planning Commission has heard this proposal on three occasions, including at a joint meeting with the Board of Supervisors. Presently, the Board of Supervisors is awaiting the recommendations of the Planning Commission in order to decide if authorization to advertise should be granted, or if the Ordinance is in need of further amendment.

A motion was made by Mr. Kluger, seconded by Mr. Shorin to recommend that the Board of Supervisors deny the authorization to advertise the proposed

Ordinance due to the following unresolved concerns:

- a. Floodplain/wetlands.
- b. Density.
- c. Ingress/egress onto Route 73.
- d. Questions/Concerns about age restrictions.
- e. Height of the proposed structures.
- f. Timing of the Route 202 widening project.
- g. Traffic.
- h. Economic viability.

The motion passed 6-1.

Mr. Clemm provided an explanation for his dissenting opinion, stating that an age restricted community would offer certain limitations on the development, as well as benefits in terms of limited impact on Township resources.

Mr. Rieker commented that the Ordinance is simply not ready to be considered for advertising, and he stressed the importance of the decision that has been made pertaining to the land use process.

Mr. Peter Gebbert, of Franklin Realty, requested that his statement go on record that there were no additional questions or feedback solicited of the applicant by the Planning Commission. He felt that it was improper and unfair to make the applicant wait an additional three months for the Planning Commission to render their decision.

Mr. Clemm assured Mr. Gebbert that the proposal was reviewed and thoroughly considered. Additionally, he emphasized the role of the Planning Commission as a body whose function it is to make recommendations to the Board of Supervisors, who are ultimately the final decision-makers in the process.

3. Review of a four lot subdivision proposal of approximately 16.8 acres of the property located at 480 Morris Road (Genuardi).

Present for the applicant: Mr. Joseph Hanna, PE, Chambers & Associates

Mr. Hanna provided a brief summary stating that a previous submission was brought before the Planning Commission in November, 2008 which proposed a five lot subdivision with a cul-de-sac driveway access for three of the lots, as well as access to Morris Road using an existing driveway for the remaining two lots. Since that time, other options have been considered and the current proposal

is for a four lot subdivision, the access to which will be via an 18 foot wide private cul-de-sac which has public access onto Morris Road.

Planning Commission Comments:

Mr. Philomeno asked if the existing driveway would remain, to which Mr. Hanna replied that they would like to keep that as an option for access to lot #1.

Mr. Shorin thanked Mr. Hanna for his cooperation in working with Township staff to come up with the current proposal, but he did express his concern with the visibility of the private access road from Morris Road, and the safety issues it creates.

Audience Comments:

Ms. Pat Ritter, 515 Morris Road, asked about the sewer service that would be provided to residents of the development. She also expressed her concern over the number of driveways that exit out onto Morris Road, and the dangers of limited visibility and speeding traffic on that road.

Mr. Clemm remarked that the function of the Planning Commission is to ensure that the applicant is in compliance with Township Zoning regulations, as well as Subdivision & Land Development regulations. PennDOT will determine if the plans for the driveway are appropriate for the project.

Mrs. Hildy Richelson, 340 Miles Drive, asked if the plan still included access from the cul-de-sac to Mason Drive. Mr. Hanna responded that there would no longer be access from Mason Drive.

A motion was made by Mr. Clemm, seconded by Mr. Philomeno to approve the preliminary and final subdivision plans, subject to the applicant meeting all requirements of Township staff. The motion passed 7-0.

4. Review Zoning Hearing Board Applications.
  - a. #1842-09. Application filed by Liberty Towers, LLC as tenant of the property located at 1998 Skippack Pike, Blue Bell, PA, 19422 for the following relief at the subject property:

1. A variance from the terms of Article VII, Section 160-30 to allow a communications facility use consisting of one (1) antenna support structure, nine (9) Sprint communications antennas, four (4) Sprint wireless communications facility equipment cabinets, one (1) concrete equipment pad, coaxial cable, utility meters, fencing, two (2) parking spaces, and a gravel access road.
2. Variances from the terms of Article VII, Section 160-39 and Article XXVIII, Section 160-201.A to increase the maximum height from 40' to 180' for the proposed antenna support structure.
3. Variances from the terms of Article XXVIII, Section 160-201.B and Article VII, Section 160-38 to allow an accessory structure in the front yard.
4. A variance from the terms of Article XXVIII, Section 160-201.A to increase the maximum height for an accessory structure from 25' to 180' for the proposed antenna support structure.
5. Variances from the terms of Article XXVIII, Section 160-214.C (1) and Section 160.214.C (2) to decrease the minimum required green area from 38,527 square feet to 34,442 square feet.

The zoning classification of the subject property is "R2" Residence District.

Mr. Pronczak advised that the Board of Supervisors have already voted to send the Township Solicitor to appear at the Zoning Hearing Board meeting in opposition of this application. Normally, the Planning Commission would have the opportunity to review the cases and make recommendations to the Board of Supervisors, but due to the way the dates fell in the month of October, the Board needed to vote prior to receiving the Planning Commission recommendations. Mr. Pronczak stated that the applicant will, in all likelihood, be requesting an indefinite continuance on the case.

A motion was made by Mr. Shorin, seconded by Mr. Phifer to recommend that the Zoning Hearing Board deny the application due to the following concerns:

- a. Too intense of a use for a residential property.
- b. Excessive height of the proposed tower at 180 feet.

- c. Poor design/close proximity to the road.

The motion passed 7-0.

- b. #1843-09. Application filed by Arthur III, and Megan F. Judson as owners of the property located at 1204 Narcissa Road, Blue Bell, PA 19422, for variances from the terms of Article V, Section 160-17 and Article XXVIII, Section 160-203 to allow a 15' x 16' two level deck to the back and side of the house reducing the minimum required side yard from 45' to 25' for the non conforming side yard at the subject property. The zoning classification of the subject property is "R-1" Residence District.

A motion was made by Mr. Shorin, seconded by Mr. Min to remain neutral on the subject application. The motion passed 7-0.

- c. #1844-09. Application filed by William, Helen, & Barb Balandis as owners of the property located at 1558 Vernon Road, Blue Bell, PA 19422, for variances from the terms of Article VII, Section 160-34 and Article XXVIII, Sections 160-203 to allow a 24' x 24' one story garage to the side of the house reducing the minimum required side yard from 25' to 6' and reducing the minimum required aggregate side yard from 60' to 36' at the subject property. The zoning classification of the subject property is "R-2" Residence District.

A motion was made by Mr. Shorin, seconded by Mr. Min to remain neutral on the subject application. The motion passed 7-0.

- d. #1845-09. Application filed by Raymond H. & Yvonne I. Kauffman as owners of the property located at 1668 North Wales Road, Blue Bell, PA 19422, for the following relief at the subject property:

- 1. Variances from the terms of Article VII, Section 160-34 and Article XXVIII, Section 160-203 to allow a 14' x 28' addition to the side of the existing 2 car garage reducing the minimum required side yard from 25' to 17';

OR IN THE ALTERNATIVE

- 2. Variances from the terms of Article VII, Section 160-36 and Article XXVIII, Section 160-204 to allow a 12' x 19' addition to the back of the existing garage reducing the minimum required rear yard from 50' to 38'.

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The zoning classification of the subject property is "R-2" Residence District.

A motion was made by Mr. Shorin, seconded by Mr. Min to remain neutral on the subject application. The motion passed 7-0.

There being no further business to come before the Commission, a motion was made by Mr. Phifer, and seconded by Mr. Philomeno to adjourn. The meeting adjourned at 8:05 PM.

Respectfully submitted,

Richard Shorin, Secretary