

**LOWER PROVIDENCE TOWNSHIP
PLANNING COMMISSION MEETING
MARCH 23, 2016 MEETING MINUTES**

1) Call to Order

A) Chairwoman O'Donnell called the meeting to order at 7:00 p.m.

2) Roll Call:

A) The following board members were in attendance: Ms. Kristina O'Donnell, Mr. David Atkins, Mr. Harold Baird, Mr. William Brooke, Mr. Michael Comroe, Ms. Ginny Kricun, Mr. Mark Kuberski, Ms. Susan LaPenta, Ms. Naomi Satterwhite.

B) Also in attendance: Ms. Colleen Eckman, Board of Supervisors Liaison, Mr. Lonnie Manai, Township Engineer; Mr. Peter Nelson, Township Solicitor; Mr. Richard Gestrich, Township Manager; Mr. Michael Mrozinski, Director of Community Development; and Maggie Dobbs, MCPC Planner.

3) Meeting Minutes:

A) Approval of Planning Commission Meeting Minutes of January 27, 2016.

i) **MOTION:** Mr. Brooke made a motion to move the January 27, 2016 minutes into the record. Mr. Comroe seconded the motion. The motion *passed* 9-0.

4) New Business:

A) Consideration of proposed Riparian Buffer Ordinance

i) Solicitor Nelson reviewed the Riparian Buffer proposal.

ii) Ms. Kricun asked if the suggestions from Maggie Dobbs had been incorporated. He said that he believes he went through all comments and they were addressed. He included the suggested additions in the ordinance.

iii) Chairwoman O'Donnell questioned the dates of the ordinance stating that she did not believe they had the most up-to-date copy.

iv) **MOTION:** Mr. Comroe made a motion to table the vote until the Board has an opportunity to review the updated ordinance. Mr. Baird seconded the motion.

(1) Mr. Nelson said he would send a clean copy of the ordinance as well as a redlined copy which showed all the changes made.

The motion *passed* 9-0.

v) Mr. Atkins asked if there was anything pressing that would be an issue by not approving the ordinance immediately. Mr. Nelson said there would be no issues.

vi) Mr. Baird asked if the Township currently had a Riparian Buffer ordinance. Mr. Nelson said it did not. Mr. Baird asked if the ordinance would be retroactive and if it would impact any land development plans filed before the adoption of the ordinance. Mr. Nelson said it would not. However, once the ordinance is finalized and advertised for a hearing, a pending ordinance rule comes into affect so permits will have to come into compliance with ordinance even if the permit were filed before adopted. Discussion was held as to how this would affect the Anderko project.

B) Consideration of a request to allow improvements in steep slope areas of 251 Pinetown Road – single lot residential detached dwelling.

i) Mr. Rene Hoffman appeared on behalf of the property owners. He explained the need for the allowance, described the topography of the property and the type of house that is being proposed. He reported that he had met with both Mike Mrozinski and Tim Woodrow as to

what should be addressed in regard to this project. As a result of that meeting he said he has been working with Mr. Woodrow's office to minimize the impact while still practicing good engineering standards. Mr. Rene Hoffman said that 4.7% of steep slopes will be disturbed, which includes running underground electric. He said there will also be some disturbance for a seepage bed to help control stormwater run-off. He described the parking area and said the plan was recommended by the Township Engineer.

- ii) Chairwoman O'Donnell asked if there would be a trench for sewer, how far it would run and how much steep slope will be disturbed. Mr. Rene Hoffman said the exact distance is unknown and they are assessing based on what is currently existing on the property to determine whether the line will need to go out to the lane.
 - iii) Mr. Comroe said that every house on Pinetown Road is on a steep slope so this is not a new development. Discussion was held as to the ownership of the lane and its maintenance issues.
 - iv) Gene Hoffman, the applicant, stated he met with neighbors regarding the lane prior to the purchase of the lot. He said maintenance is done by the neighbors even though there is not a formal Home Owners Association. He also reported that the deeds are unclear as to the nature of the road.
 - v) Lonnie Manai, Township Engineer, said there would be another area of disturbance to include a drainage swale above the house.
 - vi) Ms. Kricun asked about the construction of retaining wall and any plantings. Mr. Rene Hoffman said the wall would be poured concrete or a modular system. He reported that there would be boulders on the master bedroom side of the house. Mr. Rene Hoffman said there will not be a lot of grass but they will use groundcover to keep erosion to a minimum. He also stated that the lot is wooded so trees will help with soil retention and that all soil retention measures will be in place during construction. He also said that as of now no stormwater control is on the property which has created ravines and gullies and that this flow will now be directed around house and captured in seepage basin.
 - vii) Chairwoman O'Donnell asked why this would be considered a non-conforming lot. Mr. Rene Hoffman said he suspects that it is non-conforming, as it does not face a public street.
 - viii) Discussion was held as to the floodplain and how the house would be connected to public sewer. Mr. Manai said it is most likely connected to the sewer plant.
 - ix) Chairwoman O'Donnell asked the applicant to explain what grade of slope is being disturbed.
 - x) Mr. Atkins asked the applicant to explain the history of the property. Mr. Rene Hoffman said there was previously a house on the site that burned down in the 1990's. He has had reports that the debris from the house was pushed into an existing swimming pool on the site and feels this will be confirmed during construction.
 - xi) Chairwoman O'Donnell said that there are notes that revisions need to be made to the plan. Mr. Rene Hoffman said that the revisions have already been provided.
- C) **MOTION:** Mr. Comroe made a motion recommending approval to the request to allow improvements in the steep slope areas of 251 Pinetown Road. Ms. Kricun seconded the motion. The motion *passed* 9-0.

5) Public Comment

- A) Solicitor Peter Nelson stated that he will hold a meeting on March 30 at 7 p.m. for the Planning Commission during the last week of March to give information on state law and provide guidance on how it applies to planning issues. Mr. Atkins said he will not be in attendance and

Solicitor Nelson stated he would forward him the packet of information. Solicitor Nelson confirmed that this was a closed meeting to discuss the responsibilities of Planning Commission.

- B) Kathy Byer, Arcola Road, asked if the Riparian Buffer ordinance meeting will be open to the public, Solicitor Nelson said that once the ordinance reaches its final form it will be available for review at least a month prior to voting. He said a copy should be available at the next Planning Commission meeting. Chairwoman O'Donnell said that the Planning Commission only provides advisement and that the Board of Supervisors will vote on the ordinance itself. Discussion was held as to public comment and the availability for the proposed ordinance. Maggie Dobbs of the Montgomery County Planning Commission said that there is a model ordinance on the County website. Mike Mrozinski said that if Ms. Byer would like, he would sit down and talk her through it the ordinance.

6) Motion to Adjourn

- A) Mr. Brooke made a motion to adjourn. Mr. Comroe seconded the motion. The motion *passed* 9-0. The meeting adjourned at 7:40 p.m.

Next Meeting: April 27, 2016