

**LOWER PROVIDENCE TOWNSHIP
PLANNING COMMISSION MEETING
JUNE 28, 2017 MEETING MINUTES**

1) Call to Order

A) Vice Chairwoman Kristina 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, Ms. Susan LaPenta, Ms. Ginny Kricun, and Mr. William Brooke.

B) Also in attendance: Mr. Donald Delamater, Township Manager; Mr. Timothy Woodward, Township Engineer; Mr. Casey Moore, Township Traffic Engineer, Mr. Peter Nelson, Township Solicitor, and Ms. Maggie Dobbs, MCPC Planner.

3) Meeting Minutes:

A) Approval of Planning Commission Meeting Minutes of May 24, 2017.

i) **MOTION:** Mr. Brooke made a motion to move the minutes of May 24, 2017. Ms. Kricun seconded the motion. The motion *passed* 4-0.

4) Old Business:

A) S-16-04 - Courts at Brynwood-WB Homes, Germantown Pike and River Road

i) Christopher Canavan represented WB Homes. He said that the plan for 139 townhomes at River Road and Germantown Pike had received preliminary approval from the Board of Supervisors in April. They are seeking a recommendation for final approval for the first phase of the development that will include the construction of 88 units. The second phase will include 51 units. He said he had received review letters from the Township consultants on the final plan and characterized those letters as clean. There are conditions in the Traffic Engineer's letter with regard to the width of the ramp at River Road and he said those will be worked through with Township and PennDOT.

ii) Mr. Canavan said a central gathering area for active recreation had been added to the plan. It will include a pavilion, benches, an open play area and a tot lot. The area will be maintained by the Homeowners Association.

iii) Mr. Woodward noted that all major issues had been addressed.

iv) **MOTION:** Mr. Brooke made a motion to recommend final approval for the first phase of S-16-04 – Courts at Brynwood. Ms. Kricun seconded the motion. The motion *passed* 4-0.

B) S-17-02 – Gambone Family Subdivision – 2711 and 2725 Woodland Avenue

i) Susan Rice of STA Engineering represented the applicant, Ralph Gambone. She said the plan had been revised based on comments from the Commission and staff and had been reviewed by the Township consultants. She said they are working on permits and approvals. The applicant is seeking a recommendation on preliminary/final approval and a recommendation on waivers.

ii) Mr. Woodward said the new cul-de-sac had been relocated and a 10-foot wide strip of land created to keep a rear-lot designation for existing property owners along Tomstock Road. He said that drainage concerns had been addressed.

iii) There was discussion concerning the sidewalks along on Woodland Avenue and extending them to Clearfield Avenue. There was discussion regarding ADA compliant sidewalks at the corners of Woodland Avenue and Brimfield Avenue.

iv) Requested waivers:

(1) Section 123-30A(2)(b) – Reduction of ultimate right-of-way from 50 feet to 40 feet.

- (a) **MOTION:** Ms. Kricun made a motion to recommend approval of the waiver. Mr. Brooke seconded the motion. The motion *passed* 4-0.
- (2) Section 123-104 D (15)(a) – Requirement for permanent fencing around any detention basin. Mr. Woodward explained that the basin is shallow and designed not to retain water. Without the fence a more natural environment is maintained.
 - (a) **MOTION:** Mr. Brooke made a motion to recommend denial of the waiver of the requirement for fencing around the detention basin. There was no second
 - (b) **MOTION:** Ms. LaPenta made a motion to recommend approval of the waiver of the fence requirement for fencing around the detention basin. Ms. O’Donnell seconded the motion. The vote on the motion was 2-1-1.
- (3) **MOTION:** Ms. Kricun made a motion to recommend preliminary/final approval of S-17-02. Ms. LaPenta seconded the motion. The motion *passed* 4-0.

5) New Business:

A) S-17-05 - 306 Level Road – Seven-Lot Subdivision

- i) Anthony Hibbeln, P.E., George Felici, and Ed Hughes, Esq. represented the applicant, 306 Level Road, LLC, seeking a recommendation for approval of the preliminary/final plan. Proposed is a seven-lot subdivision of single-family, detached homes at 306 Level Road. Mr. Hibbeln said the subdivision plan fully complies with the code for R-2 Residential District. The site is buffered by a number of trees. With the exception of some dead trees, all will remain. An existing home, pool, garage and sheds will be removed. A new cul-de-sac with access to Level Road is planned. He said the applicant is cognizant of the stormwater issues in the area and had taken a “belts and suspenders” approach to stormwater management. He said review letters had been received from the Township consultants and reviewed each.
- ii) Lighting – The Township lighting consultant recommended two overhead street lights. The consensus of the members in attendance was that only one streetlight is needed and should be located at the intersection with Level Road.
- iii) Engineer – There was discussion about how to safely transition from the wider portion of Level Road to the narrower section in front of the proposed development. Challenges presented by the roadway’s grade and an adjacent home located close to the road were also discussed. There was consensus of the Planning Commission members in attendance that the entire cul-de-sac should have sidewalks. Connectivity to existing sidewalks will be explored by the applicant with Township staff and consultants.
- iv) Traffic – It was suggested that the plan include a permanent sight distance triangle with no obstructive vegetation allowed within it and that sight distance for the Stella’s Way development be considered.
- v) MCPC - Ms. Dobbs suggested that the Township, in general, consider installation of central planting islands in cul-de-sac bulbs to reduce impervious cover, add greenery and provide additional stormwater control. There was concern that this could affect emergency access and parking.
- vi) Landscaping – It was determined that tree replacement and possible credits for preserved trees will be determined by the Township solicitor. Mr. Hibbeln said the plan calls for the removal of 19 healthy trees and will account for all the trees that would be preserved. He said a few more trees could be added to the existing buffering to fill in gaps.
- vii) Mr. Hibbeln said that the Lot #7 driveway has been placed in an easement on Lot #6 in order to move it a safe distance from the Level Road intersection. There was discussion about how best to achieve the moving of the driveway - variance versus recording the easement on the

affected deeds. Mr. Brooke said he favors reconfiguring the lots so that the driveway remains on the property of Lot #7.

B) ZT – 17-02 Zoning Boundary Tolerance – Section 143-11- Proposed Ordinance Revision

- i) Solicitor Nelson said the proposed amendment addresses one section of the zoning ordinance concerning the extension of zoning district boundaries on split-zoned properties. He said there is an obvious omission in the boundary tolerance section as it currently appears. He said the issue came to light with a zoning application from Lidl supermarket for the former Norristown Ford site.
- ii) Ms. O'Donnell noted that the proposed amendment inserts the missing language and allows the less restrictive district to extend over the more restrictive district a distance of 100 feet by-right, and up to 200 feet by conditional use approval of the Board of Supervisors.
- iii) Mike Furey, representing Don Thomas who lives adjacent to the proposed Lidl site, spoke in opposition of the amendment. He referenced Township Ordinance #33 which allows extension of the less restrictive district by 50 feet by-right and extension of more than 50 feet by special exception approval of the Zoning Hearing Board. Mr. Furey said that on the Lidl plan the loading dock and trash area could be within 30 feet of his client's home. He said he believes the decision on the extension should remain with the Zoning Hearing Board.
- iv) Mr. Thomas said he opposes the proposed amendment because it will negatively impact the buffering between his property and the Lidl development and will take away Zoning Hearing Board oversight.
- v) It was the consensus of the Planning Commission members in attendance that the amendment include the missing language, allow for an extension of up to 50 feet by-right, and require special exception approval of the Zoning Hearing Board for more than 50 feet.

C) LD-16-05 – Friends and Family Holdings – 109 River Road

- i) Mark Wallace, architect for Ken Klinger, described plans to restore the existing building and construct a wrap-around porch addition. It will be used as an office for Mr. Klinger's basement waterproofing business with residences above. It was noted that the structure is intersected by the ultimate right-of-way. Mr. Moore suggested that the plan show that intersection, rather than have the line jog around the building. He said the encroachment into the ROW could be designated on the plan with shading.
- ii) There was discussion regarding non-conforming buildings. Mr. Wallace stated the applicant was looking for a written determination on this issue. In response, Solicitor Nelson recommended that Mr. Wallace direct such a request to the Township zoning officer.
- iii) There was discussion about sidewalks and the proximity of the structure to River Road and Germantown Pike. Consideration should be given to moving sidewalk to behind the building. Mr. Moore said that pedestrian connectivity along Germantown Pike is a priority for the Township and has been planned in conjunction with the new townhome development across River Road from this site. It was the consensus that it pedestrian connectivity be addressed.

6) Motion to Adjourn:

- A) **MOTION:** Mr. Brooke made a motion to adjourn. Ms. Kricun seconded the motion. The motion passed 4-0. The meeting adjourned at 10:25 p.m.

Next Meeting: July 26, 2017