

**LOWER PROVIDENCE TOWNSHIP
PLANNING COMMISSION
JANUARY 28, 2009 MEETING MINUTES**

1. Call to Order:

A. Mr. Schlack called the Planning Commission meeting to order at 7:30 p.m.

2. Pledge of Allegiance

3. Roll Call:

A. The following planning commission members were present: Mr. Bodek, Mr. Brooke, Mr. Endlich, Mr. Kuberski, Mr. Rutledge, Mr. Schlack, Mr. Stemple, and Ms. Zimmerman.

B. Mrs. Satterwhite was excused.

C. Additional attendees included: Mr. John Chambers, Township Engineer, Mr. David Onorato, Township Solicitor, Ms. Jean Holland, Montgomery County Planning Commission, Mr. Chris DiPaolo, Board of Supervisors, and Mr. Michael Siegel, Director of Community Development.

4. Reorganization of Planning Commission:

A. Mr. Schlack turned the meeting over to Mr. Siegel to begin the reorganization for 2009. Mr. Siegel requested nominations for Chairman of the Planning Commission.

B. **MOTION** – Mr. Endlich made a motion to appoint Mr. Schlack as Chairman of the Planning Commission (PC). Ms. Zimmerman seconded the motion. The motion *passed* 8-0.

C. Mr. Siegel turned the meeting over to Mr. Schlack. Chairman Schlack requested nominations for Vice Chairman of the PC.

D. **MOTION** – Mr. Bodek made a motion to appoint Mr. Endlich as Vice Chairman of the Planning Commission (PC). Mr. Stemple seconded the motion. The motion *passed* 8-0.

5. Approval of Planning Commission Previous Meeting Minutes:

A. Planning Commission Meeting Minutes for December 17, 2008:

1. Ms. Zimmerman requested that she be listed as excused and not absent in the December 17, 2008 minutes.

2. **MOTION** – Mr. Kuberski made a motion to approve the December 17, 2008 PC meeting minutes as amended. Mr. Bodek seconded the motion. The motion *passed* 8-0.

6. Subdivision and Land Development Reviews:

A. None.

7. Other Business:

A. Old Business –

1. None

B. New Business –

1. Discussion of Lower Providence Township Sewer Authority, Act 537 Plan – West Kirk Avenue and Oaklyn Avenue Special Study Area:

a) Mr. Siegel noted that Mr. Onorato was present to represent the Township and Sewer Authority as it relates to the Act 537 Plan.

b) Mr. Onorato noted that both Mr. Walker from the Sewer Authority, and Mr. Mike Bostick, the Sewer Authority's Engineer, were present to discuss this matter.

c) Mr. Bostick explained that as part of the Act 537 Plan, they were going to transfer the drainage boundary from one area to the next. The Mine Run interceptor is more densely populated, so to reduce the population density some of these lines will be sent to Eagleville. This will affect 400 homes at approximately 105 gallons per day.

- d) Mr. Stemple asked if there would be an increase in the Sewer fee as a result of this?
 - (1) Mr. Bostick indicated there would not be a cost increase, this action just reroutes the line.
 - (2) Mr. Stemple questioned an item on page five indicating the cost will be absorbed by the Authority? Mr. Bostick noted this was part of the capital improvement plan for the Sewer Authority. Mr. Onorato concurred this was in the Sewer Authority's capital budget.
 - (3) Mr. Bostick noted the initial cost estimates for the project area between \$70,000 and \$90,000.
 - e) Mr. Kuberski asked if they were just running new pipes? Mr. Bostick indicated that they were running approximately 100+ feet of pipe, and would alter the manhole.
 - (1) Mr. Kuberski asked if this would affect any personal property? Mr. Bostick noted that the pipes run through a street and the right-of-way on some private parcels.
 - f) Mr. Schlack asked how deep the pipes would be and if this tied into an existing manhole?
 - (1) Mr. Bostick indicated these would run from 8-9' up to 12' deep, and they tie into an existing manhole.
 - (2) Mr. Schlack questioned the cost, commenting that it seemed high. Mr. Bostick explained this was a preliminary estimate, but included the bypass pumping for a week, the manhole and the pipe.
 - g) Mr. Stemple asked if people were aware this would go through their property?
 - (1) Mr. Bostick explained they still need DEP approval, so this has not been fully engineered or discussed with the public.
 - (2) Mr. Onorato noted that existing pipe was already in the right-of-way.
 - (3) Mr. Brooke clarified that they were just removing the old pipe and replacing it. Mr. Bostick confirmed this; a commented that he assumes the right-of-way will be left open.
 - h) **MOTION** – Ms. Zimmerman made a motion to recommend that they approve the Act 537 Special Study for Lower Providence Township. Mr. Endlich seconded the motion. The motion *passed* 8-0.
 - i) There was no public comment during the discussion or action taken for this item.
2. Discussion of proposed text amendment of the current VC Ordinance and creation of the EVC Ordinance (Evansburg Village Commercial Ordinance):
- a) Mr. DiPaolo reviewed a PowerPoint presentation to provide an update on the Village Commercial Committee (VCC), discuss their vision behind changes to the VC Ordinances, and review the proposed VC zoning.
 - b) During Mr. DiPaolo's presentation the following items were discussed:
 - (1) An explanation of the VCC's process in evaluating the VC ordinance, setting the vision, goals and objectives was reviewed.
 - (2) It was determined that Evansburg should be broken into its' own VC district due to the historic designation of that area.
 - (3) The VCC wanted village areas to be considered a destination for activity that was walkable and unique.
 - (4) The VC districts and proposed map changes were reviewed.
 - (5) The ordinance seeks to encourage reuse of older buildings, protect neighboring properties, and create a distinct character for the VC areas.

- (6) The text changes, permitted uses, dimensional standards, and conditions of approval for Conditional Use were discussed.
 - c) Ms. Holland noted that the County supports the process used by the VCC and the Township, stating the ordinance preserves history and/or existing buildings while creating business. The Township has the County's full support on this amendment.
 - d) Ms. Zimmerman questioned Section 143-279.A.1, asking if the landowner has to give away their existing building for free by offering it for dedication?
 - (1) Mr. DiPaolo explained that is not the intent, and reviewed a variety of ways in which the owner can try to find a new use for the existing buildings. He noted this Section attempts to slow down the use of demolition permits on older structures.
 - (2) Ms. Zimmerman noted this still reads as if the property is offered for free. Mr. Onorato noted that offering it for dedication does not mean it is for free. Mr. DiPaolo noted that only after all attempts to reuse the property have been exhausted will the demolition permit be issued.
 - e) Mr. Onorato stated, in response to a comment in the County's letter, that previously there was a distinction between Class 1 & 2 uses. However, in the final version of the ordinance, they have ended up with the same dimensions. Class 1 & 2 could be combined, moving Class 3 up to Class 2. Mr. Onorato explained that if such a modification were made at this point in time, the Board of Supervisors would not be able to vote on the ordinance at next month's public hearing.
 - (1) Mr. Siegel asked if this could be moved forward as is, and then modified with the clean-up ordinance? Mr. Onorato stated this was a good idea.
 - f) There was no public comment during the discussion or action taken for this item.
3. Rezoning Map change for the Evansburg Village Commercial District:
- a) Mr. Siegel noted that the map change moves PBO to EVC as was shown earlier in the meeting by Mr. DiPaolo. He recommended that the PC take action on both of these items this evening.
 - b) **MOTION** – Ms. Zimmerman made a motion to recommend approval of the VC and EVC text amendments to the Lower Providence Zoning Ordinance. Mr. Stemple seconded the motion. The motion *passed* 8-0.
 - (1) There was no public comment during the discussion or action taken for this item.
 - c) **MOTION** – Ms. Zimmerman made a motion to rezone the parcels in Evansburg from PBO, R2, and VC to EVC as presented in discussion this evening.
 - (1) Mr. Siegel noted that one parcel was actually zoned Industrial.
 - (2) **MOTION AMENDMENT** – Ms. Zimmerman amended her motion to also include rezoning the Industrial parcel to EVC. Mr. Stemple seconded the motion. The motion *passed* 8-0.
 - (3) There was no public comment during the discussion or action taken for this item.

C. Comments:

- 1. Mr. Siegel relayed the following information:
 - a) On February 14th the Valley Forge National Historical Park is offering a workshop for those interested in monitoring streams. Let Mr. Siegel know if you are interested in attending.
 - b) Turkey Hill was originally on tonight's schedule, however their review comments were too extensive. They have been into the Township building to meet with staff and have been very proactive in making changes. Mr. Siegel thinks the PC will be impressed with the plan at next month's meeting.

c) Mr. Kuberski's design comments on the Eagle Stream Plaza project were all incorporated into the plan, so please keep voicing your concerns and suggestions.

2. Mr. Brooke introduced himself to the other PC members.

8. Adjourn

A. **MOTION** – Mr. Endlich made a motion to adjourn the meeting. Mr. Stemple seconded the motion. The motion *passed* 8-0. The meeting ended at 8:30 p.m.

Next Meeting: February 25, 2009 – Regular Meeting
March 25, 2009 – Regular Meeting