

**LOWER PROVIDENCE TOWNSHIP  
PLANNING COMMISSION  
MARCH 25, 2009 MEETING MINUTES**

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**1. Call to Order:**

A. Chairman 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. Rutledge, Mrs. Satterwhite, Mr. Schlack, Mr. Stemple, and Ms. Zimmerman.

B. Mr. Endlich was absent; Mr. Kuberski was excused.

C. Additional attendees included: Ms. Jean Holland, Montgomery County Planning Commission, Mrs. Marie Altieri, Board of Supervisors Liaison, and Mr. Michael Siegel, Director of Community Development.

**4. Approval of Planning Commission Previous Meeting Minutes:**

A. Planning Commission Meeting Minutes for February 25, 2009:

1. **MOTION** – Mr. Stemple made a motion to approve the February 25, 2009 PC meeting minutes. Mrs. Satterwhite seconded the motion. The motion *passed* 7-0.

**5. Subdivision and Land Development Reviews:**

A. S-09-01 Provincetown Minor Subdivision – Preliminary / Final Plan Land Development:

1. Mr. Arthur W. Boesler, III, P.E. with Czop / Specter, Inc., was present to discuss this plan.
2. Mr. Boesler explained that his firm was retained by the Chicago Land Title Co. to address this matter. The Chicago Land Title Co. issued title insurance for the Reed property.
3. Mr. Boesler provided a history on the properties affected by this land development plan. These properties, located at the northwest corner of Mallard Circle and Morning Dove, are bounded by a common line, which was on the 1968 recorded plan.
  - a) The line, as recorded, goes through a garage and bedroom on the Reed property, runs right next to the house on one of the other homes, and cuts off the backyard of the third property.
  - b) Mr. Boesler obtained a print of the original plan, and a handwritten note on this plan for the three effected lots simply states “void.” It appears that the builder reconfigured the lots during construction. The lots, as they have existed since development, have never matched those on the recorded plan.
  - c) A “Meixner” plan prepared in 1970 was subsequently found, which contains property lines identical to those currently recognized as bounding the properties. There are pins that were found which correlate to the Meixner plan, however this plan was never recorded.
  - d) When the Reed lot was sold, the deed matches the new, non-recorded plan. All of the homeowners think their lots match the newer Meixner configuration.
  - e) Mr. Boesler explained that he was advised in a Township Solicitor / Staff meeting to submit a formal subdivision plan to reflect the 1970 Meixner plan rather than a simple lot line change. Once this plan is submitted, it will supercede the 1968 plan.
4. Mr. Boesler noted that the Chambers review letter recommended requesting a waiver of the entire sections for 123-14 B & C, and also for subsection D2. All property owners will have to sign the new plan prior to recording, and all are in agreement with the changes. The review

from the Montgomery County Planning Commission just indicated they should comply with any Township requirements.

5. Mr. Boesler noted that the only urgency in this matter is that one of the parcels is currently listed for sale. The realtor involved with the transaction is aware of this situation.
6. Mr. Stemple commented that a condition of this approval would be that all homeowners agree to this change. Mr. Boesler indicated this was not a problem. Ms. Zimmerman noted that the condition is that they affected homeowners must sign the plan or it cannot be recorded.
7. Mr. Brooke asked if there was any correspondence between the homeowners and the Township or Czop/Specter? Mr. Boesler noted they are aware of this, the properties have been posted, and they were sent plans.
8. Mr. Bob Reed, one of the homeowners, was present at the meeting. Mr. Reed commented that the owners are aware of this matter and agree they want this change. The "new" lines just reflect the properties that everyone currently maintains and has fences on etc. This matter was discovered when he applied for a shed permit and the plan provided by the Township did not match his understanding of the land.
9. Mr. Stemple asked if there was any loss of property with this change? Mr. Boesler indicated that technically one person loses 120 sq. ft., and the others gain 22 or 100 sq. ft, however they do not feel their properties are changing.
10. Mrs. Altieri asked if they are living with the land that is proposed? Mr. Boesler affirmed this.
11. Ms. Holland asked who was underwriting this project? Mr. Boesler indicated that the title company was handling it.
12. **MOTION** – Ms. Zimmerman made a motion to recommend that the Board of Supervisors grant a waiver of Section 123-14, subsections B & C in their entirety, and subsection D2. Mrs. Satterwhite seconded the motion. The motion *passed 7-0*.
13. **MOTION** – Ms. Zimmerman made a motion to recommend that the Board of Supervisors grant preliminary and final plan approval of minor subdivision S-09-01. Mrs. Satterwhite seconded the motion. The motion *passed 7-0*.
14. There was no other public comment on this matter.

## 6. Other Business:

A. Old Business – None

B. New Business –

1. Mrs. Altieri extended an invitation for any interested member of the Planning Commission (PC) to attend meetings they have been conducting on Monday mornings at 8 a.m. These are held at the Township Building, and address revitalization efforts in the Business Park. She reviewed the progress to date, and discussed those parties that have been involved. They are currently addressing conflicts with the proposed Act 209 fees, and welcome input from the PC.
2. Mr. Siegel announced that the Township would be entering into two settlement agreements through the County's Open Space grant program. The parcels, which were identified and prioritized through the Township's Open Space Committee, are the Gorski Tract on Yerkes Road, and the Nicola Tract on Eagleville, Park and Crawford Roads.

C. Comments:

1. There were no further comments at this time.

## 7. Adjourn

A. **MOTION** – Mr. Stemple made a motion to adjourn the meeting. Mr. Bodek seconded the motion. The motion *passed 7-0*. The meeting ended at 8:08 p.m.

**Next Meeting:** April 22, 2009 – Regular Meeting