

**LOWER PROVIDENCE TOWNSHIP
PLANNING COMMISSION
AUGUST 26, 2009 MEETING MINUTES**

1) Call to Order:

- a) Vice Chairman Endlich called the public 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, Mrs. Satterwhite and Ms. Zimmerman.
b) Board of Supervisor Liaison Mrs. Altieri, Mr. Schlack and Mr. Stemple were absent.
c) Additional attendees included: Ms. Jean Holland, Montgomery County Planning Commission; Mr. Lonnie Manie, Chambers Associates, Township Engineer; Mr. Nathaniel Dysard, Project Analyst.

4) Approval of Planning Commission Previous Meeting Minutes:

- a) **Motion** – Mr. Kuberski made a motion to approve the July 22, 2009 meeting minutes. Mr. Bodek seconded the motion.
i) Mr. Endlich noted that Mrs. Satterwhite should be shown as “excused” instead of “absent”. She called to notify Mr. Endlich and Mr. Brooke that she would not be able to make the meeting due to an illness. Mr. Endlich forgot to mention the call from Ms. Satterwhite in the meeting.
b) **Motion Vote** – The motion *passed* 6-0-1. Ms. Satterwhite abstained from the vote because she did not attend that meeting.

5) Subdivision and Land Development Reviews:

- a) S-09-03 – 25 Featherbed Lane (Shrawder) Major Preliminary Subdivision Plan Approval:
i) Mr. Christopher P. Martincic, P.E. was present to represent the applicants Mr. & Mrs. Shrawder.
ii) Mr. Martincic stated the 4.25 +/- acres of land will be subdivided into a five-lot subdivision, with one lot taking access from Featherbed Lane and the four remaining lots taking access from a proposed 275 ft long cul-de-sac. Parcel is zoned R-2. Majority of site is in lawn condition.
iii) Do not require any waivers or variances.
iv) Questions from board:
(1) Ms. Zimmerman commented how well Mr. Martincic addressed all the comments in the Chambers letter.
(2) Mr. Rutledge asked if the question on Fire Hydrants by Chief Carroll and Charles DeFrancesco. Has this comment been addressed? Mr. Martincic stated he thought all the comments have been addressed, but if they have not, they will definitely put in the fire hydrants.
(3) Mr. Endlich stated there was a problem with drainage between lot 2 and lot 3. Was that addressed? Mr. Martincic stated they added an inlet in the area.
v) Comments from audience:
(1) Paul Hofgesand, 1004 Skyline Circle – adjacent to the property, thanked Mr. Martincic for placing the burm along the trees on the property. Would it be possible to extend the burm?
(a) Mr. Martincic stated the contours show the quadrants flow from the neighboring properties onto theirs. If they extend the burm, all this will do is stop the water from flowing onto our property and shoot it down the back yards of everyone else’s property. I do not think they are going to want that. We will gladly put it on the plan, but we would request that someone sign off that this is what the Planning Commission wants.
(b) Mr. Endlich stated we need to watch we do not block water on the other side of the burm. The whole purpose for requesting the burm was to prevent the water from flowing onto everyone’s property.
(c) Mr. Hofgesand requested the Engineer show the second swale clearer on the plan. Will be shown as a shallow swale.
(2) Ms. Dean, 1006 Skyline Circle.
(a) Just purchase house at 1006 Skyline Circle. Spoke to Mr. Dysard. Suggest turning house just a little bit in order to save the privacy trees on her property.

- (b) Mr. Dysard asked if Ms. Dean received his e-mail pertaining to her suggestion. Ms. Dean stated she had not received the mail.
- (c) Mr. Martincic stated they looked at the possibility of changing the house. They could not fit the appropriate square footage home in the building envelope that would be created by changing the location of the home. Access would still have to be taken from Featherbed Lane and located in same location. If switched house, would have to move the basin to north at rear of house and would still have to take trees down. Will discuss with applicant whether they would place trees on Ms. Dean Property.
- (d) Mr. Timothy Bell, 11 Timothy Lane.
 - (i) I have a well on my property. Will the applicant be using Audubon Water and not a well?
 - (ii) Mr. Martincic stated that they would be using Audubon Water.
- (e) Ms. Holland, Montgomery County Planning Commission stated she had not had a chance to review the Landscape Plan. Ms. Holland questioned whether the landscaping issues have all been addressed. Ms. Zimmerman noted there was a letter from Yerkes Associates, Inc. dated August 14, 2009, which addressed all the comments in a positive way.
- (f) Mr. Manie, Township Engineer, Chambers Associates, stated he appreciated the extension of the storm sewer up Featherbed Lane, but asked if an analysis was done on where the storm sewer would be tied into? Mr. Martincic stated no analysis has been done. Mr. Manie stated he will need to see an analysis before they can sign off on the proposed plan.
- (g) Mr. Endlich asked if there were any other questions.
- vi) **Motion** – Ms. Zimmerman made a motion to approve the Preliminary Plan for S-09-03 25 Featherbed Lane Major Subdivision Plan. Ms. Satterwhite seconded the motion.
- vii) **Motion Vote** – The motion *passed* 7-0.
- b) S-09-04 – 252 River Road Minor Preliminary/Final Plan Subdivision
 - i) Ms. Suzanne Creveling was present to represent the applicant Mr. Louis Gambone.
 - ii) Ms. Creveling stated the proposed property consists of a 7 acre parcel with 2 building lots. Need to cut a 16,000 square foot section off the back lot to clean up an issue with some accessory uses that were built over the property line. Propose a 2 lot subdivision with a 4 acre flag lot in rear with 2 buildings in the front.
 - iii) Ms. Creveling presented a history of the proposal that was discussed years ago.
 - iv) Ms. Creveling stated the fate of the 2 front houses are staying as is for now. Have some ideas in to the Township right now, but these ideas have not been formalized or finalized yet. If anything changes on the 2 front houses, they will definitely let the Planning Commission know.
 - v) Ms. Creveling stated they will work with Chambers Associates to work out any issues on the project.
 - vi) Will need the following waivers:
 - (1) Section 123-36 – Minimum driveway width for Residential driveway – Would like to use existing driveway for rear lot. Do not want to add another curb cut to highway which is a state road. There will only be 1 lot added and this 1 lot will not produce much additional traffic.
 - (2) Section 123-32 – Curbs, Stormwater and Street Trees
 - (a) Curbs – No curb and sidewalks currently out there. Not a safe place for pedestrians to walk on this highway. There is a lot of traffic on this road and do not want to promote walking on this highway.
 - (b) Street Trees – There is a significant slope in the front of the property and there are some significant trees out there already. There are some 14”, 20” and 26” trees that will remain. We are not interested in taking them down. These trees are too mature to take down. Required to put 8 trees in this area, we have an excess of 10 that we would like to leave. Feel this covers the requirements for Street Trees.
 - (3) Section 123-33 – Sidewalks – Request waiver. Currently no sidewalks there. We would not have a place to tie any sidewalks to and there is significant slope.
 - (4) Section 123-36.F & Section 123-29.I(3)(h) – Width of Multi-family driveway. Request waiver. Driveway is existing and prefers not to change. Only putting in one house.

- (5) Section 123-50.B – Perimeter landscaping and screen buffering. Request waiver. Vast amount of buffer in back which will be left. Lots of trees through out front portion of site.
- (6) Section 123-52 – Street trees at intervals of 40’ to 50’ are required along all new and existing streets. Request waiver. Covered under Section 123-32.
- (7) Section 123-39.I(3)(i) – Fire Hydrants – Request waiver. Currently property is served by public sewer and private water. It is not possible to put public water on the rear lot. Have had discussions with PA American Water to bring water through this area. New lot will be served by private well.
 - (a) Mr. Bodek asked if the water is not in the street anywhere or just a problem getting the water to the back lot.
 - (b) Ms. Creveling stated there is no water in the street at the property. PA American Water stopped the water several hundred feet from the property. The house up front has a well.
 - (c) As a side note, Ms. Creveling stated one of the other issues for this location is the address. We will be happy to work thru this issue. The Post Office has stated there are multiple addresses assigned to this property. Also we do not need to have 911 trying to identify which address is correct.
 - (d) Mr. Endlich asked if they knew where the closest hydrant is for the property.
 - (e) Ms. Creveling stated that per Mr. DeFrancesco’s letter, he sites the hydrant in excess of 600 feet.
 - (f) Mr. Bodek asked stated there is no way to place a hydrant closer because of where the water stops? Is that what I understand?
 - (g) Ms. Creveling stated yes, that is their situation.
- (8) Stormwater – Not looking to walk away from the stormwater. Just received results of infiltration testing from soil scientist. Like permission to work with Chambers Associates to come up with something that meets the intention of the ordinance but does not cause them to go crazy to develop something on the lot that’s astronomically high and expensive for 1 small house.
 - (a) Ms. Zimmerman asked if they are asking for a waiver for this.
 - (b) Ms. Creveling stated she thought they would have to request a waiver but waiver could be contingent upon them working with Chambers to satisfy the requirements of the Township Engineer.
 - (c) Mr. Manie stated that if the issue is by pass flow, this is not an issue. We will only be asking you to control the by-pass coverage. We will however be looking to what happens to impervious water flow.
 - (d) Ms. Creveling stated she appreciated the clarification and based on the clarification, they will not need the waiver.
- (9) Ms. Zimmerman stated there are lots of plan review comments for this plan. She does not feel comfortable with this review letter. They do not usually approve a plan with all these comments. There are a lot of serious thing on the letter. Would it be possible for you to run down the letter through each item and tell the board you are complying with each thing, that would make her feel better.
- (10) Review of items listed in Chambers Associates, Inc review letter:
 - (a) Section 143-33.A.1 – Lot width for Lots 1 and 2 shall be dimensioned on the plan. Will comply.
 - (b) Section 143-33.A.2 – The front side and rear yard shall be dimensioned on the plan for Lots 1 and 2. Will comply.
 - (c) Section 123-14.B(8) – The Zoning Data Table indicates that the proposed use of the subdivision is single family dwellings. The proposed use on Lot #2 is a continuation of the multi family dwellings. Will clarify the Zoning Data Table. Will comply.
 - (d) Section 123-1.B(4) – The name, address and signature of the Registered Surveyor responsible for the property lines shall be shown on the plan. Will comply.
 - (e) Section 123-14.C(3) – The approximate location of water service, existing and proposed, should be shown on the plan. Currently shown next to tree #14, but hard to see. Will make clearer. Will comply.

- (f) Section 123-14.D(3) – The proposed access easement extends approximately 180 lineal feet from the edge of the existing macadam on Lot 2 to the property boundary on Lot 1. An access easement is not provided from the edge of the existing macadam to River Road. Need to adjust and pull to River Road. Will comply.
- (g) Section 123-14.D(3) – The applicant should research and do diligence concerning the existing driveway access easement extending from River Road to the McCourry property line and adjoining a macadam driveway and dwelling on the McCourry property. The access easement should be review to allow for an additional lot (Lot 1) to obtain access into the property. Will need to confirm and adjust legally.
 - (i) Ms. Zimmerman stated Ms. Creveling might not have access to the rear lot, but they would be able to take care of that if there is not problem adjusting the easement.
 - (ii) Ms. Creveling stated they will do whatever needs to be done. Will comply.
- (h) Section 123-13.D(4) – The required planting plan showing the location, species, size and number of all required plant materials has not been provided. Will comply.
- (i) Section 123-14.F – The applicant has not provided the required Stormwater design or calculations in accordance with the Township’s Stormwater and Erosion Control Ordinance. Will comply.
- (j) Section 123-31.K – The area between the existing right-of-way line and the ultimate right-of-way line shall be dedicated to the authority having jurisdiction over any public streets which but or pass through any subdivision or land development proposed within the Township. All right-of-way dedications shall be in compliance with the Township’s ultimate right-of-way ordinance. The offer is not shown on the Record Plan; it is shown on the Existing Plan. Will begin process. Will comply.
- (k) Section 123-32 – Curbs, storm sewers and street trees are required along all new interior and any existing streets in any new subdivision within the Township. Curbs, storm sewers and street trees have not been proposed as part of this application. Request waiver.
- (l) Section 123-33 – Sidewalks shall be installed along all existing streets except when this requirement is waived at the discretion of the Board of Supervisors upon the recommendation of the Township Planning Commission. The engineering design and construction standards shall be those contained in the Lower Providence Township Engineering Standards. Sidewalks have not been proposed along the River Road frontage. Request waiver.
- (m) Section 123-36.A(1) – The required sight distance at the intersection of the driveway with River Road has not been provided. Will comply.
- (n) Section 123-36.A(2) – The proposed access easement terminates at the existing macadam area used as a parking area for a five unit apartment complex within the site. Designation of parking spaces in the macadam area have not been shown on the plan and it is unclear how the proposed access easement will be maintained with this arrangement. Will comply.
- (o) Section 123-36.F & 123-29.I(3)(h) – The paving width for a multi family residential driveway must be 24 feet wide at a maximum grade of 9%. The minimum width driveway for a single family residential flag lot is twelve feet wide with a maximum slope of 12%. The widths and slopes of the driveways have not been identified on the plan. Request waiver.
- (p) Section 123-36.G – The required stopping area has not been shown on the plan or evidence provided tat the existing driveway meets Township standards. Request waiver.
- (q) Section 123-36.H – The required clear sight triangle for the driveway intersection has not been shown on the plan. Will comply.
- (r) Section 123-37 – The location of the required parking spaces has not been shown on the plan. Will comply.
- (s) Section 123-39.I(3)(b) – Access strips to rear lots shall be 25 feet wide, and shall not exceed a vertical grade of 10%. The access strip to Lot 1 does not meet this standard. Will comply.
- (t) Section 123-40 – Lot 2 contains two structures. It has not been identified if these structures are to remain or to be removed. Will comply.

- (u) Section 123-43.A – Stormwater management and best management practices have not been made part of the subdivision application. Will comply.
- (v) Section 123-43.A – A drainage swale is proposed above the proposed dwelling of Lot 1. It appears that the drainage swale will be direct runoff from the Lot 1 property onto the Lapenta property in close proximity to the Lapenta existing deck and pool. This should be revised by the applicant. Will comply.
- (w) Appendix A, Engineering Standards, Section 104 – The type of geotextile fabric shown in the typical bituminous driveway cross section should be specified on the plan. Will comply.
- (x) Section 123-48 & Appendix A, Engineering Standards A, Section 108.3 – The existing water service to Lot 2 and the proposed water service to Lot 1 has not been shown on the plan. If Lot 1 is to be provided with an onsite well, the required circular area is also not shown. Will comply.
- (y) Permits and approvals – All applicable permits and approvals will be obtained if required.
 - (i) A PennDot Highway Occupancy Permit for any modifications necessary to the existing driveway access to River Road.
 - (ii) Approval of the Sewer Authority for the lateral connection from the sanitary sewer connection from River Road to Lot 1.
 - (iii) Certification that private water service is in accordance with current codes and standards.
 - (iv) Approval of the Conservation District for the earth moving activities on Lot 1 and Lot 2.
 - (v) Planning Module for land development.
- (z) General Comments:
 - (i) Note #6 on Sheet 1 references the Collegeville/Trappe Municipal Authority. Will update to show Lower Providence. Will comply.
 - (ii) The note on the encroachment area should be revised to require this area to be united in common deed with the adjoining property. A certificate must be provided on the Record Plan for the adjoining property owner who shall acknowledge the transfer requirement. Will look into getting that taken care of and getting the proper notations on the recorded plan. Will comply.
 - (iii) The plan is illegible along the River Road frontage. Will clean this up by adding another sheet. Will comply.
 - (iv) Concrete monuments are required at all property corners along the ultimate right-of-way. Will comply.
 - (v) As written, the waiver request shown on the Record Plan is requesting a waiver for public sewer and public water for the rear lot. The design shows the connection from the rear lot to public sewer. The waiver request should be adjusted accordingly. Will comply.
 - (vi) Sheet 1 of 5 is titled “Existing Plan”. On Sheet 2 the Drawing Index references Sheet 1 as “Existing Features Plan”. This discrepancy should be corrected. Will add the word “Features” to plan. Will comply.
 - (vii) The surveyor certification on Sheet 2 of 5 is dated 2006. This should be corrected. Will comply.
 - (viii) The soils data indicates that the survey of April of 1967 was used. The 2009 date should be provided. Will comply.
- vii) Waiver Requests:
 - (1) Section 123-39.I(3)(i) – A rear lot shall be provided with public water and sanitary sewer.
 - (a) **Motion** – Mr. Kuberski made a motion to grant this waiver request. Mr. Bodek seconded the motion.
 - (b) **Motion Vote** – The motion *passed* 7-0.
 - (2) Section 123-33 – Sidewalks shall be installed along all existing streets except when this requirement is waived at the discretion of the Board of Supervisors upon the recommendation of the Township Planning Commission. The engineering design and construction standards shall

- be those contained in the Lower Providence Township Engineering Standards. Sidewalks have not been proposed along the River Road frontage.
- (a) **Motion** – Mr. Bodek made a motion to grant this waiver request. Have applicant discuss with Board of Supervisor’s a fee in lieu of sidewalks. Mr. Rutledge seconded the motion.
 - (b) **Motion Vote** – The motion *passed* 6-1. Ms. Zimmerman opposed.
- (3) Section 123-32 – Curbs, storm sewers and street trees are required along all new interior and any existing streets in any new subdivision within the Township. Curbs, storm sewers and street trees have not been proposed as part of this application.
- (a) **Motion** – Mr. Kuberski made a motion to grant this waiver request. Mr. Bodek seconded the motion.
 - (b) Ms. Zimmerman asked Mr. Manie if he had a position on curbs and storm sewers in this area whether they would be indicated or not?
 - (c) Mr. Manie stated he could not take a position at this time until a cleaner plan is submitted. Cannot say whether curbs could help the drainage in that area and along the adjoining properties.
 - (d) Ms. Creveling stated there are inlets and cross over pipes at either end of the property. Ms. Creveling pointed out the inlets on the plan.
 - (e) Ms. Zimmerman does not feel comfortable with this motion. Mr. Manie is not comfortable with the plan and cannot give a recommendation.
 - (f) **New Motion** – Ms. Zimmerman made a motion to deny this waiver request. Mr. Brook seconded the motion.
 - (g) **Motion Vote** – The motion *passed* 7-0.
 - (h) Ms. Creveling had a question about the motion. Ms. Creveling stated there are curbs, storm sewers and street trees under this section and asked if she is now being required to plant street trees.
 - (i) Mr. Manie stated that the denial is for the curbs and storm sewers until we can analyze whether storm sewers are required along the front of the property.
 - (j) Ms. Creveling asked if she would be required to come in front of the board for a waiver request once the plan is reviewed.
 - (k) Mr. Manie stated this was possible or the request might be denied and the storm sewers would have to be constructed.
 - (l) Mr. Endlich clarified the proposal. We are denying the waiver for the curb, storm sewers and street trees, but approving the waiver for sidewalks.
 - (m) Mr. Rutledge further clarified that the board is only denying the curb and sidewalks not street trees.
- (4) Sections 123-52 – Street trees at intervals of 40’ to 50’ are required along all new and existing streets.
- (a) **Motion** – Mr. Bodek made a motion to grant this waiver request. Ms. Satterwhite seconded the motion.
 - (b) **Motion Vote** – The motion *passed* 7-0.
- (5) Section 123-31 – Ultimate Rights-of-way; cartway widths; parking.
- (a) Ms. Creveling clarified the request for the waiver. They would like to leave River Road alone and not widen the street to 30 feet requirement.
 - (b) **Motion** – Ms. Zimmerman made a motion to grant this waiver request. Mr. Bodek seconded the motion.
 - (c) **Motion Vote** – The motion *passed* 7-0.
- (6) Section 123-50.B – Landscaping – Perimeter Landscaping & Buffering
- (a) **Motion** – Mr. Bodek made a motion to grant this waiver request. Mr. Brooke seconded the motion.
 - (b) **Motion Vote** – The motion *passed* 7-0.
- (7) Section 123-48.C – Water Supply – Fire Hydrant
- (a) **Motion** – Mr. Brooke made a motion to deny this waiver request.
 - (b) Ms. Zimmerman asked Ms. Creveling whether she knew how much it would cost to run a water line the distance.

- (c) Ms. Creveling stated it would be very costly. They discussed this with PA American Water, Jim Reynolds and were told they were hesitant due to right-of-ways and physical construction issue.
- (d) **New Motion** – Ms. Zimmerman made a motion to grant this waiver request. Mr. Rutledge seconded the motion.
- (e) **Motion Vote** – The motion *passed* 5-2.
- (8) **Section 123-36.G – Driveway Access – Stopping Area**
 - (a) Ms. Creveling clarified the request for waiver. Ordinance requires 20 feet beyond the right-of-way. Since this is an existing driveway, it is already configured, but not to the ordinance.
 - (b) **Motion** – Ms. Zimmerman made a motion to deny this waiver request. Mr. Bodek seconded the motion.
 - (c) **Motion Vote** – The motion *passed* 7-0.
- viii) **Public Comment:**
 - (1) Ms. Susan Lapenta – 332 River Road
 - (a) Ms. Lapenta stated she has lived at 332 River Road for 22 or 23 years. One dwelling in the front has 3 units and one dwelling in the front has 2 units. Both have been vacant for last 7 years.
 - (b) Ms. Lapenta stated there is a shared access driveway and PennDot considers it a low volume driveway. PennDot would require a Highway Occupancy Permit.
 - (c) Ms. Lapenta asked if the applicant have a Highway Occupancy permit.
 - (d) Ms. Creveling stated at this time, there is no HOP for the property. She is not sure and would have to research what HOP are in place for property. Not sure where to start looking, but will look.
 - (e) Ms. Lapenta asked if this is a 7 ½ acre parcel, zoned R-1 so is the property a non-conforming use right now?
 - (f) Ms. Creveling and Mr. Manie both stated this was correct.
 - (g) Mr. Endlich asked why you would want a HOP.
 - (h) Ms. Lapenta stated the HOP would look at driveway drainage. She feels the driveway should be brought up to standards.
 - (i) Ms. Zimmerman asked if Ms. Lapenta worked for PennDot.
 - (j) Ms. Lapenta stated yes, she does work for PennDot.
 - (k) Ms. Lapenta stated yes. She stated the houses on the front lot have been vacant for 7 years. A tree fell on one of the houses. The doors have been open for 2 years. What will be put there if the houses are torn down?
 - (l) Mr. Endlich stated he has not answers for those questions.
 - (m) Ms. Zimmerman stated she thought the driveway request is reasonable but cannot answer other questions. Driveway should be checked by Ms. Creveling and Township Engineer.
 - (n) Mr. Endlich stated Ms. Lapenta seemed upset. He asked her why.
 - (o) Ms. Lapenta stated she is glad to see something is being done to the houses but concerned if apartments are placed. She has seen where phase development comes through and it get's done in piece-meal, where one little thing is done and then they are left with the 3 acres with 5 units left on that parcel. Does this mean they can build an apartment house and have 5 units in an apartment house?
 - (p) Mr. Endlich state the applicant would have to go through the Zoning board and will need to come back in front of the Planning Commission.
 - (q) Mr. Dysard stated Mr. Endlich please be cautious of what you are saying to our residents. There is a plan in house which would not be required to come to you.
 - (r) Mr. Endlich stated he was not aware of that.
 - (s) Mr. Dysard stated Mr. Endlich would not be aware of that.
 - (t) Ms. Lapenta stated there is their concern.
 - (u) Mr. Endlich stated it should be the neighbors concern.
 - (v) Mr. Dysard stated it is not required to come in front of the Planning Commission.
 - (w) Mr. Endlich asked then why should he be cautious about what he is saying?

- (x) Ms. Lapenta asked if the other plan still has to be approved.
 - (y) Mr. Dysard stated that development is not part of the consideration tonight.
 - (z) Ms. Lapenta asked if in the future this plan is approved, it does not have to come in front of the Planning Commission.
 - (aa) Mr. Dysard stated it would not necessarily have to come in front of the Planning Commission.
 - (bb) Ms. Lapenta asked if it would not have to come in front of the Planning Commission because it is existing. Even if it is non-compliant?
 - (cc) Mr. Endlich stated that Mr. Dysard should be more careful in what he states in front of our residents.
 - (dd) Mr. Dysard stated he just does not want to mislead Ms. Lapenta.
 - (ee) Mr. Endlich stated he is not misleading anyone because he does not know anything.
- (2) Mr. David Lapenta – 332 River Road
- (a) Mr. Lapenta asked what a section was on the plan. He stated it looks like a future flag lot.
 - (b) Ms. Creveling stated this section is a 25 foot access strip. Flag would service back 4 acres.
 - (c) Mr. Lapenta stated there is a large drainage problem that comes from the back area.
 - (d) Ms. Creveling thanked Mr. Lapenta for the information and this will come in handy for the stormwater calculations.
 - (e) Mr. Lapenta stated the existing fire hydrant is approximately 300 feet depending on what corner of the lot you are looking at.
 - (f) Mr. Endlich asked Mr. Dysard to pull up the overhead shot of the area.
 - (g) Mr. Lapenta would like to have public water due to well contamination.
 - (h) Mr. Lapenta asked if the access strip will turn into a road.
 - (i) Ms. Creveling stated it would not.
 - (j) Mr. Lapenta asked what happened to the original approval from eight years ago.
 - (k) Ms. Creveling stated to the best of her knowledge, the plan must have died.
 - (l) Mr. Manie stated he would like to clarify the access strip. The access strip could be a future driveway, but the future owner could come in front of the board for approval.
 - (m) Mr. Lapenta discussed the monuments. Mr. Lapenta stated his next door neighbor has a plan which shows Mr. Lapenta's property line in a different location. He feels he is being squeezed on both sides with the new development. How can he find out where his monuments are?
 - (n) Mr. Brooke stated he will need to hire a surveyor.
- (3) Ms. Linda Lockwood – 1045 Hildebidle Drive
- (a) Ms. Lockwood asked where the house would be located on the lot.
 - (b) Ms. Lockwood stated there was scrub in the back that has been disturbed recently. She wondered why this was disturbed.
 - (c) Ms. Creveling stated the house will be located towards the front of the property.
 - (d) Ms. Lockwood asked if the scrub will be replaced. She stated it looked like a bull dozer went through a fairly large area recently.
 - (e) Ms. Creveling stated someone tried to clean up the property before settlement. They asked them not to clean it up, but went ahead without their knowledge.
 - (f) Mr. Endlich stated with the new ordinance, he would not consider scrub brush trees, which would require replacement.
 - (g) Ms. Creveling stated someone went in with a brush hog, not a bull dozer.
 - (h) Ms. Lockwood asked if the home will be a single-family home.
 - (i) Ms. Creveling stated it would be a single-family home.
 - (j) Ms. Lockwood asked if there should have been notification to the neighbors about this particular meeting since no one knew anything about the meeting.
 - (k) Mr. Dysard stated he does not believe notification needs to be done.
 - (l) Mr. Endlich asked who was responsible for placing the advertisement for the meeting.
 - (m) Mr. Dysard explained that the advertisement is placed once a year for all meetings.
 - (n) Mr. Endlich said he thought the adjacent neighbors were always notified of a meeting.

- (o) Mr. Dysard stated that the neighbor notification is for Conditional Uses and Zoning Hearing Board meetings.
- (4) Ms. Margret Johnston - 316 River Road
 - (a) Ms. Johnston asked how the installation of the well on the log will affect their wells.
 - (b) Ms. Johnston stated stormwater is a problem on the road. Water comes down existing driveway.
 - (c) Ms. Johnston stated the buffer has been disturbed. Feel this need to be revisited.
 - (d) Ms. Johnston asked if the existing houses are torn down, does the grandfather clause go with the houses or the property.
 - (e) Mr. Endlich asked Mr. Manie if he could answer any of these questions.
 - (f) Mr. Manie stated he felt these were questions for the Solicitor.
 - (g) Mr. Endlich asked if he could get back to Ms. Johnston on that.
 - (h) Mr. Endlich suggested Ms. Johnston contact Mr. Joseph Dunbar, the Township Manager and ask him these questions.
- (5) Ms. Judy McCourry – 320 River Road
 - (a) Mr. Endlich apologized for cutting Ms. McCourry off earlier in the meeting, but he is trying to conduct a meeting.
 - (b) Ms. McCourry stated she is trying to not be critical because they were told in the past that they would be included in the discussions of the driveway. Discussions have not taken place and they are very frustrated.
 - (c) Mr. Endlich asked who told her they would be included in the discussions.
 - (d) Ms. McCourry stated they were told by Mr. Gambone.
 - (e) Ms. McCourry stated the first quarter of the driveway was a shared driveway with her property.
 - (f) Ms. McCourry stated that Michael Mantz had the 5 apartments were emptied from October to April of each year. The houses and driveway were always maintained.
 - (g) Ms. McCourry stated there is a strange concrete tank with a lid on the property and the ground is falling away from it. Someone will be hurt.
 - (h) Ms. McCourry stated there are trees down all over the property.
 - (i) Ms. McCourry stated there have been people in the houses at all hours of the night.
 - (j) Mr. Endlich stated Ms. McCourry also sounds upset and he is trying to figure out why the neighbors are upset.
 - (k) Ms. McCourry stated the idea of a home in the back is awesome, absolutely wonderful. They are concerned about what will happen to the front buildings. The driveway will not handle all the traffic. She is concerned that the neighbors will not be notified that the front property is being turned into 5 apartments.
 - (l) Ms. Zimmerman stated she could stay in touch with the Township Manager regards to what is happening with the front property.
 - (m) Mr. Endlich stated the residents heard how much they are informed about the front property.
 - (n) Ms. McCourry stated but if you are that informed, can you understand my anxiety.
 - (o) Mr. Endlich stated you can call the township anytime for updates.
 - (p) Ms. Zimmerman stated the driveway waiver was denied. The applicant will need work with the Township Engineer to bring the driveway into compliance before the plan will be recorded.
 - (q) Ms. McCourry stated she is concerned about the trees along the front of the property due to some of them being in bad condition.
 - (r) Ms. Holland stated the Landscape Engineer will be looking at the trees.
 - (s) Ms. Zimmerman stated the trees will be evaluated and make sure they comply with the Township Tree Ordinance.
 - (t) Ms. McCourry asked if the conditions of the front property will be improved in anyway with the improvement of the back property, like the concrete piece that is falling away.

- (u) Ms. Zimmerman stated there will be no improvement to the front homes because it is not part of the plan in front of them today. This plan is just proposing the house on the new lot, not proposing to do anything to the 2 existing homes.
 - (v) Mr. Endlich asked Ms. Creveling if she knew what the tank is.
 - (w) Ms. Creveling stated it says sanitary. It could be an old septic system.
 - (x) Ms. McCourry stated the applicant will not be addressing the animal population at the front homes since the plan is just for lot 2.
- (6) Mr. Brian Johnston – 316 River Road
- (a) Mr. Johnston stated he understands the current neighborhood is R-1. He is under the impression that this plan would change the neighborhood zoning to R-2, correct?
 - (b) Ms. Zimmerman stated that is not correct.
 - (c) Mr. Johnston asked if the apartments that are going to be put in will be grandfathered as far as the property.
 - (d) Mr. Endlich asked what apartments are being put in.
 - (e) Ms. Zimmerman stated they cannot really talk about the apartments tonight.
 - (f) Mr. Endlich stated they no nothing about any apartments being put in.
 - (g) Mr. Johnston stated he is not sure what's going on there. He is trying to figure it out. He would like to know what they are going to look like in the future. Neighborhood is not being informed of what is going on.
 - (h) Mr. Endlich plans on taking care of that tonight. All the neighbors touching this property will be notified of the meetings.
 - (i) Ms. Zimmerman stated that the Planning Commission is only able to deal with what is in front of us.
 - (j) Mr. Endlich stated the Planning Commission is an advisory board to the Board of Supervisors. The Board of Supervisors makes the decisions.
 - (k) Mr. Dysard encouraged Mr. Johnston and the interested residents to contact myself or Mr. Dunbar to keep you informed and discuss some of the things that are going on. We do advertise as we need to legally. Obviously we want your opinion since you are the neighbors, and I will be more than happy to discuss things with you.
 - (l) Mr. Johnston asked about the previous plan. The plan proposed bringing water from Hildebidle to feed the complex. Would that be impossible to bring the water from there?
 - (m) Ms. Creveling stated PA American Water says it is not possible to bring the water from Hildebidle.
 - (n) Mr. Endlich stated that the neighbors really seem upset. Is something going on up there?
 - (o) Ms. McCourry stated that she feels it is because she is living next to a property that is in pretty rough shape. I am spending a lot on my taxes and mortgage.
 - (p) Mr. Endlich stated that is why the applicant is here, to try to get this passed and make it nicer.
 - (q) Ms. McCourry stated that the applicant is not doing anything upfront.
 - (r) Ms. Lapenta stated she saw a plan where they were going to tear down the two buildings in the front and put a five unit apartment complex in.
 - (s) Mr. Endlich stated he cannot speak on what Mr. Gambone is doing here but I know from previous experience, everything he goes near gets better. With a little patience, I think you'll find that it's going to be a lot nicer.
 - (t) Ms. Zimmerman stated that she thinks it would be in their best interest to improve the looks of the property, so you can take some solace in that fact, since it is in their best interest and just have to wait to see what happens.
 - (u) Ms. Creveling stated she would like to explain that the Mr. Gambone which was referenced was from Gambone Development.
 - (v) Mr. Endlich stated he figured that. I did not think it was Lou. Do you guys understand that?
 - (w) Ms. McCourry stated no she did not know who they are.
 - (x) Ms. Creveling clarified that the equitable owner of the property is HTC Associates. Soul proprietor of HTC Associates is Mr. Louis Gambone who is not associated with the other

Gambone Development and Joseph Gambone. Sue gave a summary of what's going on and what's being proposed.

(y) Ms. Lapenta stated the people they have been dealing with have not been very receptive.

(z) Ms. Creveling asked that the neighbors please not convict them on dealings with the previous owners.

(aa) Mr. Endlich stated they needed

ix) **Motion** – Ms. Zimmerman made a motion to approve the Preliminary/Final Plan for S-09-04 262 River Road Subdivision. Mr. Brooke seconded the motion.

x) **Motion Vote** – The motion *passed* 7-0.

c) S-09-05 – 2637 Ashley Circle Minor Preliminary/Final Subdivision

i) Mr. Pat Koala was present to represent the property owner Mr. Robert Sullivan.

(1) Mr. Koala stated the property consists of 50,361 square feet with a single family dwelling. The applicant's intent is to subdivide the lot into two parcels. Lot 1 will consist of 25,008 square feet and lot 2 will consist of 25,353 square feet.

(2) Mr. Koala stated a new curb cut will be added to Ashley Circle for the new house. The existing will be removed. Easements for utilities will be tied into Jennifer.

(3) Mr. Koala has a copy of the letter from Chambers Associates and will comply with everything except Building Comment # 1 pertaining to the required 200 foot separation of driveways.

ii) Waiver Requests:

(1) Section 123-36.B(1) – Driveway access shall be at least 200 feet apart.

(a) Ms. Zimmerman asked Mr. Manie if the waiver for the driveway will cause a problem in this area.

(b) **Motion** – Ms. Zimmerman made a motion to grant this waiver request. Ms. Satterwhite seconded the motion.

(c) **Motion Vote** – The motion *passed* 7-0.

(2) Mr. Endlich asked if there were any other questions or comments from the board.

(a) Ms. Zimmerman has a question pertaining to the MCPC Review Letter. Is the applicant going to comply with the comments pertaining to the "Lot area".

(b) Ms. Holland stated if the information is currently incorrect for the lot areas, it will need to be updated. The current information could change whether or not this is a buildable lot.

(c) Mr. Koala reviewed all the comments on the MPCP Review Letter and clarified the questions pertaining to the "Lot area" which showed the applicant complies.

(d) Ms. Holland stated these clarifications need to be shown on the plan.

iii) **Motion** – Ms. Zimmerman made a motion to approve the Preliminary/Final Plan for S-09-05 2637 Ashley Circle Subdivision. Mr. Kuberski seconded the motion.

iv) **Motion Vote** – The motion *passed* 7-0.

d) Proposed removal of Institutional Overlay Zoning District from five parcels

i) Mr. Dysard explained the proposed removal of the Institutional Overlay Zoning District which was applied to the parcels consisting of the Collegeville Inn and surrounding parcels. The existing zoning of General Commercial or Residential R-2.

ii) **Motion** – Ms. Zimmerman made a motion to amend the Zoning Map in Chapter 143 deleting certain tract of land from the Institutional Overlay District including parcel numbers 43-00-11857-00-7, 43-00-11860-00-4, 43-00-11863-00-1, 43-00-11854-001 and 43-00-11851-00-4. Mr. Bodek seconded the motion.

iii) **Motion Vote** – The motion *passed* 7-0.

6) **Adjourn:**

a) **Motion** – Mr. Brooke made a motion to adjourn the meeting. Ms. Satterwhite seconded the motion.

b) **Motion Vote** – The motion passed 8-0. The meeting adjourned at 9:40 p.m.