

**LOWER PROVIDENCE TOWNSHIP
PLANNING COMMISSION
MARCH 24, 2010 MEETING MINUTES**

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. Comroe, Mr. Endlich, Mr. Kuberski, Mrs. LaPenta, Mr. Rutledge, Mrs. Satterwhite, Mr. Schlack, and Ms. Zimmerman.

B. Mr. Brooke was absent.

C. Additional attendees included: Mr. Chris DiPaolo and Mrs. Colleen Eckman, Board of Supervisors Liaisons, Mr. John Chambers, Township Engineer, and Mr. Joseph Dunbar, Township Manager.

4. Approval of Planning Commission Meeting Minutes:

A. Planning Commission Meeting Minutes for February 24, 2010:

1. **MOTION** – Ms. Zimmerman made a motion to approve the February 24, 2010 Planning Commission Meeting minutes. Mrs. Satterwhite seconded the motion. The motion *passed 7-0-1*. Mr. Endlich abstained from the vote because he was not in attendance for that meeting.

5. Other Business:

A. Old Business –

1. None

B. New Business –

1. Chambers Associates – Update on open land development projects:

- a) Mr. Chambers explained that he has been asked to track subdivision and land development activity in the Township from submission of plans through completion of construction. He has prepared a document entitled “Planning Project Status Report” that will track these projects, and is seeking input for any changes that can be incorporated into the document. Most of the projects listed on the report are at the Township but are not under construction at this time.
- b) Several items to note on the report include:
 - (1) The date of submission is the date the plan is submitted to the Township.
 - (2) The start review date is the first PC meeting after the submission of plans to the Township and this starts the 90-day clock.
 - (3) The date of extension column and date approved by Board of Supervisors column is data currently housed in the Township. Mr. Chambers will get these dates and add them to the report.
 - (4) The date reviewed by the Planning Commission is the Montgomery County Planning Commission.
- c) Mr. Chambers noted that most plans are not able to get through the land development process in a 90-day time period, so they have to obtain extensions. Mr. Chambers is revising the application for new land developments to include an automatic waiver of the 90-day time period so they will not have to obtain these extensions after the fact.
- d) Mr. Lonnie Manai at Chambers Associates is now performing work for the Township that was previously done by Mr. Nate Dysard.

- e) Mr. Chambers noted that once the Board of Supervisors approves a plan, there is a five-year timeframe during which the developer can sit on the subdivision or land development plan as valid and not actually go to construction. Many developers are waiting for a better economy.
- f) Mr. Chambers intends to update the Planning Project Status Report on a monthly basis and report updates to the Planning Commission. His office will be responsible for obtaining extensions as needed. This report is a mechanism for them to ensure they are following the project clock correctly.
- g) Review of the Planning Project Status Report:
 - (1) Item 1 – 324 Level Road – Lot line change: This has already been through land development.
 - (2) Item 2 – Van Buren Associates: This has been through land development and the property has been flipped to another developer.
 - (3) Item 3 – Highley Acres: This has been through land development and the property has been flipped to another developer.
 - (4) Item 4 – Ridge Pike office complex land development: This is the Eadeh property. The owner has put this on the back burner until the economy is better. There are expenses associated with bringing public water to the site that they do not want to incur.
 - (5) Item 5 – Corda minor subdivision: This subdivision had final plan approval on July 6, 2006. All permits have been secured and construction has started.
 - (6) Item 6 – Park Avenue major subdivision - Erb: This subdivision had preliminary and final plan approval on July 20, 2006. The applicant has until July 2011 before this is declared null and void.
 - (7) Item 7 – 1217 S. Trooper Road preliminary land development – Montgomery County Harley Davidson: This has been through land development. PennDOT is doing a right-of-way acquisition with this property to incorporate ramp changes for Rt. 422.
 - (8) Item 8 – 125 E. Mt. Avenue: This has been through land development, however Gambone sold this to Michael Mascaro who wants to construct one home and not eight lots on this property.
 - (9) Item 9 – 220 Summit Avenue Major Subdivision - Sparango: This is an approved subdivision, however the developer is awaiting economic improvements prior to construction. The developer has also requested that the Township reconsider trails and curbing that were on the approved plan.
 - (10) Item 10 – 3762 Ridge Pike – Adams Bickel Land Development: They are awaiting a tenant prior to proceeding.
 - (11) Item 11 – 2660 Audubon Road – Valley Forge Equities lot 1 – Berwin Property Group: The clock was going to expire on this development. The traffic engineer and PennDOT were in discussions regarding the plan because this was to be part of Adams Avenue road improvements. The Board of Supervisors in 2008 & 2009 took action and agreed to credit part of the impact fee for this property as part of a culvert to be constructed. The Board agreed to delay recording of the plan and posting of escrow until November 2010 however after that date the extension will lapse.
 - (12) Item 12 – Shannondell Phase III: A time extension was granted at the developer's request. The Township is doing an analysis of what has been constructed to date. The trigger mechanism for construction of Shannondell Blvd. is obtaining the HOP at the 800th unit, and opening the completed road at the 1,000th unit. There are currently 999 units constructed, 110 of which are vacant.

- (13) Item 13 – 201 Rogers Road: This is a small subdivision that was done for life planning purposes. There are currently no plans for construction.
- (14) Item 14 – Tabor minor subdivision: This Pinetown Road development is complete but has some housekeeping items such as placement of the historic marker.
- (15) Item 15 – Christina Piantone: No status, this needs to be researched.
- (16) Item 16 – Barto Level Road minor subdivision: This is almost completed.
- (17) Item 17 – 208 Collegetown Road – minor subdivision - Carbone: This is almost complete with only one lot remaining. There are fees due and some housekeeping issues to take care of.
- (18) Item 18 – Eagle Stream Plaza preliminary major land development - HTC: Audubon Land Associates, the developer, disbanded midstream and Lou Gambone absorbed this project. He flipped the rear townhouse portion to Owl Creek Developers (Sturbridge). They have spent 16 months fighting with all of the builders to get the road improvements completed. An HOP was issued by PennDOT, which shows the improvements to be done. Gambone needs to provide a cost estimate to Chambers Associates. A copy of the plan and the HOP were provided the Mr. McGrory, the attorney for Owl Creek Developers, and the Township has now been told there are DEP issues with the rear property. Mr. Chambers met with the Conservation District, and they said there are not DEP issues, so he is unsure what problems exist. Owl Creek was issued 25 permits, and the Township is holding back 5 additional permits.
 - (a) Mr. Chambers noted that during construction they found a storm sewer off Ridge Pike that was not noted on the plan. This was hit and damaged. A revised plan needs to be submitted and approved by the BOS.
 - (b) Mr. Dunbar noted that HTC Engineering did not show the original drain on their plan and has been put on notice that it must be fixed.
 - (c) Mrs. LaPenta noted that PennDOT issued the signal permit prior to the HOP, which had outstanding comments. All items have now been issued.
- (19) Item 19 – Joy Galetta preliminary – final minor subdivision: The property owner does not have the finances to finish this project at this time.
- (20) Item 20 – 950 Rittenhouse Road minor subdivision: American Investment Corporation, who was going to construct a hotel, owns this. There have been impervious coverage issues. They are trying to convince the owner to work with Rockwell Automation to remove the building and clean up the site. This parcel has been a hindrance to the Business Park Committee.
- (21) Item 21 – John Couchara minor land development: The developer needs a buyer for the property, and they need to rethink what they are going to do with the site.
- (22) Item 22 – Montgomery County Prison major land development: This has been through approvals, and put out to bid. They still need to obtain many of the necessary permits and pay Township fees.
- (23) Item 23 – Turkey Hill Store No 299 preliminary – final land development: This has been through planning and the project should be completed later this year. Funding is provided through Kroger, who is ready to move forward.
- (24) Item 24 – 25 Featherbed (Shrawder Tract) major subdivision: This is a work in progress that should be presented to the PC soon.
- (25) Item 25 – 262 River Road minor subdivision: This project was done. They created a lot with a building in the back of the parcel. They have submitted a deminimus

request to tear down the existing building and rebuild it. This is ready to move forward.

- (26) Item 26 – 2637 Ashley Circle minor subdivision: The plans are done but the project is not moving at this time.
- (27) Item 27 – 3236 Ridge Pike major subdivision: This is the barbershop property. The planning module was rejected and needs to be resubmitted. PennDOT has issued an HOP but asked the Township to consider not putting curbs and sidewalks from Brother Paul’s Restaurant up to the Kimco property, and to study this. Chambers Associates needs to look at this without the curbs and sidewalks. If curbs and sidewalks are added it will take away from the parking area for properties in this area.
 - (a) Mr. Dunbar noted that Chambers Associates would need to locate the telephone pole on the plan and verify which property it is located on. Mr. Chambers will do this.
 - (b) Mrs. LaPenta noted that 26’ from the centerline is no longer what PennDOT always uses, but rather they look at the existing curb line to ensure uniform widening of the road.
 - (c) Mr. Rutledge questioned what the curbing issue was? Mr. Dunbar explained that they have curbs and sidewalks in front of the Kimco Property and barbershop but not other areas along that stretch. PennDOT has asked the Township to look at the uniformity with placement of curbs and sidewalks and verify where water runoff will go. Originally there was a telephone pole on the master plan but now the developer’s engineer is saying that pole is on the Eagleville Pool property so they need Mr. Chambers to verify the true location of the pole.
- (28) Item 28 – 2750 Egypt Road – GW Catering Hall: This plan is in process.
- (29) Item 29 – 2793 Egypt Road – Dr. Nilesh Patel: This plan has gone through the PC and received BOS approval. Mr. Dunbar noted it was at the last Solicitor / Staff meeting.
 - (a) Supervisor DiPaolo noted that Dr. Patel wants to phase in the curbs and sidewalks when the surrounding parcels are developed. He wants to put notes on the record plan and on the adjacent parcel’s plans to defer the curbs and sidewalks until the surrounding parcels are developed so they are consistent.
- h) Mr. Comroe asked if Shannondell was obligated to start construction of Shannondell Blvd. once they get to the 1,000th unit? Mr. Dunbar stated that the road should be opened at that time.
- i) Mr. Dunbar asked that for River Road and the planning module, once the PC work is done and the approval is done, would the PC want information on ongoing work and changes?
 - (1) Supervisor Eckman commented this might be a good idea.
 - (2) Mr. Dunbar noted that the Township received 3 planning modules last week and all of them were denied.
 - (3) Mr. Rutledge commented that he does not need to see all of these things that are coming in.
 - (4) Ms. Zimmerman suggested that the PC just see them if they need some type of recommendation.
 - (5) Mr. Dunbar can show the resolutions to the PC when they are ready.
 - (6) Mr. Chamber indicated that he could add conditions met column to the report.

(7) Mr. Dunbar asked if the PC wanted copies of approved resolutions? Ms. Zimmerman suggested that they just be provided from April 1, 2010 moving forward.

j) Supervisor DiPaolo asked if the five-year clock was from BOS approval? Mr. Chambers indicated that it was. Mr. DiPaolo asked that this date be put on the report.

C. Comments:

1. Mr. Dunbar noted that the BOS renewed the planning services agreement with the Montgomery County Planning Commission (MCPC) to provide lower level planning services to the Board. TCA will do planning services for the bigger picture items.
2. Mr. Dunbar stated that the MCPC was offering a planning course. Only Mr. Comroe has expressed interest, and Mr. Dunbar asked if anyone else wanted to attend?
 - a) Mrs. Satterwhite state that she could not attend all three classes so she did not want to waste money.
 - b) Mr. Kuberksi and Mrs. LaPenta expressed possible interest. Mr. Dunbar will resend the original email with all of the information on this course.
3. Supervisor DiPaolo stated that the Library would host their annual Wine Tasting event Saturday evening from 7-10 p.m.
4. Mr. Dunbar noted there is the 23rd Annual Bike Race on April 18th in the Business Park.
5. There was no public comment during this meeting as there were no members of the public in attendance.

6. Adjourn

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

Next Meeting: April 28, 2010