

**LOWER PROVIDENCE TOWNSHIP  
VILLAGE COMMERCIAL COMMITTEE MEETING  
FEBRUARY 26, 2008 MEETING MINUTES**

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**1) Public Meeting: Call to Order**

- a) Supervisor DiPaolo called the public meeting to order at 7:02 p.m.

**2) Roll Call:**

- a) The following committee members were present: Mrs. Bateman, Mr. Comroe, Mr. DiPaolo, and Mr. Ferraro.
- b) Mr. Borai, Mr. Hager, Mrs. Maris, Mr. Ozorowski, and Mr. Stemple were not in attendance. Mrs. Satterwhite was excused for medical reasons.
- c) Also present was Watson Olszewski from the Montgomery County Planning Commission, and Mr. Michael Siegel, Director of Community Development.

**3) Discussion of Proposed Evansburg Village Commercial Ordinance,  
Draft Modified Classes of Permitted Uses:**

- a) Mr. DiPaolo explained that this meeting was a work session to discuss Mr. Olszewski's document "Proposed Evansburg Village Commercial Ordinance, Draft Modified Classes of Permitted Uses, February 22, 2008," and the action items from the February 18, 2008 meeting.
- b) Mr. DiPaolo wanted to address a remark brought up at last week's meeting by Mr. DiDomenic regarding uses in existing structures that would not require a conditional use. This remark has resulted in Mr. Olszewski's draft of modified classes, which should help encourage re-use of existing buildings.
- c) Committee members present at the meeting concurred that this new structure of classes should encourage re-use of existing structures.
- d) Mr. Ferraro voiced concern over the uses Mr. Olszewski proposes to add to the prohibited use list. With regard to the funeral home, Mr. Ferraro commented that there are two churches in Evansburg, and there is a symbiotic relationship between churches and funeral homes. He would not want to discourage a funeral home from locating in this district. There was a lengthy discussion on this topic.
  - i) Mr. Comroe expressed his concerns of the impact a funeral home could have on parking should the funeral draw a crowd with perhaps 100 cars. Mr. Comroe also alluded to problems associated with funeral homes in regard to chemicals used for embalming and general mortuary services.
  - ii) Mr. Olszewski noted that concerns could be addressed with specific performance standards for this use. He is not aware of specific regulations with regard to embalming, but commented that if a house was totally converted to a funeral home and no one lived there it should not be a problem.
  - iii) Mr. DiPaolo discussed changes in the funeral industry and the associated consolidation of independent homes under larger funeral businesses. These consolidated homes often use a centralized mortuary service, and do not provide those services on-site. There are other areas in the State where there are funeral homes that just hold viewings but do not perform mortuary services.
  - iv) Mr. Siegel recommends placing this use as a conditional use, where special conditions for things such as parking can be applied to the application. Specific performance standards would also be good for this use. Mr. Siegel does not want to see a crematorium associated with this use. Crematoriums are permitted in the Ridge Pike Business District, so there is no need to permit them in this district.
  - v) Mr. Ferraro suggested allowing the funeral home use but prohibiting mortuary services.
  - vi) Mrs. Bateman was in favor of allowing this as a conditional use.

- vii) The group concurred that this use should be permitted without the crematorium or mortuary services, and that performance standards for parking, traffic etc. should be established. This will be added as a Class Three use.
- viii) **ACTION ITEM** – Funeral home will be added to the Class Three uses, with crematory and mortuary services being prohibited.
- e) Mr. Ferraro questioned why sports clubs and health spas were being added as prohibited uses? He thinks a business like Curves or a karate studio should be permitted.
  - i) Mr. Olszewski noted that Curves would be OK but Bally’s would not.
  - ii) Mr. Siegel suggested they could address this under indoor recreation. He remarked that the problem with karate studios was they want too much signage, and there has been a problem with health spas providing other illegal services.
  - iii) Mr. Olszewski suggested providing some of these businesses under personal service. Mr. Siegel reviewed the uses permitted under personal service, and these are not listed.
  - iv) Mrs. Bateman noted that almost every beauty shop has the word spa included now, for services such as facials. Beauty shops are covered under personal service.
  - v) **ACTION ITEM** – The group concurred that sports club and health spa would be removed from prohibited uses, and Indoor Fitness Center would be added as a Class Two use.
- f) Mr. Ferraro commented that library and museum should also not be added as prohibited uses. The size restrictions in the ordinance will take care of such places being too large.
  - i) **ACTION ITEM** – Library and Museum will be removed from the prohibited use list, and added as a Class Two use.
  - g) **ACTION ITEM** – Mr. Siegel remarked that he likes the changes in this draft, and that performance standards should be added in Class Three.
  - h) Mr. Comroe asked why men’s, women’s and children’s clothing stores were listed separately? Mr. DiPaolo noted that in the original use definitions used for this list, each of these had a different type of definition. Mr. Olszewski noted there are other items they may be able to combine such as Baked Good Stores and Cookie Shops.
    - i) **ACTION ITEM** – Mr. Siegel requested that Class Two item 13, establishments serving alcoholic beverages, be moved to Class Three. Any place selling alcohol should be a Class Three use.
    - j) Mr. Olszewski remarked that it does not say you can combine uses in Class Two. Mr. Siegel remarked that if they can fit two uses in space allotted, they could have them.
    - k) Mr. Olszewski asked if there was anything in the ordinance that covered live entertainment?
      - i) Mr. Siegel commented that building size would prohibit certain uses, and the Township’s other ordinances for noise and safety issues would apply.
    - l) There was a discussion of business and professional offices.
      - i) Mr. Siegel read the general office definition. There is no definition for professional office, so the general office definition covers all uses except for medical and dental offices.
      - ii) **ACTION ITEM** – The word “professional” will be removed from item 45 under Class Two uses.
    - m) **ACTION ITEM** – Mr. Olszewski will remove item 5 under Class Three uses, as this is already listed under Class Two, and would be covered under item one of Class Three.
    - n) **ACTION ITEM** – Mr. Olszewski will update the Draft Modified Classes of Permitted Uses document with the changes listed above.
  - 4) **Discussion of Action Items from the February 18, 2008 Meeting:**
    - a) **ITEM 1** – The VCC will review the Class 1 vs. Class 2 uses in relation to their impact on the community.
      - i) This item has been addressed.
    - b) **ITEM 2** – The VCC will review the hours of operation in the ordinance.
      - i) Mr. Olszewski does not think communities are legally permitted to limit the hours of operation on every use.
      - ii) Mr. Siegel commented that you can put standards on them but they are difficult to enforce. However, this can be addressed on the conditional use items.

- c) **ITEM 3** – Mr. Comroe requested that the VCC review the relationship between some of the proposed uses in relation to parking requirements, and suggested that they limit some of the uses in relation to parking.
  - i) This item was addressed during the funeral home discussion.
  - ii) Mr. DiPaolo questioned what the current parking standards were? Mr. Siegel explained that he was revisiting them within the next six months in relation to the work being done in the business park. Current parking standards are in the zoning ordinance and based on use.
  - iii) Mr. Olszewski noted that some of the Evansburg lots are deep, and can be combined to create parking. Mr. Siegel will look into how other municipalities address parking for uses such as funeral homes. Cross access easements will eventually be used, and combined parking areas created. Mr. Siegel noted that a funeral home could always work out an arrangement to lease parking space at the church as needed, and provide shuttle service.
  - iv) Parking will be addressed as part of conditional use applications.
  - v) **ACTION ITEM** – Mr. Olszewski and Mr. Siegel will further investigate and provide information on parking standards.
- d) **ITEM 4** – The VCC will develop lighting standards for the ordinance.
  - i) This will be addressed at a later meeting.
- e) **ITEM 5** – Mr. DiPaolo will have the Township look into the green space between Germantown Pike and Vincent Drive.
  - i) Mr. DiPaolo explained that this related to an area where a buffer or green space was to be located between the back of Vincent Drive and Germantown Pike. This was a concern of Mrs. Elaine Simone at the last meeting, and Mr. DiPaolo asked that Mr. Siegel look into it.
  - ii) Mrs. Bateman commented that she thinks part of the problem is with newer homeowners thinking that they own all the land behind their homes, when part of it is open space owned by the Township.

**5) Additional Discussion on the Evansburg Area:**

- a) Mr. DiPaolo asked about designated trash collection times? Mr. Siegel explained that this is limited and is defined in the trash ordinance. The problem is usually commercial trash collectors and not Mascaro.
  - i) Mr. Siegel asked Mrs. Bateman if there was a problem with air brakes on trucks in the village? Mrs. Bateman is not aware of any problems.
  - ii) **ACTION ITEM** – Mr. Siegel will look into the trash ordinance and hours of operation, and let residents know how the committee responded to this.
- b) Mr. DiPaolo questioned what type of traffic calming techniques they could use in the village? Mr. Siegel has a variety of them, however they must get approval from the County prior to installing them. Mr. Siegel thinks they should go to the County to verify that they do not intend to widen Germantown Pike, and then request permission to work on obtaining grants for traffic improvements.
  - i) Mr. DiPaolo thinks the challenge is on the south side where there is no sidewalk.
  - ii) Mr. Siegel suggested doing a small comprehensive plan on the Evansburg area. They could make a map to show how the new ordinance would affect the area once implemented. This should be done prior to passing the ordinance.
  - iii) Mrs. Bateman asked if, by reducing traffic speed, they could just do a sidewalk on one side of the street?
  - iv) Mr. DiPaolo is not sure how the residents would feel about this. Historically there were only sidewalks along the north side. They could work with Chief Carroll to study the traffic and see if the speed could be reduced. They could also request that a traffic detail work on enforcement in that area.
  - v) There was a discussion of traffic signals and related projects in the Evansburg area. Mr. Siegel noted that by 2030 there is to be a new signal at Cross Keys Road and Germantown Pike, however they may be able to move this up with upcoming changes to the Township's TIF. Also, the warrants would have to be met or PennDOT would not allow the signal to go in.

- vi) **ACTION ITEM** – Mr. Siegel will ask Chief Carroll to run some enforcement action in that area of the Township. Mr. Siegel will also talk to the County Roads and Bridges department to try to obtain buy-in to a traffic-calming plan.
- vii) There was a brief discussion of other mechanisms that could be used to slow traffic in this area of the Township.

**6) Upcoming Meeting:**

- a) The next meeting will be March 4, 2008 in the Community Room of the Library at 7 p.m.

**7) Adjournment:**

- a) The meeting adjourned at 8:45 p.m.