

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS & PLANNING COMMISSION WORK SESSION
JULY 18, 2006 MEETING MINUTES**

1. Call to Order:

A. Mr. Siegel called the meeting to order at 7:10 p.m.

2. Pledge of Allegiance

3. Roll Call:

A. The following supervisors and planning commission members were present: Mrs. Altieri, Mr. Brown, Mr. DiPaolo, Mr. Rutledge, Mrs. Satterwhite, Mr. Stemple, and Ms. Zimmerman.

B. Mr. Dininny arrived late.

C. Mr. Kuberski and Mr. Schlack were excused.

D. Mr. Bodek, Mr. Endlich, Mr. Sassu and Mr. Vibbert were absent.

E. Additional attendees included: Mr. John Chambers, Township Engineer, Police Chief Francis Carroll, and Mr. Michael Siegel, Director of Community Development.

4. Approval of Joint Meeting Minutes from June 20, 2006:

A. **MOTION** – Mr. Stemple made a motion to approve the June 20, 2006 meeting minutes. Mrs. Satterwhite seconded the motion. The motion *passed* 7-0.

5. Topics for Discussion for this meeting:

A. Discussion of the Montgomery County Planning Commission (MCPC) Planning Contract:

1. Mr. Siegel explained that he invited representatives from the MCPC to attend the meeting this evening since the Board of Supervisors (BOS) authorized the Township to enter into a new contract for MCPC services at their last meeting.
2. Mr. John Cover, who runs the Montgomery County Planning Assistance Program, was in attendance with Mr. Tolson DeSa, one of his planners.
3. Mr. Cover indicated that he wanted to find out how they can be of assistance to Lower Providence, and if there were things that the Township would like to change from their previous relationship with MCPC. Mr. Brown noted that the BOS renewed the contract at their last meeting, however Mr. Cover does not have a signed contract back from the Township. Mr. Siegel will follow up with the Township Manager on this item.
4. Mr. Cover explained that, including Lower Providence, they have 31 contracts for planning services with communities in Montgomery County, and four regional planning efforts underway. When the Township did not renew their contract last year, Mr. DeSa was reassigned to other duties and is no longer available as a designated representative for Lower Providence. He will be able to act as a project manager for the Township's new planner, Ms. Jeanne Holland. Ms. Holland has been with MCPC since May 1, and has previous planning experience plus a Master's degree in planning. Mr. Cover noted that Ms. Holland is available for the normal Wednesday evening planning meetings, but unavailable for this Tuesday evening time. Mr. DeSa should probably be able to attend the Tuesday meetings for her.
5. Mr. Stemple questioned if the contract stipulates hours or meeting attendance? Mr. Cover indicated that the contract specifies two evening meetings per month.
6. Mrs. Altieri asked how frequently Mr. DeSa used to attend the BOS meetings? Mr. DeSa noted that this was only when asked for specific projects such as the Ridge Pike Overlay.
7. Mr. Cover explained the planner workload. Lower Providence has a three-planner day contract, which is larger than the typical two-planner day contract. Each planner is typically

assigned four communities with two-planner days each. The planner days are used for setting the contract. There are currently no specific work items identified on the contract. MCPC can be flexible and work on those items identified by the Township. He noted that Upper Dublin is a community similar to Lower Providence, where development has not slowed down after most land has been developed. They are now developing the difficult lots and redeveloping older ones, which could also be the case in Lower Providence. Mrs. Altieri noted that Mr. Dunbar would provide a list of projects to go with the contract.

8. Mr. DiPaolo asked how many projects run concurrently? Mr. Cover noted that there are usually two projects, a larger one and a smaller one. Mr. DeSa reviewed the list of topics for discussion at upcoming meetings on the agenda, noting that all of the items were feasible and he is already familiar with a lot of them.
9. Mr. Brown explained that the pressure was on for redevelopment of the corporate center because of the high vacancy rate. Mr. DiPaolo noted that with the proposed ramps for Rt. 422, they want to identify companies now who would be interested in coming to the corporate center down the road. Mr. Cover questioned the vacancy rate. Mr. Brown explained that it was due to the age of the buildings and the traffic congestion in this area.
10. Mr. Dininny arrived at this point in the meeting. He explained that there are people interested in establishing a major entertainment venue, a melodrome that would be used for professional cycling. This is an indoor arena that can be used for other things when not in use. If an Olympics would come to Philadelphia, the cycling would occur in this building.
11. Mr. Brown noted that the Ft. Washington Expo Center has also expressed potential interest in the corporate center as well.
12. Mr. Dininny noted that Mascaro has been opposing the westbound ramp onto Rt. 422, however this is needed to help redevelopment of the Corporate Center succeed.
13. Mr. Cover requested that Mr. Siegel or Mr. Dunbar submit the prioritized list of projects with the contract as soon as possible.

B. “Clean-Up” Zoning and Subdivision and Land Development Ordinance Amendments:

1. Mr. Siegel explained that this group began reviewing the Clean-Up ordinance last month. This has two parts – the definition clean up that was done last year, and this clean up of Zoning and SLDO that is being done now.
2. Mr. Siegel commented that he received a zoning appeal for 201 Rogers, and is concerned that someone will use the 18,000 sq. ft. lot that is currently in the ordinance. The open space ordinance was created to try to prevent such development.
3. Mr. Brown noted that the last meeting was bogged down with the home business discussion.
 - a) Mr. Siegel noted that he put back use references to doctors and lawyers, and removed any type of business that pertained to construction equipment, landscaping or limousines etc.
 - b) Mr. Brown asked if a piano instructor would be permitted? Mr. Siegel indicated that this would be allowed under teacher.
 - c) There was discussion regarding the type of doctor uses that would be permitted. Mr. Siegel will work with Mr. Onorato to get the appropriate legal terminology. Mr. Brown noted that someone has to live on site to have an in-home business, but the issue during discussions was if it would be no-impact.
 - d) Mr. Cover remarked that a doctor is typically not a no-impact use because of the associated traffic. There are standards for home occupations. He commented that they might want to keep this as a non-conforming use or set specific conditional use criteria so that impacts of traffic, signage, parking etc are reviewed.

- e) Mr. Dininny remarked that a doctor should be able to afford a real office that was not located in a residential area.
 - f) Mr. DiPaolo commented that if you start out small a business might be no-impact, but as they grow they need to move to a larger space.
 - g) Mr. Cover indicated that they need to respect the residential community; no one should know there is a business if it is no-impact. If the business is generating traffic they should have to come before the BOS and adhere to set standards. Mr. Brown noted that they currently have these uses in the Township. Mr. Cover explained that if a new set of standards is developed; if the business grows they will come before the BOS.
 - h) Mr. Dininny questioned the benefit vs. the negative impact of businesses in a residential area. Mr. Cover explained that the law indicates you must allow no-impact businesses, however if it is not no-impact it does not belong in a residential area. This is why standards are important.
 - i) Mr. Siegel reviewed the standards listed in the ordinance.
 - j) Mr. Cover noted they might want to set a standard for how often delivery trucks can come so if a problem arises there is a set of criteria to follow.
 - k) Mr. Chambers noted that most residents do not care about UPS deliveries, but do care if an 18-wheeler is making deliveries.
 - l) Mr. DiPaolo asked how the proposed standards compare to the rest of the county? Mr. Cover indicated that they were off to a good start.
4. Mr. Siegel highlighted some of the other modifications to the ordinance:
- a) Section 143-137 – Mr. Siegel explained that there are no longer 20 acre lots available in the IP District, and the minimum has be set at 3 acres.
 - b) Section 143-145 – non-conforming lots have been placed where they belong.
 - c) Section 143-136 – IP use regulations – Mr. Siegel explained that hotels are a permitted use but must be 1½ miles from an interchanges. This language was eliminated to remove ambiguity. Commercial indoor and outdoor recreational facilities, meeting center or other amusement facilities was added. Mr. Siegel explained that this was defined in zoning but has been inserted as a permitted use in the IP district.
 - (1) Mr. Dininny asked if adult entertainment or private clubs were included? Mr. Siegel indicated that they have already been removed.
 - (2) Mr. Dininny asked if an office building were separated into several offices / suites, would that be permitted? Mr. Siegel indicated that it would.
 - (3) Mr. DiPaolo suggested that when establishing the industrial park there could be subsets within the area to restrict / stagger building heights and uses as you move away from a bordering residential section into the business park.
 - (4) Mr. Siegel explained that he inserted casinos or other state gambling facilities as a conditional use. He thinks that if the Township does not have this as a use, the State could force such facilities in a less desirable location by curative amendment.
 - (5) Mr. Dininny commented that he would rather be forced to do this through the courts than permit the use by right. The other Supervisors were in concurrence. Mr. Siegel will remove this language.
 - (6) Mr. Siegel outlined several other requirements that were removed from the conditional use under E)2)a,b&c.
 - d) Section 143-139 – Mr. Siegel has added language to sign restrictions to prohibit video signs, provide guidelines for digital signs, and use of amber color for displays. The Zoning Hearing Board recommended this language.

- e) Section 143-141 – Item A)2) was eliminated so that gas stations no longer get an additional sign. Item F was modified to provide standards restricting the use of temporary signs to not exceed seven days in a six-month timeframe.
 - f) Section 143-142 – The permitted size for signage in shopping centers has been reduced to match those in the Ridge Pike Business District ordinance.
 - g) Section 143-157)A)3) – language was added at the recommendation of the Township Engineer, to require an as-built elevation, and lot grading and storm water plans to be submitted.
5. Mr. Siegel highlighted changes to SLDO:
- a) Section 123-10 – Mr. Siegel explained that the procedure and processing steps needed to be updated so that someone beside the Township Manager could accept plans. This is listed as “or Township designee,” which permits people working in the front office to accept plans that are submitted.
 - (1) Additionally, all applications must submit an electronic copy of the plan, an erosion & sedimentation control plan, a landscaping plan, a PennDOT plan where appropriate, and a lighting plan.
 - (2) The US Dept. of Agriculture, Soil Conservation Service was updated and listed as Montgomery County Conservation District.
 - (3) Mr. Siegel removed the posting process requirement for de minimus land development.
 - b) Section 123-12 – The number of submitted copies was increased from seven to twenty, to have enough for the PC, BOS and office staff. Mr. DiPaolo suggested that they also submit additional CD’s so that those people who want the electronic file can have it.
 - c) Section 123-18 – This section was modified to permit the submission of an aerial photograph in lieu of showing existing features 200 ft. outside the tract boundary. If needed, Chambers Associates can still require the actual detail on a plan. Mr. Siegel noted that changes were incorporated relating to landscape requirements as recommended by McCloskey & Faber, including the requirement of a signed & sealed plan prepared by a landscape architect.
 - d) Section 123-23 – this was modified to require a Township signature and not a Township seal on the recorded plan.
 - e) Section 123-30 – Mr. Siegel indicated that there have been a lot of waivers to exceed the cul-de-sac length of 800 ft. to be 1,000 ft. He inserted this as a change.
 - (1) Mr. Brown likes it at 800 ft., noting there is more maintenance for the Township with a longer drive.
 - (2) Mr. DeSa indicated that a lot of townships use an even shorter length.
 - (3) Mr. DiPaolo suggested that it stay at 800 ft. because of potential issues with Camp Hideaway. Mr. Siegel will change it back to 800 ft.
 - f) Section 123-36 – This was modified to require a five-foot setback for driveway access. Mr. Siegel noted that there have been a lot of waivers from driveway access separation of at least 200 ft., and changed this to 100 ft. Mr. Brown suggested leaving it at 200 ft. and waiving it as needed.
 - g) Section 123-37 – Again there were changes to landscape requirements as recommended by McCloskey & Faber.
 - (1) Tree caliper requirements for shade trees was increased from 2” to 2 ½”, and planting strips between rows of cars have increased from a 5’ minimum to a 10’ minimum.
 - (2) Language was added to require pedestrian crossovers made of paving blocks for planting strips.

- (3) A requirement for four outdoor cart corrals was added for retail uses. Mrs. Altieri questioned if this would count against parking spaces, which it will, and indicated that she would like to see the number of cart corrals tied to the square footage of the building so that it is more appropriate.
 - (4) The reference to deciduous material has been changed to shade trees.
 - (5) Handicap parking must be installed that indicate the penalty for violating PA standards.
 - h) Section 123-40 – The reference to BOCA (no longer existing) has been changed to ICC Property Maintenance Code.
 - i) Appendix A Engineering Standards – has been updated to indicate the appropriate SuperPave course for paving.
 - (1) Supervisor DiPaolo questioned changes to 123-61 for As-built plans. Mr. Chambers explained that they want the plans as-built prior to U&O, and as-built for public facilities such as sewer.
- C. Proposed Mixed Use Overlay District or Mixed Use Zoning Class within the Industrial Zoning District for the Valley Forge Corporate Center:
- 1. This item was not addressed this evening.
- D. Acreage for the R-4 zoning district from 5 acres to 10 acres:
- 1. This item was not addressed this evening.
- E. Other Business:
- 1. Mr. Siegel questioned what item the group would like to look at for the next meeting. He will have the final changes for the clean-up ordinance at that time.
 - a) Mr. Dininny mentioned addressing issues with Evansburg and the VC ordinance. He questioned if anyone was interested in a historical district for that area? Mr. DiPaolo noted that there are different levels of historical district, and suggested reviewing several model ordinances relating to that topic.
 - b) Mrs. Kathy Maris commented that she lives in Evansburg and opposes the creation of a Historical District. She does not want anyone coming in and telling her how to take care of her property. If this will be on the next agenda, she will tell everyone to come in for that meeting to discuss this.
 - c) Mr. Siegel noted that Evansburg is currently classified as a National Historic District, and asked if they wanted some restrictions in the district so prevent people from bulldozing properties?
 - d) Mr. DiPaolo commented that Evansburg is classified as VC, and they are trying to address and fix that aspect of it. Mrs. Maris does not want what happened to Audubon to occur in Evansburg. She remarked that she has put a lot of money into her house and does not want anyone telling her what to do with it.
 - e) Mr. Brown commented that they are trying to change VC for Evansburg back to where it used to be prior to changes to the existing ordinance.
 - f) Mr. Dininny commented that they need to change the Audubon situation, and want to look at Evansburg and Audubon to see if they can make it better. They do not want buildings that are too large constructed on small lots. Mrs. Maris stated that the creation of a Historical District is not the way to go.
 - g) Mr. Dininny commented that the word “historical” needed to be removed from the district.
 - 2. Mr. Dininny commented that they need to begin the Industrial Park discussion at the next meeting. Mrs. Altieri indicated that it could be the large project, and could approach Evansburg as the small project.

3. Mr. Siegel will have Mr. Onorato make legal changes to the clean-up ordinance for the next meeting as well.

F. Topics for discussion in upcoming meetings:

1. Revised Village Commercial Ordinance.
2. Proposed Evansburg Historical District Ordinance.
3. Proposed Stormwater BMP, Erosion Control and Riparian Buffer Ordinance.
4. Updating the Township Comprehensive Plan.
5. Acreage for the R-4 zoning district from 5 acres to 10 acres.
6. Preliminary and Final Plan land development / subdivision approval process.
7. The creation of Private Roads.

G. Advertised Dates for Future Meetings Are:

1. August 15, 2006
2. September 19, 2006
3. October 17, 2006

6. Adjourn

- A. **MOTION** – Mr. Dininny made a motion to adjourn the meeting. Mrs. Altieri seconded the motion. The motion passed 8-0. The meeting ended at 9:22 p.m.

Next Meeting: August 15, 2006 – Work Session with Board of Supervisors & Planning Commission