

**LOWER PROVIDENCE TOWNSHIP
PLANNING COMMISSION
OCTOBER 27, 2010 MEETING MINUTES**

1. Call to Order:

A. Ms. Zimmerman called the Planning Commission meeting to order at 7:35 p.m.

2. Pledge of Allegiance

3. Roll Call:

A. The following planning commission members were present: Mr. Comroe, Mr. Kuberski, Mrs. LaPenta, Mr. Rutledge, Mrs. Satterwhite, and Ms. Zimmerman.

B. Mr. Brooke, Mr. Endlich and Mr. Schlack were absent

C. Additional attendees included: Mrs. Colleen Eckman, Board of Supervisors Liaison, Mr. Lonnie Manai, Township Engineer, and Ms. Randee Elton, Director of Planning & Development.

4. Approval of Planning Commission Meeting Minutes:

A. Planning Commission Meeting Minutes for September 22, 2010:

1. **MOTION** – Mr. Comroe made a motion to approve the September 22, 2010 Planning Commission Meeting minutes. Mr. Kuberski seconded the motion. The motion *passed* 6-0.

5. New Business:

A. S-10-01 Shoppes at Audubon:

1. Ms. Bernadette Kearney, Esq., HRMML, Mr. Brad Macy, Audubon Properties, Inc., and Mr. Rolph Graf, P.E. Graf Engineering, was present to discuss this application.
2. Ms. Kearney indicated that they needed input from the Planning Commission regarding the May 26, 2010 Waiver Request letter.
3. Mr. Macy noted there were a lot of issues with PennDOT that they have been trying to resolve. PennDOT would like them to get five lanes across the existing bridge before they will permit the signal at Egypt & Pinetown Roads. They need to do structural calculations on the bridge to ensure it can handle the additional load. If the bridge is structurally sound, they will be installing the signal and all road improvements.
 - a) Mr. Kuberski asked if this was definitely going to happen? Mr. Macy stated it was contingent upon the ability to get five lanes across the bridge.
 - b) Ms. Zimmerman asked how long it would take to signalize the intersection? Mr. Macy indicated it would be 6-9 months.
 - c) Mr. Comroe noted that for the record, there were 47 accidents at that intersection since 2005, with over 20 of them involving injuries. He is concerned that the Township would be held liable if the project goes in without a light at that intersection and another accident occurs. His approval of this plan will be contingent upon the requirement for a traffic light at that intersection.
 - d) Mr. Macy understands this, and they are willing to put the light in as long as PennDOT approves it.
 - e) Ms. Zimmerman agreed that the intersection was dangerous, however it really is dependent upon PennDOT's approval of the signal.
 - f) Ms. Kearney noted that case law clearly indicates that the Township cannot prevent them from developing the land if it is PennDOT who will not permit the signal to be installed.
 - g) Mrs. LaPenta stated it would be worse once the land is developed. Ms. Kearney explained how that would not matter, because the dangerous intersection exists today.

- h) Mr. Macy noted they would do everything they can to put that light in, however it will be PennDOT who has the final say in the matter. Mr. Comroe reiterated his concerns with dangerous conditions at that intersection.
 - i) Mrs. LaPenta discussed the need for the fifth lane to increase capacity. Mr. Graf discussed how this problem exists with four lanes and noted the fifth lane would be a turning lane leading toward Oaks. There was a discussion of the impacts adding another lane toward Audubon.
 - j) Mr. Macy noted they would not be able to install the light without the fifth lane. He noted that the Township's Traffic Engineer is up to speed on the situation.
 - k) Mrs. LaPenta stated they would need to coordinate the signals. Mr. Macy noted that there are different boxes used by Lower Providence and Upper Providence.
4. Ms. Kearney stated they should address the waiver requests.
- a) Mr. Graf noted the primary concern is safe ingress and egress at the site. On the right side of the plan, Thomas Commita Associates (TCA) was questioning the close proximity to the property line, the landscape materials proposed and buffering. They moved the front edge away from the property line and put in a substantial buffer.
 - b) Most letters from TCA and Chambers have been pretty clean. There are issues in the Chambers letter regarding stormwater calculations, but no changes are required. The TCA letter supports the layout adjustment based on the last time they were in with the plan. There are just some landscape issues.
 - c) Mr. Graf noted they extended one of the landscape areas, and showed this on the plan. This was acceptable to TCA as long as they added or redistributed the other islands.
 - d) Mr. Graf noted both Zoning and SALDO have a parking offset from the property line, however they are different. Zoning is 10' to the front and 5' to the side and 10' to the back, SALDO requires an additional 20' buffer between parking areas. They have complied completely with Zoning. They originally were going to keep the front area for reserve parking, however they are now proposing to construct this area up front based on proposed tenants. They are required to do 114 spaces and are proposing 133, again based on projected use. They are going to request a waiver to allow parking in that front area. There is still a significant green area at the front of the parcel.
 - e) Mr. Manai noted that for the proposed parking area, if they leave it green they will need to put a curb in there.
5. Mr. Comroe questioned the size of the buildings, and asked if they were going to subdivide them? Mr. Graf noted they are 10,000 sq. ft. in the largest building. They are limited to three retail establishments per building, for a total of nine.
6. Waiver Requests:
- a) Section 123-37.E – Requiring parking areas be a minimum of 20 feet away from the property boundaries and the ultimate right-of-way line.
 - (1) Ms. Zimmerman noted that the edge of parking along Egypt Road has a 10' setback, and 45' of green area, which is a significant green buffer.
 - (2) **MOTION** – Mr. Comroe made a motion to recommend that the Board of Supervisors grant this waiver request. Mr. Kuberski seconded the motion. The motion *passed* 6-0.
 - b) Section 123-37.L.2.a – Requiring that facing rows of parking stalls be separated by a landscaped planting strip a minimum of eight feet in width.
 - (1) Ms. Zimmerman noted that they have actually increased the size of the island in exchange they are requesting not having an island every eight spaces.

(2) **MOTION** – Mr. Comroe made a motion to recommend that the Board of Supervisors grant this waiver request. Mrs. Satterwhite seconded the motion. The motion *passed* 6-0.

7. **MOTION** – Mrs. Satterwhite made a motion to recommend that the Board of Supervisors grant preliminary plan approval for S-10-01. Mr. Comroe seconded the motion contingent upon the applicant doing everything in their power to secure traffic signalization at that intersection.

a) Ms. Zimmerman added that in the event PennDOT does grant approval for the traffic signalization that the applicant be required to install that signal. Mr. Comroe seconded this addendum as well.

b) **MOTION VOTE** – The motion *passed* 6-0.

8. There was no public comment on this matter.

B. 2011 Meeting Schedule:

1. **MOTION** – Mr. Comroe made a motion to accept the 2011 meeting schedule as listed, and recommend that the Board of Supervisors advertise the dates. Mrs. LaPenta seconded the motion. The motion *passed* 6-0.

6. Other Business:

A. None.

7. Adjourn

A. **MOTION** – Mr. Comroe made a motion to adjourn the meeting. Mr. Kuberski seconded the motion. The motion *passed* 6-0. The meeting ended at 8:10 p.m.

Next Meeting: November 17, 2010