

**LOWER PROVIDENCE TOWNSHIP
PLANNING COMMISSION MEETING
MAY 22, 2019 MEETING MINUTES**

1) Call to Order

A) Chairman Kuberski called the meeting to order at 7:00 p.m.

2) Roll Call:

A) The following board members were in attendance: Mr. David Atkins, Mr. William Brooke, Ms. Ginny Kricun, Mr. Mark Kuberski, Ms. Susan LaPenta and Ms. Kristina O'Donnell.

B) Also in attendance: Mr. Mike Mrozinski, Director of Community Development; Peter Nelson, Solicitor; Lonnie Manai, Township Engineer; John Miklos, Montgomery County Planning Commission; and Gary Neights, Board of Supervisors Liaison.

3) Approval of Planning Commission Meeting Minutes of March 27, 2018

A) **MOTION:** Mr. Brooke made a motion to move the minutes of March 27, 2018, as corrected, into the record. Ms. Kricun seconded the motion. The motion *passed* 6-0.

4) Presentation:

A) Proposed Zoning Text Amendment – Village House use in R2 Zoning District

i) Mr. Mrozinski reviewed the rewrite of the residential zoning ordinances and the addition of a use in the R2 District to allow for a smaller-lot type of house. He reviewed the proposed changes.

(1) Ms. O'Donnell asked if the allowable impervious space is more, less or equal to the open space requirements. Discussion was held regarding the percentages of impervious based on the open space requirement and total acreages as well as types of impervious and pervious materials and how they apply to the ordinance.

(2) Ms. Kricun asked about the impact of putting denser houses next to larger lot housing. Mr. Mrozinski discussed the values of these types of housing. Ms. O'Donnell said that the setbacks will still be maintained.

(3) Ms. O'Donnell asked for clarification for the measurements of decks noted in the amendment. She also expressed concern that a whole house generator is considered an accessory structure and could create a hardship for residents who also want a shed. Mr. Mrozinski said he would work with Mr. Nelson on wording to clarify that issue. Mr. Nelson said the wording does not allow generators so that language will need to be addressed.

(4) Ms. Kricun confirmed that the 10-foot side yard definition was correct.

5) New Business

A) 3640 Ridge Pike – House to Home – Consideration of zoning ordinance – steep slope impacts of proposed subdivision plan to residential sections of Zoning Ordinance.

i) Erik Wurt, on behalf of House to Home Strategies LLC presented the zoning ordinance.

ii) The engineer for the applicant reviewed the site plans. He explained the proposed land swap as shown on the proposed plan.

iii) Ms. O'Donnell expressed concerns that they did not have enough information to make an informed decision. Discussion was held regarding the role of the Planning Commission for approving the ordinance. Ms. O'Donnell said she did not feel there is a true hardship as the developer knew the lots' properties when purchasing.

- iv) Mr. Atkins said that the way that the ordinance currently stands is so that development does not harm the environment or defeat the purpose of responsible development. Discussion was held regarding the impact to the steep slopes on the property.
- v) Discussion was held about proposed driveways and easements.
- vi) Discussion was held regarding emergency service access.
- vii) The Board expressed concerns about recommending the zoning ordinance based on a hardship created by the developer purchasing a property with steep slopes.
- B) **MOTION:** Ms. O'Donnell made a motion to recommend denial of the request for variance from Section 143-240.B to allow access driveway to encroach into the Overlay District. Ms. Kricun seconded the motion. The motion *passed* 6-0.
- C) **MOTION:** Mr. Brooke made a motion to recommend denial of the request for variance from Section 143.240.C to allow clearing and excavation of land in the Overlay District. Ms. O'Donnell seconded the motion. The motion *passed* 6-0.
- D) **MOTION:** Ms. O'Donnell made a motion to recommend denial of the request for variance from Section 143-239 to permit required front yard and side yards to be encumbered by the Steep Slope Overlay. Mr. Brooke seconded the motion. The motion *passed* 6-0.
- E) **MOTION:** Ms. O'Donnell made a motion to recommend denial of the request for variance from Section 143-239.B to permit sanitary sewer system and utilities within the overlay District. Ms. Kricun seconded the motion. The motion *passed* 6-0.
 - i) Mr. Atkins explained that while he doesn't consider steep slopes sacred, he does feel it is important for the Zoning Hearing Board to be careful with steep slope development and that this may be the wrong plan for the wrong place. Mr. Kuberski agreed.
- 6) **Motion to Adjourn:**
 - A) **MOTION:** Mr. Brooke made a motion to adjourn. Mr. Atkins seconded the motion. The motion *passed* 6-0. The meeting adjourned at 8:15 p.m.

Next Meeting: June 26, 2019 – 7 p.m.