

**LOWER PROVIDENCE TOWNSHIP
PLANNING COMMISSION MEETING
SEPTEMBER 26, 2018 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 Akers, Mr. David Atkins, Mr. William Brooke, Mr. Mark Kuberski, Ms. Susan LaPenta and Ms. Kristina O'Donnell,

B) Also in attendance: Mr. Mike Mrozinski, Director of Community Development; Mr. Tim Woodrow, Township Engineer; Mr. Peter Nelson, Solicitor; and Maggie Dobbs, Montgomery County Planning Commission.

3) Approval of Planning Commission Minutes of June 25, 2018

A) **MOTION:** Mr. Brooke made a motion to move the minutes of July 28, 2018 into the record. Mr. Akers seconded the motion. The motion *passed* 6-0.

4) New Business

A) Consideration of S-18-01 – 3531 Arcola Road – Minor Subdivision Plan

i) Joe Clement, on behalf of the applicant, presented the plan. He stated the applicant will comply with the Woodrow and Associates letter but waivers would be required for driveway, sidewalk and curbing issues. Mr. Clement said they also will be requesting a waiver regarding trees in the property, however a tree of interest on the property will be preserved. Ms. O'Donnell suggested a tree replacement fee if they have to remove trees.

ii) Ms. La Penta asked if there was any way to improve site lines. Mr. Clement said there was not due to the existing wall.

iii) Mr. Woodrow said that the historical influence of the wall is significant and agreed that the waivers should be granted.

iv) Maggie Dobbs confirmed that when tree replacement is being discussed, a fee in lieu of can be applied. Mr. Clement said that they will be removing approximately 12 trees and will talk with consultant to determine outcome.

v) PUBLIC COMMENT

(1) Laura Winslow, Tyson Mill Road, stated that she found out about the hearing at a late date as it was not posted on the online agenda. Ms. Winslow expressed concerns about preserving the historical nature of the property, stating that this piece of Township history should be preserved. She would like to see community use for the existing house as a historical educational property and would like any connection to the underground railroad be documented on the site so they are not accidentally destroyed during construction.

(2) Kathy Byer expressed concerns about the tree removal and asked that the Township be diligent in its determination of removal and replacement. She expressed concern about the impact of increased stormwater and asked if the preservation of the house is in writing. Solicitor Nelson said they can make it a condition of the waiver that a deed restriction be put in place that if the wall comes down the owner will be obligated to put in the road widening. Mr. Nelson said that they cannot restrict removing the wall without historic designation. Ms. Winslow said she has been in contact with the County to try to determine historical significance. Maggie Dobbs said that she can help the residents identify resources to get historical designation. Discussion was held regarding potential strategies for listing the property as historic.

vi) Waiver Requests:

- (1) **MOTION:** Mr. Akers made a motion to approve the waiver request for Section 123-31 regarding road widening. Mr. Atkins seconded the motion. The motion *passed* 6-0.
- (2) **MOTION:** Mr. Brooke made a motion to approve the waiver request for Section 123-33 regarding sidewalks. Mr. Akers seconded the motion. The motion *passed* 6-0.
- (3) **MOTION:** Mr. Akers made a motion to approve the waiver request for Section 123-42/43 regarding grading and stormwater plans. Ms. O'Donnell seconded the motion. The motion *passed* 6-0.
- (4) **MOTION:** Mr. Brooke made a motion to approve the waiver request for Section 123-32 as it pertains to Arcola Road. Mr. Akers seconded the motion. The motion *passed* 6-0.
- (5) **MOTION:** Mr. Akers made a motion to approve the waiver request for Section 123-36 regarding site distances. Mr. Atkins seconded the motion. The motion *passed* 6-0.

vii) Discussion was held regarding a waiver for tree replacement. Mr. Clement said they are not asking for that waiver at this time. Mr. Nelson said that it should be noted that this issue will be dealt with during the building permit stage.

viii) **MOTION:** Ms. O'Donnell made a motion to recommend preliminary/final approval to the Board of Supervisors, conditioned upon compliance with all committee letters and the restriction that should the wall be removed curbing, road widening and sidewalks would need to be applied. Mr. Brooke seconded the motion. The motion *passed* 6-0.

B) Consideration of LD-16-03 – Audubon Square Phase 2 Revised Final Land Development Plan

- i) Brad Macy of Audubon Land Development reviewed the plan. He said they will reply with all review letters. Discussion was held regarding the development to date. Ms. Dobbs encouraged the applicant to incorporate the county's green parking lot guidebook's recommendations.
- ii) **MOTION:** Ms. O'Donnell made a motion to approve the Amended Final Plan conditioned upon compliance with review letter and considerations made by the county. Mr. Atkins seconded the motion. The motion *passed* 6-0.

5) Public comment

- A) Kathy Byer asked if there would be any phase 1 studies required of the Arcola Road development. Mr. Woodrow said that was an obligation of the sewer project due to the type of permitting. With a single-family home that is not a requirement however if items were found they would have to stop and have the project evaluated. Mr. Nelson suggested she come to the Board of Supervisors meeting to express her concerns. She said the land had never been disturbed and could be significant.

6) **Motion to Adjourn:**

- A) **MOTION:** Mr. Brooke made a motion to adjourn. Ms. O'Donnell seconded the motion. The motion passed 6-0. The meeting adjourned at 8:25 p.m.

Next Meeting: October 24, 2018 – 7 p.m.