

**LOWER PROVIDENCE TOWNSHIP
PLANNING COMMISSION MEETING
AUGUST 26, 2020 MEETING MINUTES**

1) Call to Order

A) Chairman Kuberski called the Zoom Virtual 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. Virginia Kricun, Mr. Mark Kuberski, Ms. Susan LaPenta, and Ms. Kristina O'Donnell.

B) Also in attendance: Mr. Mike Mrozinski, Director of Community Development; Mr. Peter Nelson, Solicitor; Mr. Robert Jordan, Woodrow & Associates; Mr. Casey Moore, McMahon Associates; Mr. John Miklos, Montgomery County Planning Commission; Ms. Cara Coless, Board of Supervisors Liaison.

3) Approval of Planning Commission Meeting Minutes of July 22, 2020.

A) **MOTION:** Motion by W. Brooke, second by V. Kricun to move the minutes of July 22, 2020 into the record. The motion *passed* 6-0.

4) New Business – Consideration of LD-20-02 preliminary/final minor land development plans for Salters Fire Damage Rebuild, 3130 Ridge Pike.

A) Requested Waivers:

1. **MOTION: §123-31.K** – Dedication of Ultimate Right-of-Way to the entity with jurisdiction on the road frontage; PennDOT. No offer of dedication of Right-of-Way to PennDOT is proposed and since this is a reconstruction project and not a new development – **Motion** to recommend denial of granting of waiver by K. O'Donnell, second by W. Brooke. Motion *passed* 6-0.
2. **§123-31.L** – There is a portion of an existing wall in the Ultimate Right-of-Way that is not proposed to be removed. **Request** for waiver **withdrawn** by applicant.
3. **MOTION: §123-32** – No curb or storm changes are proposed for this project as it is a reconstruction of an existing use. **Motion** by K. O'Donnell, second by W. Brooke to recommend grant of waiver conditioned on a fee in lieu of required curb or storm changes. Motion *passed* 6-0.
4. **MOTION: §123-33** – Sidewalks: this is a partial waiver requested for a paver walkway. **Motion** by S. LaPenta, second by V. Kricun to recommend granting of waiver. Motion *passed* 6-0.
5. **§123-36.I** – No changes are proposed to the existing driveway. **Request** for waiver **withdrawn** by applicant.

6. **§123-36.K** – Other than narrowing, no changes are proposed to the existing driveway and no driveway permit is required to comply with this section. **Request** for waiver **deferral** by applicant.
7. **§123-37.A** – Parking is being brought closer to conformity but is an existing non-conformity. **Request** for waiver **withdrawn** by applicant.
8. **MOTION: §123-37.E** – The non-compliant parking on the site is an existing non-conformity and will not be altered. **Motion** by W. Brooke, second by K. O'Donnell to recommend granting of waiver. Motion *passed* 6-0.
9. **MOTION: §123-37.F** – The non-compliant parking on the site is an existing non-conformity and will not be altered. **Motion** by W. Brooke, second by K. O'Donnell to recommend granting of waiver. Motion *passed* 6-0.
10. **§123-37.H** – The existing spaces are not being altered for compliance with this section. Defer to Township Consultants.
11. **§123-37.L.(4)** – Landscaping is an existing non-conformity and will not be altered for this section. **Request** for waiver **withdrawn** by applicant.
12. **MOTION: §123-37.O** – some spaces are less than the requirement, though they are existing spaces and an existing non-conformity that will remain. **Motion** by W. Brooke, second by V. Kricun to recommend granting of waiver. Motion *passed* 6-0.
13. **§123-37.P** – Loading spaces. Defer to Township Consultants.
14. **§123-39.G** – Existing portions of the building to remain during reconstruction are outside the setback areas and will remain. There are no proposed building elements that will increase non-compliance. **Request** for waiver **withdrawn** by applicant.
15. **§123-41.E** – No alterations to drainage are proposed and no easements will be provided. **Request** for waiver **withdrawn** by applicant.
16. **§123-42 – Grading:** The only proposed earth moving is for construction of foundation walls and there is no intent to alter the topography of the project site and any minor changes at the perimeter of the proposed building do not rise to the level of the intent of this section. **Request** for waiver **withdrawn** by applicant.
17. **§123-43 – Stormwater management:** The proposed conditions will no increase impervious coverage, nor alter drainage patterns. The intent is for the proposed conditions to match the existing conditions and the limited changes to the site make this section irrelevant. Defer to Township Consultants.
18. **§123-44.D** – Excavation for construction is proposed, but does not rise to the level needed for stormwater control as it is solely for the foundation construction. Defer to Township Consultants.
19. **§123-47—sanitary sewer.** Existing utilities to remain. **Request** for waiver **deferral** by applicant.
20. **§123-48—water supply.** Existing utilities to remain. **Request** for waiver **deferral** by applicant.

21. **§123-48C—fire hydrants.** Existing utilities to remain. **Request** for waiver **deferral** by applicant.
22. **§123-49 – Utilities:** No changes to the utilities that serve the site in existing conditions are proposed and no additional restrictions on an existing lot for an existing use should be imposed. **Request** for waiver **deferral** by applicant.
23. **§123-50 – Landscaping:** as no changes in reduction of existing landscaping are proposed for these plans and any areas not meeting this section is an existing non-conformity. Defer to Township Consultants.
24. **§123-51 –** The existing site is fully developed and no natural features or critical impact areas exist. **Request** for waiver **withdrawn** by applicant.
25. **MOTION: §123-52 – Shade Trees:** as no changes in reduction of existing landscaping are proposed for these plans and any areas not meeting this section is an existing non-conformity. **Motion** by W. Brooke, second by K. O'Donnell to recommend granting of waiver conditioned on provision of a fee in lieu of tree planting. Motion *passed* 6-0.
26. **§123-55 –** There are no changes to the site lighting proposed as part of this reconstruction project. **Request** for waiver **withdrawn** by applicant.
27. **§123-58—Performance Guarantee.** This is a fire reconstruction project. Only minor public improvements are proposed. We are requesting a waiver from the financial requirement. **Request** for waiver **deferral** by applicant.
28. **MOTION: Part 2 – Ultimate Right-of-way – Article IX –** no right-of-way is to be offered for dedication. This project is a fire rebuild. This waiver request was included with motion for request # 1 related to Ultimate Right-of-way, **recommending to deny** requested waiver. Motion *passed* 6-0.
29. **Part 3 – Stormwater and Erosion Control – Article X:** no increase in impervious is proposed for the project site or alteration of existing drainage patterns that would necessitate stormwater analysis. **Request** for waiver **withdrawn** by applicant. Will comply with twp engineer recommendation.
30. **Part 6 – Recreation Land and Fees – Article XIX:** this waiver request is for all items of this section. However, per Section 123-108.B, the site is not applicable as the building area does not meet the intent of this section as it is not an area in addition area that existing prior to the ordinance, but replacement area for an existing structure that was lost to fire. **Defer** to Board of Supervisors.
31. **Part 8 – Business Districts – Article XXI:** The project is for the reconstruction of an existing business that was destroyed by fire with a slightly smaller structure. **Request** for waiver **deferral** by applicant.
32. **Part 9 – Natural Resources Protection – Article XXIII:** The project is for the reconstruction of an existing business that was destroyed by fire with a slightly smaller structure. **Request** for waiver **deferral** by applicant.

33. **§67-5—Impact fees.** The project is for the reconstruction of an existing business that was destroyed by fire with a slightly smaller structure. **Request** for waiver **deferral** by applicant.
34. **Chapter 96—Impact fees.** The project is for the reconstruction of an existing business that was destroyed by fire with a slightly smaller structure. **Request** for waiver **deferral** by applicant.
35. **Section 143—off-street parking standards.** Need to discuss parking counts, shared parking. **Request** for waiver **deferral** by applicant.
36. **Article XXXIII—Ridge Pike Business District:** additional requirements. The project is for the reconstruction of an existing business that was destroyed by fire with a slightly smaller structure. **Request** for waiver **deferral** by applicant.

Impact Fees:

1. Traffic Impact: None recommended
2. Park and Rec: \$13,018.50 Applicant will be requesting a waiver from BOS

The Commission did not make a recommendation about the plan at this time.

- 5) **New Business** – Consideration of DeMinimis Land Development Plans– S-20-02 – Eagleville Elementary School.
 - 1) Following presentation and discussion, **MOTION** made by W. Brooke, second by D. Atkins to recommend DeMinimis Land Development plan approval for S-20-02 – Eagleville Elementary. Motion *passed* 6 – 0.
- 6) **Public Participation** – Items not on the agenda (Limited to 30 minutes) - **None**
- 7) **Motion to Adjourn:**
 - A) **MOTION:** Motion by W. Brooke, second by D. Atkins to adjourn. The motion *passed* 6 – 0. Meeting adjourned at 9:41 PM.

Next Scheduled Meeting: September 23, 2020 – 7:00 PM