

WHITPAIN TOWNSHIP PLANNING COMMISSION DECEMBER 2016

A work session of the Whitpain Township Planning Commission was held on Tuesday, December 13, 2016 at 7:00 PM at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA for the purpose of reviewing the agenda of the public meeting to be held that evening. Chairman Kenneth Corti presided with Commission members Bradley Tate, Richard Shorin, Tory Meitner, Otis Hightower and Edward McLaughlin present. Township Engineer James Blanch, Township Planning Consultant E. Van Rieker, Assistant Zoning Officer William McManus and Recording Secretary Gregory Monte were also present. Planning Commission member Penelope Gerber was absent.

1. Review of a Land Development Plan for the Blue Bell Quarters project. This application involves the construction of an 5,310 square feet building at 1155 DeKalb Pike, which is located on the western side of DeKalb Pike between Cherry Road and Skippack Pike. Access to the site will be from a new entrance on DeKalb Pike. The property is located entirely within the C-Commercial Zoning District.

Mr. Blanch provided a brief background of the application noting that the applicant is proposing (6) six units for the land development. Mr. Rieker noted that the applicant received approval for (6) six units from the Zoning Hearing Board.

Chairman Corti asked if the applicant has sufficient parking for the number of units proposed. Mr. McManus responded that each unit will have 2.5 parking spaces.

Chairman Corti asked if access to and from the site will be from Route 202. Mr. Blanch replied yes.

2. Review current zoning hearing board applications.

- 1) **NO. 2096-16: PAOLO AND NATALIE PILEGGI** request a variance from Article VII, Section 160-34 relating to side yards for single family detached dwellings, Article XXVIII, Section 160-203 relating to projections into side yards, Article XXVIII, Section 160-202 relating to projections into front yards and a special exception pursuant to Article VII, Section 160-33 relating to front yards on corner lots to allow construction on the property located at 1701 Arlington Rd., Blue Bell, PA, 19422 in the Township's R-2 Residential District of a 16' by 30' family room addition and a 25' by 30' two story garage addition with a second floor master bedroom. Applicants requested variance relief, if granted, will (1) allow the Applicant to construct the said family room addition projecting into the side yard of the Property when the Ordinance prohibits same and (2) will reduce the side yard width to 14 feet when the Ordinance requires at least 25 feet and (3) will allow the Applicant to construct the two story garage addition projecting into the front yard when the Ordinance prohibits same and (4) obtain a special exception to allow the depth of the front yard on the long side of the property to be less than 50' wide.

The Planning Commission commented that the application seemed to be benign.

- 2) **NO. 2097-16: ROBERT AND DONNA McGRATH** request a variance from Article V, Section 160-13 relating to use regulations to allow the use of an area in the rear of the Applicants' property located at 721 Cathcart Rd., Blue Bell, PA, 19422 in the Township's R-1 Residential District as a firewood storage area. Applicants requested variance relief, if granted, will allow the Applicants use the rear area of their Property to store firewood when the Ordinance prohibits such use.

The Planning Commission noted some concerns with having this kind of business in a residential area.

3. Review Medical Marijuana Zoning Ordinance

The Planning Commission had a discussion regarding the proposed ordinance. Mr. Rieker noted that the Medical Marijuana Act was adopted in July 2016 by the Pennsylvania legislature.

4. Review of pertinent planning issues.

There were no pertinent planning issues to discuss.

The work session adjourned at 7:30 PM, at which time the Planning Commission Members left for the public meeting.

Respectfully submitted,



Gregory L. Monte, Recording Secretary

WHITPAIN TOWNSHIP PLANNING COMMISSION MEETING DECEMBER 2016

The ninth meeting of the Whitpain Township Planning Commission for the year 2016 was held on Tuesday, December 13, 2016 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA. Chairman Kenneth Corti presided with Commission members Bradley Tate, Richard Shorin, Tory Meitner, Otis Hightower, and Edward McLaughlin present. Township Engineer James Blanch, Township Planning Consultant E. Van Rieker, Assistant Zoning Officer William McManus and Recording Secretary Gregory Monte were also present. Planning Commission member Penelope Gerber was absent.

Chairman Corti called the meeting to order at 7:30 PM. The members of the Planning Commission and Township Staff introduced themselves to the public that were present.

1. Approval of minutes.

Chairman Corti called for any comments or questions on the November meeting minutes from the audience. There being none, Mr. Meitner made a motion, seconded by Mr. Shorin, to approve the minutes of the November 9, 2016 meeting of the Planning Commission. The motion passed: 6-0.

2. Review of a Land Development Plan for the Blue Bell Quarters project. This application involves the construction of a 5,310 square feet building at 1155 DeKalb Pike, which is located on the western side of DeKalb Pike between Cherry Road and Skippack Pike. Access to the site will be from a new entrance on DeKalb Pike. The property is located entirely within the C-Commercial Zoning District.

Present for the Applicant: George Broseman, Esq., Kaplin Stewart
Estabrak (Joe) Habboush, Applicant
Theresa Aldamlouji, Architect

Mr. Broseman provided a background of the application stating that Mr. Habboush is a township resident and the principal of 1155 DeKalb Associates. He mentioned that the property is zoned Commercial. Mr. Broseman noted that the applicant was before the Zoning Hearing Board to obtain approvals to build a modern building with six (6) units on the vacant lot that originally had a four (4) unit dwelling that was demolished. He mentioned that the applicant is here tonight to receive a recommendation for approval of the preliminary land development plan. Mr. Broseman noted that the applicant has received review letters from the Township Engineer and other Consultants and will comply with all comments. Additionally, he mentioned that the applicant is proposing some waivers and deferrals. Mr. Broseman noted that Mr. Habboush and his architect looked at Broad Axe Tavern and Broad Axe Station for inspiration in the design of the building to blend in with the area.

Mr. Meitner inquired if there is a reason why the double gable is offset as opposed to being symmetrical. Ms. Aldamlouji replied that there are two doors under the right side and one door on the left, but mentioned that the gable could use a little more

girth. Mr. Meitner additionally asked how deep the porch is. Mr. Habboush responded (4) four feet.

Chairman Corti asked if the applicant has adequate parking for the number of units proposed, that stormwater management is located underneath the parking lot, and the lawn areas will be common areas for residents. Mr. Habboush replied yes.

Mr. Broseman mentioned that the site currently doesn't contain any stormwater management facilities, so the proposed stormwater facilities that the applicant is adding will be substantial.

Mr. Shorin asked if the first floor of the unit will encompass the living room and the kitchen. Mr. Habboush responded that there will be a living room, kitchen, powder room and storage area.

Mr. Tate inquired if the size of the units and the building that the applicant is proposing are based on the available footprint of the building. Mr. Habboush replied yes.

Mr. Tate questioned if the units will be market rate rentals. Mr. Habboush responded that he is considering a few options, one of which is renting them to students or teachers at Montgomery County Community College. Mr. Broseman noted that the plan is to have the units rented.

Chairman Corti asked if the units will need to have sprinklers. Mr. McManus replied that they most likely will.

Chairman Corti also inquired if there will be a firewall between the units. Mr. Habboush responded yes.

Chairman Corti questioned if each unit will have a basement and an attic. Mr. Habboush replied yes.

Mr. Tate asked where the hot water heaters and other mechanicals will be placed for the building. Mr. Habboush responded that he would like to place these items in the basement. Mr. Tate asked if each unit will be individually metered. Mr. Habboush replied yes.

Mr. Meitner asked if the building will have a homeowners association to maintain the building. Mr. Broseman replied that Mr. Habboush would be the owner and the tenant will have a lease from him for the unit.

Mr. Shorin asked about the sidewalks for the project. Mr. Blanch mentioned that sidewalks will be put in with the 202 widening project. He mentioned that the right-of-way has already been acquired for the project.

Chairman Corti inquired about the circulation on the site and if it access will be right-in and right-out from Rt. 202. Mr. Blanch responded that there will be full access to

the site. Mr. Blanch mentioned that the applicant is working on their Highway Occupancy permit.

Mr. Rieker commented that he issued a memo and a review that the applicant replied to regarding certain items that included patios and decks, the lighting plan, and the details of the trash enclosure.

Mr. Shorin suggested that the applicant use some thicker glass windows on units that face Route 202 to help mitigate the noise.

Chairman Corti called for any additional comments or questions from the audience. There were none.

Chairman Corti called for a motion to recommend that the Board of Supervisors approve the Land Development Plan for the Blue Bell Quarters project.

A motion was made by Mr. Shorin, and seconded by Mr. Hightower to recommend that the Board of Supervisors approve the Land Development Plan for the Blue Bell Quarters project. The Planning Commission noted that the applicant shall comply with reports and recommendations of Township Staff and Consultants.

The motion passed: 6-0

3. Review of current Zoning Hearing Board applications.

- 1) **NO. 2096-16: PAOLO AND NATALIE PILEGGI** request a variance from Article VII, Section 160-34 relating to side yards for single family detached dwellings, Article XXVIII, Section 160-203 relating to projections into side yards, Article XXVIII, Section 160-202 relating to projections into front yards and a special exception pursuant to Article VII, Section 160-33 relating to front yards on corner lots to allow construction on the property located at 1701 Arlington Rd., Blue Bell, PA, 19422 in the Township's R-2 Residential District of a 16' by 30' family room addition and a 25' by 30' two story garage addition with a second floor master bedroom. Applicants requested variance relief, if granted, will (1) allow the Applicant to construct the said family room addition projecting into the side yard of the Property when the Ordinance prohibits same and (2) will reduce the side yard width to 14 feet when the Ordinance requires at least 25 feet and (3) will allow the Applicant to construct the two story garage addition projecting into the front yard when the Ordinance prohibits same and (4) obtain a special exception to allow the depth of the front yard on the long side of the property to be less than 50' wide.

Present for the Applicant: Paolo Pileggi, Applicant

Mr. Shorin asked if the applicant spoke to his neighbor to the left of his property. Mr. Pileggi responded that he has talked to his neighbor and they do not have any issues with the addition. He mentioned that he explained to his

neighbors about the stormwater management that he is proposing to place on the property and they have no issues.

Mr. Shorin suggested that the applicant place some shrubbery along the addition of his property facing Erbs Mill Road.

Mr. Blanch mentioned that the applicant is putting in a seepage bed for stormwater management and will comply with the Township stormwater management ordinance.

Mr. McManus commented to the applicant that the Zoning Hearing Board meeting will be Thursday, December 15th at 7:00 pm.

Chairman Corti mentioned that typically the Planning Commission remains neutral on Zoning Hearing Board applications.

Chairman Corti called for any additional comments or questions from the audience. There were none.

There being no further comments or questions, the Planning Commission chose to remain neutral on the subject application. The Planning Commission suggested that the applicant invite his neighbor to the December 15th Zoning Hearing Board meeting or obtain a written statement of their approval of the proposed addition. Additionally, the Planning Commission suggested that the applicant place some shrubbery along the addition of his property facing Erbs Mill Road.

- 2) **NO. 2097-16: ROBERT AND DONNA McGRATH** request a variance from Article V, Section 160-13 relating to use regulations to allow the use of an area in the rear of the Applicants' property located at 721 Cathcart Rd., Blue Bell, PA, 19422 in the Township's R-1 Residential District as a firewood storage area. Applicants requested variance relief, if granted, will allow the Applicants use the rear area of their Property to store firewood when the Ordinance prohibits such use.

The applicant was not present for the meeting. Chairman Corti mentioned that typically the Planning Commission remains neutral on Zoning Hearing Board applications.

Mr. Rieker commented that this is a variance from the provisions of zoning to permit this use. He mentioned that the applicant will need to prove that the use proceeded zoning.

Mr. Shorin noted concerns regarding noise, odor, and safety of having this kind of business in a residential area.

Chairman Corti called for any additional comments or questions from the audience. There were none.

There being no further comments or questions, the Planning Commission chose to remain neutral on the subject application. The Planning Commission noted concerns regarding noise, odor and safety of having this kind of business in a residential area.

4. Review Medical Marijuana Zoning Ordinance

The Planning Commission had a lengthy discussion regarding the proposed ordinance including different options of how to compose the ordinance with elements relevant to permitted zoning districts.

Chairman Corti commented that he requests that the Planning Commission review the proposed medical marijuana zoning ordinance further and discuss it at the next Planning Commission meeting in January.

5. Pertinent Planning Issues

Chairman Corti thanked Planning Commission member Ted McLaughlin for his service on the Planning Commission. Mr. McLaughlin thanked Chairman Corti and the Planning Commission and noted that it has been his pleasure to serve on the Commission.

Mr. Blanch provided an update on the 350 Skippack Pike application stating that there will be a meeting on Wednesday, December 14, 2016 with residents and the applicant, Mr. O'Reilly, to discuss the application.

There being no further business to come before the Commission, a motion was made by Mr. Meitner, and seconded by Mr. McLaughlin to adjourn. The meeting adjourned at 8:05 PM.

Respectfully submitted,



Richard Shorin, Secretary