

## **WHITPAIN TOWNSHIP PLANNING COMMISSION SEPTEMBER 2015**

A work session of the Whitpain Township Planning Commission was held on Tuesday, September 8, 2015 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 Richard Shorin, Penelope Gerber, Bradley Tate, and Tory Meitner present. Township Engineer James Blanch, Township Planning Consultant E. Van Rieker, Assistant Zoning Officer William McManus and Recording Secretary Karen Dolga were also present. Planning Commission members Otis Hightower and Edward McLaughlin were absent.

1. Review of a Land Development Plan for the Centre Square Commons Shopping Center located at 938-956-990-998-1010 DeKalb Pike & 1324-1380 Skippack Pike. This application involves construction of an 111,100 SF shopping center, 5,300 SF outdoor seating area and an 11,500 SF mezzanine area, which is on the southeastern corner of the intersection of DeKalb Pike and Skippack Pike. Access to the site will be from both DeKalb Pike and Skippack Pike. The property is located entirely within the Community Shopping Center Overlay District.

Mr. Blanch provided a brief summary of the requested application. He stated that the applicant will comply with the items listed in the Township's review letter; most comments are specific to engineering. Mr. Blanch added they are waiting for the Conditional Use decision.

The Planning Commission had a lengthy discussion regarding the setback to the open space area and whether or not the setbacks were from buildings or the parking lot. They commented that the open space area is required to be five acres regardless of the setbacks. In addition, the Planning Commission remarked that it is difficult to vote on a plan that does not provide storm sewer information and profiles. It was noted that the plans seem to be incomplete.

Mr. Blanch mentioned the uncertainty of how the separate stormwater pipes would interact together.

Chairman Corti suggested that the Shade Tree Commission review the landscaping plan.

2. Review of a Subdivision Plan for 683-691-711 Cathcart Road. This application involves a five lot subdivision of approximately 5.50 acres of property located at 683-691-711 Cathcart Road, which is on the western side of Cathcart Road between Morris Road and Skippack Pike. Access to the site will be from Cathcart Road. The property is zoned R-1 Residential District.

The Planning Commission was pleased that the applicant contacted the neighbor and sought a variance for the driveway configuration.

Mr. Blanch stated that he met the neighbor, Mr. Raynes to answer questions. Mr. Raynes submitted a letter to the Planning Commission regarding his remaining concerns. They included findings on wetlands delineation survey, impact of construction and contamination on his well water, and buffering to his property. Additionally, Mr. Blanch mentioned that he suggested Mr. Raynes have his well water analyzed before and after construction.

3. Review of Conditional Use Application for 1625 Union Meeting Road (Outfront Media, Inc.) that proposes the installation of a 300 square foot, double face, off-premises advertising sign.

The Planning Commission commented that they are not in favor of this application and noted that the Township invested time in creating the Billboard ordinance and the applicant should comply fully. The Planning Commission also noted the lack of presentation materials. The proposed billboard is not 1,000 feet from an existing residential dwelling and the proposed 45 ft. height exceeds the 35 ft. maximum.

The Planning Commission inquired why the billboard could not be ground mounted to meet the height requirement.

Mr. Blanch mentioned that the public has not been notified of this application because the hearing is not until October 6, 2015 and the notifications are not required to be sent this early.

Mr. Rieker stated that the Statute permits the Board of Supervisors to waive or amend the zoning rules when it is a Conditional Use.

In addition, the Planning Commission discussed the hours of illumination of the billboard.

4. Review of the MCPC Turnpike Corridor Reinvestment Report.

Mr. Blanch provided some background information stating that the Turnpike studied all of the interchanges in the area. He noted that they studied the office complexes near the major interchanges to inform future land use and transportation decisions.

5. Review Ordinance #341, an ordinance amending the Code of the Township of Whitpain, Part II (general legislation), Chapter 142 (vehicles and traffic), Section 142-32 (parking prohibited at all times in certain locations) to add a new parking prohibition on the west side of Norristown Road from a point 142 feet north of the centerline of the northernmost intersection of Huntsman Lane and Norristown Road to a point 137 feet south of the centerline of the southernmost intersection of Huntsman Lane and Norristown Road.

Mr. Blanch gave a brief summary on the proposed ordinance and recent parking prohibitions.

6. Review current zoning hearing board applications.

NO. 2055-15: 137 STENTON AVENUE, LP request (1) a special exception under Article XXV, Section 160-172.C to permit a culvert within a floodplain; (2) a special exception under Article XXV, Section 160-172.E to permit a driveway in a floodplain; (3) a variance from Article XXV, Section 160.172.E(1) to permit impervious materials to be used over that portion of the new driveway that will be located in the floodplain; and (4) a special exception under Article XXV, Section 160.172G to permit grading and re-grading of soils in a floodplain, all in the R-5 Agricultural/Rural Residence District and Floodplain Conservation District. Applicant's requested relief, if granted, will permit the replacement of an existing stone bridge with culvert to span the floodplain and the modification of an existing macadam driveway at its property located at 61 Red Oak Drive in the Township's R 5 Agricultural/Rural Residence District and Floodplain Conservation District, further known as Montgomery County Tax Parcel No. 66 00 06835-05-4.

Mr. Blanch provided a brief summary of the proposed application noting that it is for the driveway for Lot #6. He mentioned that the existing bridge is in the floodplain and is in need of repair which requires relief. The floodplain is considered a hydric soil.

7. Review of pertinent planning issues.

Mr. Blanch announced that the grand opening for Centre Square Park will be held on Saturday, September, 12, 2015.

The work session adjourned at 7:35 PM, at which time the Planning Commission members left for the public meeting.

Respectfully submitted,

A handwritten signature in blue ink that reads "Karen M. Dolga". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Karen M. Dolga, Recording Secretary

**WHITPAIN TOWNSHIP PLANNING COMMISSION MEETING  
SEPTEMBER 2015**

The eighth meeting of the Whitpain Township Planning Commission for the year 2015 was held on Tuesday, September 8, 2015 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA. Chairman Kenneth Corti presided with Commission members Richard Shorin, Penelope Gerber, Bradley Tate, and Tory Meitner present. Township Engineer, James Blanch, Township Planning Consultant E. Van Rieker, Assistant Zoning Officer William McManus and Recording Secretary Karen Dolga were also present. Planning Commission members Otis Hightower and Edward McLaughlin were absent.

Chairman Corti called the meeting to order at 7:36 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 July meeting minutes from the audience. There being none, Mr. Shorin made a motion, seconded by Mrs. Gerber, to approve the minutes of the July 14, 2015 meeting of the Planning Commission. The motion passed 5-0.

2. Review of a Subdivision Plan for 683-691-711 Cathcart Road. This application involves a five lot subdivision of approximately 5.50 acres of property located at 683-691-711 Cathcart Road, which is on the western side of Cathcart Road between Morris Road and Skippack Pike. Access to the site will be from Cathcart Road. The property is zoned R-1 Residential District.

Present for the applicant:     Richard C. Mast, Richard C. Mast Associates  
  Ken Snowden, Applicant

Mr. Mast provided a brief summary of the proposed subdivision application, stating that the Planning Commission has seen this proposed application previously. He mentioned that it is three existing parcels located on Cathcart Road with a total of 5.88 acres and zoned R1 Residential. Mr. Mast stated they are proposing five new single family dwellings conforming to bulk and dimensional requirements. He mentioned there are some zoning requirements that limit the number of dwellings that can be on a shared driveway. Mr. Mast stated that through audience participation at a previous Planning Commission meeting there were some concerns regarding preserving tree canopy, the number of driveways and stormwater management. He mentioned that they worked with the Township and revised the plan to have less driveways. Mr. Mast reported that the applicant obtained relief from the Zoning Hearing Board for the common drive that would serve the four dwellings. He pointed out that now the development is centered towards the middle of the property and this would allow for more tree canopy and minimizing the number of driveway accesses. He noted that there is a drainage channel which conveys stormwater through the site. In addition, Mr. Mast mentioned that previously the Planning Commission requested sidewalks be installed. He reported that the applicant is now proposing

sidewalks along the frontage of Cathcart Road. Mr. Mast further added that they are providing some additional buffer trees where there was limited canopy. He pointed out on the plan the location of the primary stormwater management basin and the secondary basin.

Additionally, Mr. Mast mentioned that much of the yard area will include amended soils. They will mix the soil with compost and sand to absorb runoff. Mr. Mast stated that DEP recognizes this as an improved methodology for reducing the amount of stormwater and increasing the amount of infiltration on the site. He remarked that they will also be required to obtain a NPDES permit. Mr. Mast stated that they will comply with the Township, Mr. Rieker's review comments as well as the Sewer Engineer's review comments.

Planning Commission comments:

Chairman Corti asked if a wetland identification delineation report was obtained. Mr. Mast responded yes, the wetlands study was completed by DelVal Soils and they have concluded that there are no wetlands on the property. He added that DelVal had flagged the drainage channel and identified it as a regulated waterway. Additionally, Chairman Corti asked if this was submitted to the U.S. Army Corps of Engineers for a Preliminary Jurisdictional Determination. Mr. Mast replied no.

Mr. Shorin noted there was a letter received from a neighbor regarding sufficient tree planting along the northern side of the property line. Mr. Mast replied there is a significant amount of tree canopy that they are preserving and they filled in the sparser area with additional buffer trees. He noted that they have kept the grading as tight as possible to preserve as many trees as possible. Mr. Shorin asked if Mr. Mast would be willing to meet with the neighbor.

Mr. Tate suggested the applicant consider the impact that improvements to the rear yard, ie decking, pools might have on the limit of the tree canopy as shown on the plan.

Mr. Mast suggested possibly placing a restriction on the plan or lot that would require additional buffering if the clearing limits were beyond what was proposed on the plan. He added an additional requirement could be placed at a later date if a pool or patio or other improvement were proposed.

Audience comments:

Herbert Raynes, 675 Cathcart Road, commented that he had the opportunity to meet with Mr. Blanch to discuss the proposed project. Additionally, he commented that he was concerned with the development effect on his well, the



Ms. Kearney provided a brief overview of the proposed application, stating that they are before the Planning Commission for a series of review letters that they have received. She noted that the Conditional Use written decision is pending. Ms. Kearney mentioned that there are a few items they wanted to address in Mr. Blanch's review letter dated August 17, 2015.

Mr. McKenna recapped on some of the past discussions and pointed out the details and location of the buildings on the plan. He stated that this will be completed in phases. Mr. McKenna mentioned that Building 2 will have approximately seven tenants consisting of various retail and restaurants.

Mr. Tate inquired about the status of the detention basin. Mr. McKenna replied a HOP meeting with PENNDOT is scheduled for Monday, (9/14/15) to discuss the basin. He provided the Planning Commission with his rendering of how to screen the basin. This included grading and installation of trees and shrubs. Mr. McKenna stated that he will provide this information to PENNDOT.

Mr. Tate asked Mr. McKenna if he discussed with the neighbors the height of the berm behind the fitness center. Mr. McKenna replied that the berm will screen the fitness center and they will be maintaining it.

Ms. Kearney discussed certain items listed in Mr. Blanch's review letter dated August 17, 2015. They included Items #15, 17, 33, 34, 37, 46, 49, 53 and 67. She noted that they will no longer need waivers for Item #15 and #34. Regarding item #17 they will request a waiver to allow the edge of the proposed sidewalk to be within 6 feet of the back edge of the curb. Regarding item #33 they will not be able to comply as it is part of the lease exhibit. Mr. McKenna added that most likely it will be used as employee parking and they will consider working on designating the area for employee parking. Regarding Item #37 the applicant is requesting that the stormwater system components be inspected twice annually instead of four times as requested by the Township.

Ms. Kearney stated that item #46 is no longer applicable. Mr. Blanch stated that the Township will need to see this on the plan for hydraulic capacity and that the culvert on Route 202 can handle the flow.

The Planning Commission and the applicant discussed possibly using the natural rock as a flow channel for Item #49. Additionally, the Planning Commission asked McKenna to continue to work with the Township to find a solution.

Regarding Item #53, Mr. Blanch mentioned the turning template information must still be submitted.

Mr. Tate asked for clarification regarding Item #67 asking if the open space setback was from the building or parking lot.

Mr. Rieker suggested a note on the plan to be added regarding the open space setback and the dimensions clarified.

Mr. Tate expressed a concern that the plans with no profiles have been submitted for the complex stormwater management system and he would recommend no action be taken until the necessary information and details are provided to the Township Engineer for review.

Mr. McKenna asked the Planning Commission to consider a Preliminary approval tonight.

Mr. Shorin asked when construction would start. Mr. McKenna replied hopefully that tree clearing would start in December. Mrs. Gerber asked how many trees will be planted. Mr. McKenna responded that they are planting 450 new trees.

The owner of a business at 1301 Skippack Pike commented that she heard Fresh Market had declared bankruptcy. Mr. McKenna replied it is a healthy company that operates 170 stores and is expanding throughout the Delaware Valley.

Laura Koch, 843 Second Street, inquired what the proposal was for the intersection at Second Ave and Route 73. Mr. Blanch replied that this project will not impact that intersection and the Township is working with PENNDOT to change the access point at Second Avenue.

Raymond Soly, 1315 Lee Road, commented that he would like to see the delineation of the borders of the green space and inquired about the berm. Mr. McKenna pointed out the delineation on plan.

Mr. Shorin asked for clarification that the lighting will be shielded. Mr. McKenna replied yes.

Mr. Kwon, 1079 DeKalb Pike, asked what the duration of the construction was and questioned when the entrance traffic signal would be in place. Mr. McKenna replied that the construction timeline will be approximately 9-10 months. He added that the offsite work will be done by October 2016. Mr. McKenna added that the signal should be installed for a trial period by the date of the grand opening.

Raymond Soly, 1315 Lee Road, asked who approves the deed restriction on the open space. Chairman Corti replied that the plan will be recorded as part of the land development approval and there will be a separate deed for that parcel.

Rosemary Camponovo, So Sweet Jewelers, 1301 Skippack Pike asked if it was possible to get the name of the general contractor. Mr. McKenna replied yes, at the appropriate time. She also inquired if there is a list of committed retailers and restaurateurs and if it could be shared. Mr. McKenna responded there is a list but the tenants do not like to announce until all approvals are in hand. He mentioned that there is a mix of independents, franchise and national tenants.

Mary Ann Barnshaw, 1349 Lee Road, inquired about the stormwater studies on the Lee Road side.

Lee Barnshaw, 1349 Lee Road, had a concern about water flowing toward Lee Road. Mr. McKenna replied that in addition to the Township review there is also a NPDES permit requirement and noted no additional water will flow toward Lee Road.

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

There being no further comments or questions, a motion was made by Mr. Tate, and seconded by Mr. Shorin to recommend the Board of Supervisors grant Preliminary Approval of the land development application for Centre Square Commons Shopping Center subject to the applicant complying with the Township Engineer and Township Consultants' review letters, clarification of the open space setback, and amending the plan set to include profiles and any additional detail necessary to comply with the standards set forth in the Township ordinances. Note: Applicant agreed to change application from Preliminary/Final to Preliminary during the meeting.

The motion passed: 5-0.

4. Review of Conditional Use Application for 1625 Union Meeting Road (Outfront Media, Inc.) that proposes the installation of a 300 square foot, double face, off-premises advertising sign.

Present for the applicant:      Loren Szczesny, Attorney, Fox and Rothchild  
   Amy Williams, Outfront Media  
   Michael Tantala, Project Engineer

Mr. Szczesny gave a brief summary of the proposed application stating that this is a proposal to develop a property under the Township's Off-Premises Advertising Sign Overlay District Ordinance. He mentioned that they had the opportunity to meet with Township staff to discuss the proposal for the property located at 1625 Union Meeting Road. Mr. Szczesny reported that when they first met with the Township the property had an address of Sheffield Drive and noted they had the

address changed to Union Meeting Road. He stated that they accepted recommendations from Township staff and revised the initial proposal. He noted there are three remaining issues after the discussions with the Township. They include the sign length and width, height, and setback. Mr. Szczesny explained that under the Township ordinance the maximum size is 300 sq. ft. per side with a maximum length of 20 feet. The applicant is proposing a 300 ft. sign but with the length of 30 ft. instead of the required 20 ft. The ordinance requires the height of the sign not to exceed 35 ft. and the applicant is proposing a 45 foot height. The ordinance requires the billboard to be 1,000 ft. from any existing residential dwelling, but they are proposing to be within 1,000 ft.

Mr. Tantara stated that visibility for billboards can be seen for 10 seconds at speed limit. He mentioned the proposed sign height is to provide adequate visibility especially with locations grade change and tall trees.

Planning Commission comments:

Mr. Tate suggested the sign could be seen sooner if it were lower. Mr. Tantara replied that a lower sign would blend in with the surroundings.

Mr. Shorin expressed a concern that the Conditional Use Hearing is scheduled for October 6<sup>th</sup> and the public has not been notified yet. In addition, he pointed out the billboard will be within 1,000 ft. of a residence.

Mr. Szczesny remarked that the setback requirement according to the ordinance the sign must be 1,000 feet setback from a residential dwelling. He stated that the closet dwelling is 310 ft. away on Sheffield Drive. Mr. Szczesny pointed out that their lot is on the opposite side of the turnpike with sound barriers, and elevation changes will not adversely impact the residential dwellings.

Mr. Szczesny had photographs of what the view is like from Sheffield Drive looking toward the billboard noting they are from ground level and there are no photos from the second story.

Ms. Williams mentioned that the billboard will not be visible to Sheffield Drive and Greenbriar Drive residents and that there are utility poles much higher.

Mr. Szczesny asked would your concerns be addressed if they could provide photographs from Sheffield Drive showing that the sign is not visible. Chairman Corti had a concern about the glow of the billboard at nighttime and suggested taking some photographs.

Mr. Szczesny stated that the proposal is for a LED sign and they will comply with the ordinance requirement to turn the sign off between 10:00 PM and 6:00 AM.

Chairman Corti was concerned with tree clearing and asked if the whole site would be cleared. Ms. Williams responded that they have an access agreement with PECO and PECO agreed to clear those trees. Additionally, he asked if they owned the property. Ms. Williams replied they have a lease with Jasmine Associates for the triangular lot. Mr. Blanch added that land development or a waiver from land development would be required following any conditional use decision. This would address issues such as tree canopy requirements.

Mr. Shorin asked if the sign would be visible from Union Meeting Road. Mr. Szczesny replied you will see the poles and the board.

Chairman Corti asked Ms. Williams if you knew that sign was being installed would you purchase a home there. Ms. Williams replied yes.

Mr. Shorin added that the Township put a lot of thought and effort into the ordinance and would prefer compliance with all provisions.

Mr. Blanch mentioned that the requirement for notification is 500 feet to surrounding neighbors.

Mr. Rieker questioned if repositioning the billboard would improve the view.

Mr. Tantala replied that the sign allows for restricting the direction of light and there are numerous Township standards controlling the signs brightness.

The Planning Commission suggested calculating ambient levels of light and plotting the light to show minimal impact.

Audience comments:

David Doll, 1502 Penllyn Blue Bell Pike, commented that the 1,000 foot setbacks from dwellings should be complied with.

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

The Planning Commission tabled any action on Conditional Use Application #CU29-15 due to lack of information and potential adverse effects especially at night.

5. Review of current Zoning Hearing Board applications.

**NO. 2055-15: 137 STENTON AVENUE, LP** request (1) a special exception under Article XXV, Section 160-172.C to permit a culvert within a floodplain; (2)

a special exception under Article XXV, Section 160-172.E to permit a driveway in a floodplain; (3) a variance from Article XXV, Section 160.172.E(1) to permit impervious materials to be used over that portion of the new driveway that will be located in the floodplain; and (4) a special exception under Article XXV, Section 160.172G to permit grading and re-grading of soils in a floodplain, all in the R-5 Agricultural/Rural Residence District and Floodplain Conservation District. Applicant's requested relief, if granted, will permit the replacement of an existing stone bridge with culvert to span the floodplain and the modification of an existing macadam driveway at its property located at 61 Red Oak Drive in the Township's R-5 Agricultural/Rural Residence District and Floodplain Conservation District, further known as Montgomery County Tax Parcel No. 66-00-06835-05-4.

Present for the applicant:     Amee Farrell, Esq.  
  Gary Kulp, P.E., Hibbeln Engineering

Ms. Farrell provided a brief summary of the proposed application, stating that it specifically deals with Lot 6. She pointed out the existing stone bridge to cross the floodplain will not support emergency vehicles. Ms. Farrell stated that the width of the bridge is approximately 10 feet and narrow. She noted the proposal is to remove the bridge, install a culvert and expand that culvert drive. Ms. Farrell stated the applicant is requesting a special exception to have an impervious crossing in the floodplain.

Mr. Kulp explained the size and operation of the culvert.

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.

6. Review of the MCPC Turnpike Corridor Reinvestment Report.

The Planning Commission reviewed the MCPC Turnpike Corridor Reinvestment Report and commented that it was consistent with the Township Comprehensive Plan's "future vision" of continued evolution of business parks and is open to mixed use development designed to modernize said parks and make them more competitive.

Mr. Rieker added that this phase does not propose slip ramps, but in the future there will be studies regarding slip ramps for Route 202.

7. Review Ordinance #341, an ordinance amending the Code of the Township of Whitpain, Part II (general legislation), Chapter 142 (vehicles and traffic), Section 142-32 (parking prohibited at all times in certain locations) to add a new parking prohibition on the west side of Norristown Road from a point 142 feet north of the centerline of the northernmost intersection of Huntsman Lane and Norristown Road to a point 137 feet south of the centerline of the southernmost intersection of Huntsman Lane and Norristown Road.

Mr. Rieker commented that this is a traffic safety ordinance to be enforced by the Police Department.

Mr. Blanch provided a brief summary of the proposed ordinance that would prohibit parking on Huntsman Lane and referred to a recently passed ordinance restricting parking near Blue Bell Woods.

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

There being no further comments or questions, a motion was made by Mrs. Gerber, and seconded by Mr. Meitner to recommend that the Board of Supervisors grant approval of Ordinance No. 341.

The motion passed 5-0.

8. Pertinent Planning Issues

Chairman Corti announced that the Centre Square Park grand opening will be held on September 12, 2015 at 9:00 am.

Chairman Corti discussed an e-mail received from Mr. Schneider regarding open burning with fire pits and odors. Mr. Blanch noted that normally the Fire Marshal handles those issues.

There being no further business to come before the Commission, a motion was made by Mrs. Gerber, and seconded by Mr. Shorin to adjourn. The meeting adjourned at 10:00 PM.

Respectfully submitted,



Richard Shorin, Secretary