

MEETING MINUTES

JULY 11, 2016

1. Call to Order

The July 11, 2016 meeting of the Upper Gwynedd Township Planning Commission was called to order at 7:30 pm by Chairman, Samuel Miller.

Those present were:

Samuel Miller	Chairman
John Lancaster	Vice-Chairman
John Klein	Secretary
Robert Walker	Member
Christopher Carroll	Member
Gilbert Silverman	Member
Mike Lapinski	Assistant Township Manager
James Santi	Township Commissioner

2. Approval of Minutes of June 13, 2016

Mr. Miller asked for any questions or comments relative to the Minutes of June 13, 2016. Upon hearing none, a motion was made by Mr. Silverman to approve the Minutes. The motion was seconded by Mr. Weirman and unanimously passed.

3. Report of Commissioners Meeting

Commissioner Santi gave a report of the Board of Commissioners meeting of June 27, 2016.

Penn DOT requested the necessary permits for paving North Wales Road and was pleased with the outcome.

The Board of Commissioners set the date of July 25, 2016 for a Conditional Use Hearing for Cottage Avenue and a Zoning Classification Hearing for Newbury II.

The Board of Commissioners granted Merck & Co., Inc. request for Waivers from Chapter 124-5 and Chapter 113-1 for Building 36B for roof replacement. This involves the use of a vacuum excavation truck and other equipment on Saturdays 6/11, 6/18, 6/25, 7/2, 7/9, and 7/16 with possible rain dates scheduled for the subsequent Sundays of 6/4, 6/12, 6/19, 6/26, 7/3, 7/10, and 7/17.

The Board of Commissioners granted Merck & Co., Inc. request for extension to a Waiver from Chapter 113-1 for Building 38 to install production equipment near the center of the building. This involves Sunday crane work on

6/5, 6/12, 6/19, and 6/26 to include Sundays in July and August.

The Board of Commissioners approved the Montco Runners Marathon Relay Race scheduled for May 23, 2017. This is a 26.2 mile running race of continuous loops on the one mile walking trail within Parkside Place Park. 150 to 200 runners are expected. The Event will benefit the Township's Parks and Recreation Programs.

The Board of Commissioners approved the Annual Ataxia Charity Bike Ride event. This consists of two routes scheduled for October 16, 2016 at 8:00 AM and 9:00 AM. The event is capped at 800 participants.

4. New Business

**A. Cottage Avenue Realty, LP
100 Cottage Avenue - Subdivision**

Mr. Miller noted that the applicant had provided some documentation from the court case involving Cottage Avenue Realty, LP versus Upper Gwynedd Township Zoning Hearing Board.

Paul Bauer, general counsel for the applicant, introduced Sam Costanzo who was the engineer for the proposed project. Mr. Bauer advised that he had provided the documents from the court case in order for the Planning Commission members to be aware of what has occurred. Mr. Bauer reminded that this proposal involved two separate parcels which were non-conforming in the LI-Limited Industrial Zoning District. He explained one parcel was a concrete crushing plant and the other was an auto body shop. Mr. Bauer advised the applicant purchased them and was proposing twenty-two twin homes.

Mr. Bauer advised that Cottage Realty had gone before the Zoning Hearing Board for variances which were denied. He explained that there was an appeal and it was resolved with a court stipulation. Mr. Bauer stated the court stipulation required Cottage Avenue to do three things: 1) The applicant would get the legal owners of the property to give declarations for the units proposed to be constructed, along with the retaining wall and disclosure requirements. Mr. Bauer noted that now Cottage Avenue Realty was the legal owner. 2) It was required to obtain new zoning approval. On January 26, 2016 approval was given to re-zone the parcels from LI-Limited Industrial to R-4. The zoning approval contained waivers and variances that were needed. 3) Any relief from the Township with respect to the Conditional Use application. Mr. Bauer noted the Conditional Use Hearing was scheduled with the Board of Commissioners for July 25, 2016.

Mr. Bauer explained the Zoning Hearing Board wanted the applicant to go before the Planning Commission. He advised that they had met with the Planning Review Committee several times to review any issues with the proposal. Mr. Bauer stated at the last Planning Review Committee they were told they were far enough along that they could go before the Planning Commission.

Mr. Bauer advised that he had received the letter from the Engineer this afternoon and was only able to review it hours earlier. He noted the comments were generally "will comply" with the exception of a couple comments.

Mr. Bauer requested the preliminary plan be recommended for approval to the Board of Commissioners with conditions of complying with any comments. He noted another meeting with the Planning Review Committee would occur prior to going to the Board of Commissioners for approval in order to make sure everything was in order. Mr. Bauer stated a recommendation for the Conditional Use to the Board of Commissioners was being

asked for as well. Mr. Miller advised this plan would be considered in two separate ways; one the Conditional Use request and then the proposal to develop the property. Mr. Bauer agreed and noted that the proposal was to develop in the R-4 Zoning with a Conditional Use in Section 195-14. G1 & 2. Mr. Bauer reviewed the individual conditions in those sections that would need to be met.

Mr. Weirman reported on behalf of the Site Review Committee. He noted the property was bordered by an active freight line, PECO power lines and the stone crushing plant. Mr. Weirman advised there was a substantial amount of standing water which raised a concern for mosquito breeding. He reported that there was still equipment at the auto body shop. Mr. Weirman stated there were marshy areas which may contribute to the tributary to the Wissahickon. Mr. Weirman advised that an Environmental Phase 1 was recommended.

Sam Constanza, of Van Cleef Engineering, commented on the conditions would need to be addressed. He advised that the applicant would meet the requirements necessary. Mr. Constanza noted that the open space requirement of twenty percent was satisfied. He advised that there was passive recreation area which would also contribute to the storm water management.

Mr. Rieker noted that the plans do not show twenty percent of passive recreation area and need to be revised to show it or be granted permission by the Board of Commissioners to waive the applicability of that item or seek Zoning Hearing Board relief. Mr. Rieker advised the plan was reviewed by many and this detail should not stop approval. Mr. Costanza agreed with Mr. Rieker, stating that the plan was almost identical to the previous one and the Planning Review Committee required parking issues be addressed and it brought the open space to 19.7% and would discuss it with the Board of Commissioners. Mr. Bauer advised that initially the 20% was on the plan but the increase of parking required brought it to the 19.7%.

Mr. Klein questioned if it were a one car garage per living unit and the driveway and Mr. Costanza advised they were two car garages with the driveway being able to hold two cars as well. In response to Mr. Klein's question as to whether there would be parking on the street, Mr. Costanza reported that the Planning Review Committee wanted the plan formalized so nine spaces were added on Park Road and seven along Cottage Avenue which would allow an additional fifteen parking spaces.

Mr. Costanza noted the lot area required was 4,000 square feet and the smallest lot was 4,002 square feet. He advised the front and side requirements would be met. Mr. Costanza stated that there would be notes added to the plan referring to unroofed patio or deck may not project more than ten feet and accessory buildings were not permitted along with it being added to the seller's disclosures notice as well.

Mr. Rieker advised adding the "permissible impervious coverage" should be added to the plan. Mr. Costanza stated a "Lot Summary Table" would be provided.

Resident, Tim Loux owner of 1917 West Point Pike was in attendance and questioned if there was parking on both sides of Cottage Avenue and Mr. Costanza explained there would be fifteen angled spaces and seven parallel spaces on the opposite side. In response to Mr. Loux's question as to how the garages would be accessed, Mr. Costanza advised that a visit to the area was done and it was noted how the garages were set up so it would not infringe on them. Mr. Loux stated his opens towards Cottage Avenue parking area. Mr. Bauer advised that they would look into that situation and rectify it. Mr. Loux asked if there would be curb added and Mr. Costanza advised only on the side of the development.

In response to Mr. Klein's question as to the state of Cottage Avenue, Mr. Costanza advised that it needed work.

Mr. Bauer advised that it would be addressed with the Board of Commissioners.

Mr. Miller asked for any further questions or concerns. He reminded that the vote would only be for the Conditional Use. Mr. Weirman made a motion to recommend the Board of Commissioners approve the Conditional Use Application for Cottage Avenue Realty, LLC. Mr. Tierney seconded the motion and it passed unanimously.

Mr. Miller reported that the Montgomery County Planning Commission and Engineering comments had not yet been received relative to the Subdivision and Land Development Plan. Mr. Weirman expressed concern that without those comments it may be premature to discuss this plan.

Mr. Costanza advised the comments from the Engineer were "will comply" and a meeting would be scheduled with the Township Engineer to discuss them. Mr. Rieker noted it would be beneficial to submit an environmental investigation for the dwellings. Mr. Bauer stated he has a clean letter he can submit to the Board of Commissioners. He reported that the demolition permit had been applied for as well.

Mr. Rieker advised that the applicant would be on the August 1, 2016 Planning Commission Meeting. He stated that would give the applicant time to meet with the Township Engineer. Mr. Bauer stated he would reach out to T & M Engineers.

**B. Lehigh Valley Dairy Farms
Sewage Planning Module**

Mr. Rieker advised that this form has been seen before by the Planning Commission. He stated there was no new or change of use for the dairy. Mr. Rieker explained there was a minor expansion internally and they need to obtain more EDU's via this form.

Mr. Miller asked for any questions or concerns. Upon hearing none, Mr. Lancaster made a motion that the form be signed. Mr. Silverman seconded the motion and it passed unanimously.

5. Old BUSINESS

There was no new business.

6. Comprehensive Plan

Mr. Rieker asked the Planning Commission to give thought to what area of the Comprehensive Plan they would like to take part in. He noted the program was in the budget for 2017. Mr. Rieker asked the members to send their interests to him prior to the next Planning Commission Meeting.

Mr. Rieker advised that this committee would play two roles. He explained one role would be discussing updates and meet with consultants. Mr. Rieker stated a Steering Committee would be developed which would meet more frequently with consultants and staff. He noted that he hoped to have prospects by year end.

7. Public Comments

There were no Public Comments.

8. ADJOURNMENT

There being no further business for discussion, a motion was made to adjourn. The motion was seconded and unanimously passed.

Respectfully submitted,

John Klein
Secretary