

Upper Gwynedd Township

Planning Commission

P. O. BOX #1 ● WEST POINT, PA. 19486

February 6, 2017

The February 6, 2017 Planning Commission Meeting was called to order at 7:30 pm. Those present were:

John Lancaster	Vice Chairman
Christopher Carroll	Member
Gilbert Silverman	Member
John Tierney	Member
Ken Weirman	Member
Scott Bachman	Member
Kathryn Carlson	Member
E. Van Rieker	Zoning Officer & Planning Coordinator
James Santi	Board of Commissioners
Colleen Tronoski	Recording Secretary

1. Call to Order

The February 6, 2017 Planning Commission was called to order by Mr. Lancaster at 7:30 pm.

2. Approval of Minutes of January 4, 2017

Mr. Lancaster asked for any questions or corrections relative to the Minutes of January 4, 2017, which had been circulated by email. Mrs. Carlson noted a misspelling on page 2, this was noted and will be corrected. Mr. Silverman made a motion to approve the Minutes. Mr. Carroll seconded the motion and it was unanimously passed to approve the Minutes of January 4, 2017 with corrections.

3. Report of Commissioners Meetings

Commissioner Santi reported on the Commissioners Meetings.

Mr. Santi reported that at this past month's Board of Commissioners meeting, they had a unique recognition. Mr. Santi stated that Cameron Barrett witnessed an accident at Hancock and 202. Mr. Barrett saw an individual who was involved with the accident, get out of his vehicle, steal another car from a woman and take off. Mr. Barrett followed this person while on the phone with 911. He followed this person into Lansdale and followed him on foot and told the police where he went and the police arrested him. The Chief of Police presented Mr. Barrett with a plaque. Mr. Santi also noted there were 3 Eagle Scouts receiving honors and he noted that they all completed community service within the Township.

The Board also motioned and approved the Planning Commission's new members, Kathryn Carlson and Scott Bachman.

The Board voted to approve a North Penn School District assessment appeal in which Upper Gwynedd realized another \$17,000 from CVS, on Broad and Sumneytown Pike.

Mr. Santi stated that a Motion to approve the pickleball court was awarded to Topacourt to start building the court in March.

He also noted that a Motion to approve the Resolution for Merck's parking lot expansion with all the conditions as the Planning Commission approved.

4. Old Business

A. West Point Parking Study – Update

Mr. Rieker handed out copies of the questionnaire results to date. Mr. Rieker reminded that this was borne out of discussion last year which is an element of the Comprehensive Plan that the Commissioners assigned to the Planning Commission and asked that they take the lead and perform an evaluation. Mr. Rieker noted that a few of The Planning Commission members and himself did a site review walk around West Point Village, to determine the need and if so, where additional parking might be provided to support businesses in that area.

The study determined that one of the initial steps ought to be that a questionnaire be prepared and circulated to the property owners. This was done and the questionnaire was mailed in mid-January. Mr. Rieker noted that 13 of the 33-properties notified have responded so far. Mr. Rieker noted that page two (2) has additional comments. Mr. Rieker wrote them out as part of the results summary. More questionnaires are expected. When he receives them, he will update the information on this form. Mr. Silverman asked if some of the issues identified may need more immediate attention particularly the Cottage Avenue construction that has left the road in bad shape and less ability to park. Mr. Rieker stated that currently Cottage Avenue is not in good shape. When the new twin home development comes in, the road repairs will be done. A full paving will be completed, curbing on one side, and will provide two kinds of parking. There will be on lot parking to the rear of the properties that front out to West Point Pike and parallel parking on the East side of Cottage Avenue. The plan also calls for interior common parking in the new loop road that will be built for the twin homes.

Mr. Rieker noted that the Township investigated the Tea Room approximately 6 months ago, and determined that through no one's fault, it was operating with more seats than authorized. The Fire Marshal visited the Tea Room and reminded them of the occupancy permit they had which limited seating to a specific number. In addition to that, the Tea Room contacted Grace Church across the street and negotiated a shared a parking agreement approved by the Commissioners. Mr. Rieker reminded that this can be done under the Zoning Code.

Mr. Rieker feels the next step would be to focus on the businesses and visit them to see what their needs are.

B. Cardinal Hollow Wines Parking Lot

Mr. Rieker stated that they are still working on some loose ends between staff, the Township Engineer and their own needs, one being storm water management. The hope is that this will be resolved and they will be attending next month's meeting.

5. New Business

A. Provco Pinegood Wawa Proposal

Scott Denlinger of Wisler Pearlstine stated that on behalf of the Township, he was asked to make a status update on how the Township should proceed. He noted that there has been a Township appeal of the decision of the Zoning Hearing Board. Some of the underlining zoning issues are in litigation with the

applicant, but for the purposes of the Planning Commission, it shouldn't make a difference. The appeal does

not act as a stay. They have the right to pursue land development. He stated that the Township should proceed in the normal course with information that you have available to you at this point and time. Land development plans have been received by the Township and sent to the Township consultants for comments and review letters. The PRC Meeting is scheduled for February 16th at 9AM to review the plans.

Julie Von Spreckelsen, attorney with Eastburn and Gray, stated she was in attendance regarding the land development plans that were submitted for Provco Pinegood Sumneytown LLC. It was her understanding that this was just an introduction and that there are no formal review letters yet. Mr. Goodman handed an exhibit package to the group.

Bruce Goodman from Goodman Properties, introduced himself. He is a commercial real estate developer. He noted that the first few pages of the hand out are looking at a site like the one at Sumneytown Pike which is approximately 2.5 acres. He noted a Wawa in Willow Grove with 10,000 sq. feet of space. He also noted another Wawa with a PNC Bank with 3 drive throughs. On the original development plan, it shows the Wawa with the canopy and a bank with multiple drive throughs. But when they went through the Township staff review, it was suggested that it was too dense. It was also suggested to reduce the sign size. The proposed redevelopment site proposes a typical Wawa convenience store with gas service. The signs will be monument signs under 50 sq. feet. They went to the Zoning Hearing Board and got relief for signage. They considered the gas to be an accessory use. Mr. Goodman noted that they have hired Traffic Planning and Design to deal with concerns with the bridge abutment and the distance from that in terms of site distance and site safety. The requirement is 252 from the point from where you can see under the bridge, the first drive way is 310-315 feet away and over 400 feet to the second driveway. Mr. Silverman noted that during the site review, they measured approximately 120 feet from the Wawa side of the bridge, whereas applicant stated sight that there is sight distance of 252 feet. How does that happen with the bend? Mr. Goodman explained that you go back as far as you can go with a clear line of sight to that point. That bridge does not obscure your sight. Mr. Silverman asked if a traffic study has been completed yet. Ms. Von Spreckelsen stated that they have not submitted it yet. She also noted that their traffic expert will be at the next meeting.

Nancy Bednarik, Merck And Co., 770 Sumneytown Pike, noted Merck's concerns on traffic. When the traffic study is done, Merck would like it to be done in conjunction with the expansion of the diagonal opposite corner, along with the TIP agreement that Merck participated in with the Township. Merck is also concerned with storm water management, they are currently in an agreement with the Township with regards to TMDL limits and the effects on the Wissahickon as well as Skippack Creek. Ms. Bednarik mentioned noise as another concern. Merck monitors the noise on all the corners and intersections on a semiannual basis. On an emergency management perspective, right in right out on Sumneytown Pike, there are concerns. Ms. Bednarik also questioned the storm water management plan. As for lighting, Merck has restrictions on lighting coming from its site. She wants to make sure this lighting does not come back onto Merck's site or cause any issues with Merck in the future. It was noted that Merck has also filed an appeal on the Zoning Hearing Board Ruling. Mr. Weirman asked what the basis of the appeal was. Ms. Bednarik stated that it was adverse effects on Merck's operation and employees. Also, to make sure that the traffic study is done correctly and in conjunction with the other corner as well as related back to the TIP agreement.

Mr. Goodman stated that he believes all of Merck's concerns are covered by Ordinance.

Ms. Bednarik also suggested that a noise study be done on an annual basis.

Rick Abbott, co-owner of the Sumney Tavern, noted that the Sumney has been in business over 20 years and

they have several deliveries with tractor trailers and it has never been a problem. He suggested that when the traffic study is being done, the Township take in account that Merck has downsized in the last 10-12 years, several buildings are empty. He doesn't believe the traffic in this area is Merck traffic. Ms. Bednarik noted that Merck has met with the school board, the Township and the County, they densified their two sites, closed sites, however the number of people has stayed the same. So, a smaller footprint which probably amplifies the traffic patterns, now not going to multiple sites but to the same site.

Mr. Weirman asked what time the Sumney's truck traffic/deliveries usually come in. Mr. Abbott answered, the deliveries usually come in around 6-7AM.

Ms. Bednarik asked if oversized parking is included in the Wawa parking plan. Mr. Carroll stated that this was a question with the site review committee. Mr. Silverman indicated that the site review committee looked at the storm water management study that was done. There is still concern at the intersection where currently there is flooding, not 50 year storms, but heavy storms. Now that the permeability of this site will be reduced, is the proposed storm water management that's going to be onsite going to take a heavy storm without contributing further.

Mr. Rieker asked about the traffic study. Mr. Goodman stated that it will be submitted for Township review. Mr. Rieker suggested to the Planning Commission, that this must be decided no later than the April Planning Commission Meeting because the Commissioners will have to have to make a Resolution in April relative to their position on the plan.

Mr. Lancaster made a motion to table this item until the next Planning Commission Meeting. It was seconded by Mr. Weirman.

B. SALDO and Zoning Ordinance Codification

Mr. Rieker stated that an update was sent out a few weeks ago, the two that pertained to your review were excerpts that relate to SALDO and Zoning and the Codification is an Ordinance wide update which is done on a periodic basis to make sure the Township Codes are correctly assembled and read correctly. The corrections that you received were a few words that were either modified or updated to make the SALDO Subdivision and Land Development Ordinance and Zoning use the correct terms that are used elsewhere in the Township Codes. There is no modification or change in anything of zoning. The update had to do with current finable offenses and what could be charged for a violator of the zoning code. Mr. Silverman made a motion to approve the Codification for Chapters 168 and 195 be approved. Mr. Carroll seconded this motion. The motion passed 7-0.

C. Merger of Lots Ordinance

Mr. Rieker noted that this would be an amendment to the Zoning Code. It was prepared by the Solicitor as a housekeeping update. The Ordinance is responsive to the prevailing court case on the subject which refers to adjacent lots that are owned by the same individual. The courts have said that under certain circumstances those lots merge for the purposes of ordinance and regulations such as zoning. The latest court case on the subject has said if you want this to happen you should proactively provide for the merger of lots in your zoning code. This is a draft that Dave Onorato has prepared. Copies have been sent to Montgomery County Planning Commission. This will be tabled until next meeting.

6. Public Comments

Mr. Silverman wanted to update the Board with the Rec Center. They received 13 proposals. The process right now is narrowing it down and conducting interviews. The findings will then be reported to the Commissioners.

7. Adjournment

There being no further business for discussion, Mr. Lancaster asked for any further questions or comments. Upon hearing none, Mr. Tierney made a motion to adjourn. The motion was seconded by Mr. Carroll and unanimously passed. The meeting ended at 8:37PM.

Respectfully submitted



John Klein
Secretary