

# Upper Gwynedd Township

## Planning Commission

P. O. BOX #1 ● WEST POINT, PA. 19486

**June 7, 2017**

The June 7, 2017 Planning Commission Meeting was called to order at 7:30 pm. In attendance were:

Sam Miller	Chairman
John Lancaster	Vice Chairman
John Klein	Secretary
Ken Weirman	Member
John Tierney	Member
Christopher Carroll	Member
Gilbert Silverman	Member
Scott Bachman	Member
E. Van Rieker	Zoning Officer
Ken Amey	Assistant Zoning Officer
James Santi	Board of Commissioners
Colleen Tronoski	Recording Secretary

### **1. Call to Order**

The June 7, 2017 Planning Commission was called to order by Mr. Miller at 7:30 pm.

### **2. Approval of Minutes of April 3, 2017**

Mr. Miller asked for any questions relative to the Minutes of April 3, 2017, which had been circulated by email. Mr. Tierney made a motion to approve the Minutes. Mr. Carroll seconded the motion and the Minutes of April 3, 2017 were approved as submitted.

### **3. Report of Commissioners Meetings**

Commissioner Santi reported on the Commissioner's Meetings.

Mr. Santi noted that he would be reporting for both April and May, since there was no May Planning Commission meeting. He stated that there were two Zoning amendment hearings in April. One was to exempt Upper Gwynedd Township from utility facilities in residential districts. The other was to add a section to an existing Ordinance, regarding the merger of lots. Both of these Ordinances were passed. The Commissioner also authorized advertisement an Ordinance to ban smoking in Township parks, playgrounds and open space. Other Commissioners actions included passing motions to approve Merck's request for after hour crane work for weekends in May and back up work on in Sunday's. Recognized two Police Officer's for 15 years of service: Rachel DiPiano and Harry Colcher; Approved the budgeted purchase of a highway marking machine. The bid was rewarded to Kelly Cresswell, in the amount of \$72, 800. Received approval from Montgomery County for a grant for \$27,000 for the lighting of the pickleball court. These courts are currently being installed at the end of the tennis courts; Accepted an extension from Provco Pinegood, to a date of June 27<sup>th</sup>; and Approved a stipulation agreement with Hartford Properties, the former Giant site.

#### **4. Old Business**

##### **A. Provco Pinegood Sumneytown Wawa Land Development (Mr. Amey participated. /Mr. Rieker was recused)**

Julie Von Sprecklesen from the law firm of Eastburn and Gray spoke on behalf of the Applicant, Provco Pinegood Sumneytown LLC. She noted for the record that a court reporter is present and that there was a court reporter at the last Planning Commission Meeting on April 3, 2017 and the transcripts will be made available. She recapped the last two meetings. On March 6<sup>th</sup>, applicant's engineers and traffic consultants addressed all comments on all Township and County review letters, which is reflected in the Planning Commission Meeting minutes. Also discussed were the two waiver requests. The first is related to the curb detail and the second is related to the storm water management conveyance Ordinance relating to pipe size. They did request a recommendation but it was tabled by the Planning Commission so the Planning Commission could review the Township Traffic Engineer's review letter which had not yet been issued. At the April 3<sup>rd</sup> meeting, the applicant's traffic engineer reviewed the comments in the Township Engineer's review letter. There was a discrepancy with sight distance and the Planning Commission made it clear that they had issues and safety concerns with the location of the accesses on Sumneytown Pike. Again, the recommendation was tabled. Ms. Von Sprecklesen handed out a new concept plan. There were two main issues with the accesses on Sumneytown Pike. The first was the one furthest away from West Point Pike. The Planning Commission made it clear, and it was also in the Township Engineer's review, that they would prefer an exit only access in at this point. The concept plan has this amended access point with a right in only. The second access point on Sumneytown Pike was requested to be moved further away from West Point Pike. This change was also shown on the new concept plan. In addition to the revised concept plan, the applicant provided a letter from Bohler Engineering responding to each comment in the Township Consultant Review letter as well as the County review letter. She then turned the presentation over to Matt Hammond, Traffic Engineer.

Matt Hammond, Traffic Engineer for the project from Traffic Planning and Design, provided a larger drawing of the concept plan that Ms. Von Sprecklesen spoke of. Mr. Hammond briefly reviewed the access points on the plan. He compared the old plans to the new concept plan. Mr. Hammond provided a copy of an email from Francis Hanney of PADOT. The email involves Mr. Hammond's methods for the calculations of sight distance and Mr. Hanney's response. Mr. Hammond stated that at this point, the applicant is looking for a recommendation.

Mr. Miller asked if there was any way to design, not only to have a stop sign at the ingress egress but design it so there is no way to make a left turn? Mr. Miller noted on the concept plan, that it appears motorists can still come to the stop sign and still make a left-hand turn. Mr. Hammond noted that the driveway could be angled more to the east or provide a larger pork chop.

Mr. Jim Garrity, attorney at Wisler and Pearlstine, conflict counsel for the Township, asked Mr. Hammond and Ms. Von Sprecklesen: "you both call this a concept plan? Has this plan been filed with the Township?" Mr. Hammond stated, that he did not believe so. Mr. Garrity asked: if it had been engineered? Mr. Hammond answered, that it has been engineered to a point but not fully engineered. Mr. Garrity asked, has it been distributed to anybody prior to tonight? Ms. Von Sprecklesen stated that it had not yet been submitted to the Township. She stated that the applicant knew the Township had some concerns and they wanted to run these past the Township before revising the plans. Ms. Von Sprecklesen noted that the applicant is willing to grant another extension through the end of July because they are currently waiting on a Zoning Hearing Board decision.

Mr. Silverman asked if with that extension, the revised plans would be received by the Planning Commission and Township Engineer for review before the July meeting. Mr. Miller stated that this would be helpful. The next Planning Commission meeting is July 5<sup>th</sup>. Mr. Miller stated that the Planning Commission would feel comfortable with a tentative final plan in front of them and that this what they typically have.

David Brooman, legal counsel representing Merck, asked for a date when the plans would be received. Ms. Von Sprecklesen stated that the plans will be available by June 14th along with as many "will comply" as possible. Mr. Miller suggested that the Commission wait until next month for the Bohler report until the Planning Commission has a chance to review the letter. Ms. Von Sprecklesen noted that the applicant will address every comment except for the spray irrigation system.

Mr. Garrity noted that he had two things he needed to put on the record. One was that he understands that this is a concept plan, but he doesn't know if the concept plan satisfies the Township's concerns. And two is that he can't agree since there are no details to indicate that the spray irrigation system is satisfactory.

Mr. Garrity asked Mr. Hammond if the concept plan will involve a new traffic study. Mr. Hammond stated that the revised plan will include a revision to the traffic study. Mr. Garrity noted that the Township will also need the revised traffic study by June 14<sup>th</sup>.

Mr. Silverman made a motion to table the Provco Pinegood LLC item. Mr. Miller asked for a second, Mr. Weirman seconded the motion.

Mr. Brooman noted that Merck believes there are certain traffic deficiencies that can't be cured. Mr. Weirman requested a letter from Merck on what traffic problems can't be cured before the next meeting. Merck offered a Power Point presentation on the two points they believe cannot be cured.

At this point, Eileen Collins from Burns Engineering presented a visual presentation on behalf of Merck and listed the believed traffic problems. Ms. Collins noted a concern at the intersection of Sumneytown Pike and West Point Pike and Church Road. She stated that impact of this development is more far reaching than just this one intersection. Another concern was the trip generation that the applicant used. They used trip generation tables from the ITE journal. She feels they should have used local data from other local Wawa stores. She noted that traffic counts were done. Ms. Collins presented a bird's eye view of the proposed site in the year 2019. This includes Royal Farms proposed for the opposite corner along with Wawa. The video shows traffic congestion on Sumneytown Pike back to Parkside Place and Beaver Street.

Ms. Collins noted that the trip generation used by the applicant followed the appropriate PADOT guidelines and what may be appropriate for the Township for trip generation but that she does not agree. She states they should have used local trip generation. She noted two locations where she did local trip generation counts. One was in Exton, the other was here in the Township on Rt. 63. She compared the approved number the applicant has in the traffic impact study to that which was approved by the Township to her study. Her numbers indicate that the movements are double of those used in the traffic impact study.

Ms. Collins noted that on West Point Pike, the proposed access point, that drivers will be able to turn left and right into and out of the site at this access point and this is a serious safety concern because motorists rarely follow no left turn signs (during the pm peak hours). She also noted that people that do make a right turn onto West Point Pike may be looking for U-turn opportunities and a lot of these places are in Merck driveways.

Mr. Hammond commented on the presentation. He disagreed with looking further out at other intersections. He said that the standards are clear with respect to the study area. These areas are intersections that experience 100 or more peak hour trips. He also noted that the simulation traffic was mostly Merck traffic. He stated that the 2012 trip generation article was referenced. He has heard that anyone opposing Wawa brings this data up and the 7 sites in New Jersey and Maryland. He stated that what they don't tell you is that no one accepts this data. Also, the data was collected in the summer months on Fridays when the application was tabled until July 5, 2017 Planning Commission Meeting this traffic is higher. This data can't be verified. In terms of trip generation, local data, PADOT is very specific when preparing traffic impact studies of markets

with gas, and that they are very specific on the criteria you are to use for trip generation.

## **5. New Business**

### **A. Enclave at Gwynwood Farm Subdivision**

Applicant, Dave Caracausa explained that the Enclave is on West Prospect Avenue just below Old Church Road. He noted that in 2012 he came before the Planning Commission and Zoning Hearing Board and created a 3-lot subdivision. In 2015 Mr. Caracausa bought the Rogers property, this property is almost at the intersection of West Prospect and Old Church. Mr. Caracausa wants to combine the two properties which would equal 6.2 acres. It is currently zoned R1 and already has public sewer and water. He went to the Zoning Hearing Board for variances to implement the plan consisting of reduced lot width and side yards for each lot and driveways closer than 5 feet to the property line. He is proposing to make an eyebrow drive off of West Prospect, one way and set each house further back from Prospect Avenue. The eyebrow and island plantings will be maintained by a homeowner's association. He stated at the Zoning Hearing Board, that there was no opposition to the plan.

Mr. Caracausa noted that he met with the Fire Marshal and reviewed the plan. The driveway is proposed to be 16 feet wide. The fire Marshal would like it to be 24 feet wide. Mr. Caracausa stated he did not want the driveway that wide but would extend the driveway entrance radius to 24 feet and then down to 16 feet. The Fire Marshals' concern is the lack of driving and turning radius to permit a fire truck through the entire eyebrow driveway. Mr. Rieker suggested that Mr. Caracausa go back and speak with the Fire Marshal and work this problem through. He also suggested to have examples in the Township to compare to.

Mr. Weirman led a discussion regarding the ability of the fire department to service a house on fire from Prospect rather than from the eyebrow driveway. Mr. Weirman commented that: The "thought experiment" is: how does the fire department service existing houses that may be further away from the road than these houses? He used the example of flag lots that have a narrow driveway that are set very far back.

Mr. Klein noted that Mr. Caracausa would need a waiver from 168-21-P for common use driveways which are prohibited.

Mr. Caracausa briefly reviewed the T&M review letter.

Mr. Silverman Made a motion to table the Enclave until next month's meeting, Mr. Carroll seconded this motion.

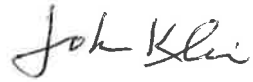
## **6. Public Comments**

There was none.

## **7. Adjournment**

Mr. Miller noted that next month's meeting will be held on Wednesday July 5<sup>th</sup> and he adjourned the meeting at 10:00PM.

Respectfully submitted

A handwritten signature in black ink that reads "John Klein". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

John Klein  
Secretary