

Upper Gwynedd Township

Planning Commission

P. O. BOX #1 ● WEST POINT, PA. 19486

October 2, 2017

The October 2, 2017 Planning Commission Meeting was called to order at 7:30 pm. In attendance were:

Sam Miller	Chairman
John Lancaster	Vice Chairman
Gilbert Silverman	Member
Chris Carroll	Member
John Tierney	Member
Kathryn Carlson	Member
E. Van Rieker	Zoning Officer
Colleen Tronoski	Recording Secretary

1. Call to Order

The October 2, 2017 Planning Commission was called to order by Mr. Miller at 7:30 pm.

2. Approval of Minutes of September 6, 2017

Mr. Miller asked for any questions relative to the Minutes of September 6, 2017, which had been circulated by email. Mr. Lancaster made a motion to approve the Minutes. Mr. Carroll seconded, and the motion was unanimously passed to approve the Minutes of September 6, 2017.

3. Report of Commissioners Meetings

Mr. Santi reported that at the last Board of Commissioners Meeting, the Commissioners held two public hearings regarding an amendment to a section of the Township Code which permits the growing, processing and dispensing of medical marijuana. This is provided by the State Medical Marijuana Act. The growing and processing will be in I-Industrial and the dispensing will be in C-Commercial District. To date, the Township still has no applications but if /when the Township does receive any, the Township needs to have a section ready to move forward with this. This Ordinance was approved. The second public meeting heard comments pursuant to the amendment of certain chapters of the Township Code regarding new definitions of family and dwelling unit. Case Law says that the Township Ordinance was out of sync in what the new rulings have been. This was open for questions and comments, there were none. This Ordinance was approved also. Mrs. Edelmayer gave a report and thanks to everyone regarding the carnival. This year's carnival was the best carnival since they started. There were \$105,000 ride tickets sold. A motion to advertise for snowplowing was made. The Township will no longer be plowing state roads. There have been complaints in the past about roads not being plowed correctly or not on time, up until now the Township Public Works Departments have been plowing 7-8 state roads. After surveying surrounding municipalities, they all let the state plow their own roads. The Board accepted road dedications for Wagner Court and Providence Lane and October 8-14 was designated as Fire Prevention Week.

4. New Business

None

5. Old Business

A. Gwynedd Ridge (Martin Tract) Preliminary Subdivision Plan

Mr. Silverman stated that he needed to recuse himself from this agenda item, noting a conflict of interest on this matter.

Mr. Woodrow, engineer for Pulte Homes, stated that since the last time the applicant was in from of the Planning Commission, he has met with the Township Engineer and reviewed his comment letter. They also met with PENNDOT and had the Police Department look at the traffic on Green Street. Mr. Miller asked Mr. Woodrow if he received Chief Duffy's traffic report regarding Green Street. Mr. Woodrow stated he had. He stated that with using all the information that's been gathered and filing revised plans hopefully later this week, he is hoping for a new review for the November meeting. He stated that was all he had to report for this month.

Mr. Miller stated that Chief Duffy provided a report to the Township Manager Len Perrone, dated September 26, 2017 with regards to a traffic study on Green Street and the traffic study was as follows – 7 days of data taken, 4977 cars were timed, there were approximately 3 times greater the number of cars traveling south than north, the 85th percentile of all the cars on the road was 24.21 miles per hour north bound and 27.5 south bound, indicating no speeding issues. A crash review reveals no crashes during a 3 year look back period. They have targeted the area with speed details and performed 6 details over the same time that resulted in only 2 citations.

Mr. Rieker noted that he had extra copies of the traffic study on Green Street if and residents were interested. Mr. Rieker also stated that at the last meeting some of the neighbors indicated some storm water runoff concerns from Whites Road Park. The Township has concluded that this is not related to the Martin Tract but did call Lansdale Officials and their Code Enforcement Official, Director of Parks, and Borough Manager. They met with Mr. Rieker and Russ Benner, Upper Gwynedd Township's Engineer, at the property and walked the area of concern. What was identified so far is that the tennis courts that are near these homes drain towards Whites Road away from Green Street properties. There is a swale currently in place installed by the borough, it could be refined more. It's going to be studied to see if the swale can catch more storm water than it currently does and discharge it towards the access drive that comes up next to the Martin Tract. The plan has always included installing an inlet to capture runoff from Whites Run Park. Mr. Rieker also noted that he had some discussion with Mr. Woodrow about the possibility of traffic calming devices along Green Street to deter cut through traffic.

Mr. Santi stated that he was surprised at the amount of traffic along Green Street. He noted that he received a recommendation and he recommends that the applicant to look at the feasibility of building a cul-de-sac with an emergency exit.

Mr. Miller stated that now is usually when the Board asks for public comments or questions but since they will be back next month with a new plan, questions will be deferred until next month.

B. Newbury II

Mr. Mullin stated that they are here for a recommendation of approval for the subdivision plan and a recommendation of approval of conditional use. He stated that the Township Ordinance states that the building of twins requires getting a conditional use and then comply with the Ordinance. The plans are now at the point of complete compliance. There was discussion about certain items that the Township wanted considered mostly regarding the church property which will remain. There are plans to build a community center sometime in the future.

Mr. Woodrow spoke about the new access road, he noted when they designed to utilize the rear portion of the church property, this new road was within 100 feet of the church structure itself. This was a zoning issue. The applicant did go in front of the Zoning Hearing Board and they did acquire a variance to build this access road within 100 feet of the church. There has also been a review of water and sewer, T&M and DEP has been reviewing the planning module and the NPDES permit. The plan has changed a few times, the open space has increased across from Newbury I and made accommodations for additional buffering to the front of Farm Lane. It was noted that the playground was also moved away from Newbury I. Ms. Carlson asked if the playground would be fenced in since its close to the parking lot. Mr.

Woodrow stated that it will be.

Mr. Miller asked Mr. Rieker if he had any questions or comments. Mr. Rieker asked the applicant if they were here for subdivision, conditional use, and land development? Mr. Mullin answered yes. Mr. Rieker stated that he has not seen the last review from T&M. He noted that the last time the applicant was in front of the Planning Commission they needed to go to the Zoning Hearing Board and obtain a few dimensional variances. They have done this, and the Zoning Hearing Board has included some conditions to their approval such as the relocation of the playground. The plan shows all the land development and subdivision issues that are required to be vetted by the Township.

Ms. Carlson made a motion to table this item until the Board reviews the final report from T&M. Mr. Silverman seconded this motion.

Mr. Miller asked if there were any public questions or comments for Newbury II.

Joe Mack, 309 Newbury Court – asked what the house size will be for the new homes. Mr. Woodrow noted that the new homes will be the same as Newbury I. Mr. Thomas stated that Newbury II will have a first-floor master. Mr. Mack asked about a dotted line that runs from the new property to the old property. Mr. Woodrow could not find this line but advised Mr. Mack to call him at his office for more review of the dotted line or additional questions. Mr. Mack also asked if any trees were removed from the back corner. Mr. Woodrow stated that they were not. The lots were moved to the Northwest.

Ed Trice, 337 Farm Lane – questioned the basin and how it would drain. Mr. Woodrow stated that the basin drains away from Farm Lane. This basin will drain to the north and under the Peco powerlines and down to the new basins the Township just built in front of the school. Mr. Trice asked about a berm or swale being built in front of Farm Lane to force the water down. Mr. Woodrow stated that that was correct and there are also inlets that captures the water and funnels it into the detention basin.

Ann Christian, 360 Farm Lane – asked what the status of the fence that's supposed to go from the fence around the pond along her the rear property . Mr. Woodrow stated that this fence is part of the plan and will be built.

Glenn Johnson, 325 Newbury Court – stated that the dotted line that Mr. Mack spoke of earlier come from the parking lot on Phase II and come over into Phase I. Mr. Woodrow noted that this was a drainage area boundary plan. It's part of the storm water management plan. Those dotted lines describe the watershed that will drain to the inlets and pipe system it defines the area that drains to a point of collection. Mr. Johnson asked if this line will have water. Mr. Woodrow said no, it defines a watershed. Mr. Johnson asked if water from a pipe would be coming into Newbury I systems. Mr. Woodrow said no. No water from Phase II would be coming into Phase I. Mr. Johnson asked where the berm starts and stops. Mr. Woodrow stated that it starts at the wood line and runs to the corner of the last property of the street. Mr. Johnson stated that the project plan was off 10 feet, so he would like the berm moved 10 feet also. Mr. Woodrow noted that he will look into this and expand the berm if needed. Mr. Johnson asked what T&M stood for. Mr. Rieker stated that it was their corporate name. Mr. Johnson asked when the T&M report for Newbury I would be done? Mr. Rieker asked what specifically he was looking for. Mr. Johnson stated that he asked the Township for a list of open items and as of July 17th, there's still a two-page list. Mr. Rieker noted that for comments for this list are to go to Mike Lapinski. Mr. Johnson asked why isn't Phase I done before moving forward with Phase II. Mr. Rieker stated that he doesn't not have an answer because he does not know if there is an agreement on what is or isn't completed. Mr. Rieker suggested a memo to the Planning Commission regarding a punch list for Newbury I. Mr. Johnson noted Planning Commission Minutes, dated March 2, 2015 state that Mr. Mullin provides \$40,000 to the Newbury I HOA. The HOA still hasn't received this money. Mr. Mullin stated that the HOA would not receive the money until this plan was approved.

Joe Mack, 309 Newbury Court – with regards to the fence, he thought the developer would take responsibility for

maintenance on the fence and he understood the fence to run E. Prospect Avenue to the end of Phase II property. Mr. Thomas stated that Newbury II HOA will take responsibility for the maintenance of the fence from Prospect to Farm Lane.

Mr. Mack voiced a concern with the fence on the Farm Lane property. He stated that this fence protects a 15 foot drop off. So, this agreement leaves Newbury I responsible for any issues that may arise with this. Mr. Mack handed out a list of issues regarding this fence. Mr. Miller stated that once the Planning Commission gives a recommendation of a plan, it does not come before them again. Mr. Mack stated that the fence was done by the builder of Phase I but this is not on Phase I property, but they are now responsible if there's any accidents. Mr. Miller reminded him that this is not an item for the Planning Commission, but he should be going to Township Officials or the Engineer.

Mrs. Carlson asked if the ballfield lights are going to be a problem for the Newbury II residents? Mr. Woodrow stated that they spoke with lighting consultants and there will be improvements to those lights like shielding and replacing them. Mrs. Carlson asked if there was a barrier between Newbury II and the ball fields. Mr. Woodrow stated that there is no fence separating them.

Mr. Mack, 309 Newbury Court stated there is no fence from the pond area at Phase I to the starting point of Phase II. Is there a plan to put fence there? Mr. Woodrow stated no there is not.

Liz McNaney, 551 Airy Street – asked when the lights for the ball fields would be changed. Mr. Thomas stated once the project is started, part of the discussion with the Township is to coordinate with the baseball league and schedule the lighting changes. So, maybe one year.

Ed Trice, 337 Farm Lane – asked if fencing would be put behind the Farm Lane properties. Mr. Woodrow stated that Mr. Mack was asking about new fencing along Newbury I. But the fence will start at Newbury II and go the length of Farm Lane. Mr. Trice stated he doesn't believe this was the agreement. Mr. Woodrow noted that he will look into the fence discussions and advise what was agreed.

Mr. Silverman stated that the Peco right-of-way currently has a berm. There are several trees being planted. Is this outside Newbury II? Mr. Woodrow stated that was correct. A piece of the berm will come out, but the mass of the berm stays in place.

C. Hartford Properties Subdivision Plan

Mr. Rieker stated that he needed to recuse himself from this agenda item and Mr. Amey would be sitting in.

Mr. Mullin stated that they are proposing a 3-lot subdivision because the Township Ordinance states you can only have one use on one lot. They are here tonight with the final letter and in compliance and seeking approval for the 3-lot subdivision with no land development aspect.

Jeff Bevin, Bohler Engineering, stated that the plan submitted, dated September 27th, reference in the T&M letter also dated September 27th, briefly described the property and plan. He noted that existing Genuardi's building is shown on the plan. It is divided by subdivision lines and the applicant is proposing to demolish this building. Mr. Mullin stated that before purchase of the property and prior to recording of the plan the building will be demolished. Mr. Bevin noted that Church Road has a required 52-foot cart way or 26-foot half width cart way currently from the center line of the road way, there's about 22-23-foot width which would require widening of 3-3 1/2 feet, the applicant is proposing to defer this until the site is developed. Mr. Mullin noted that this property is subject to an agreement with the Township, when the Township did the Sumneytown Pike improvements, the applicant's predecessor agreed to \$147,000 payment at the time that the property is developed. This is to compensate the Township on the work already done on the intersection. This is

in the T&M review letter. Mr. Mullin also stated another agreement at request of the Township Engineer was to have cross easements, covenants, on all three lots so that each lot can get out to either road.

Mr. Silverman stated that when the review of this property was done, they found a safety issue in the back corner by the

Peco line. There is a big drop with no fence. This was pointed out to the applicant and it was supposed to be taken care of. It still has not been. Mr. Bevin does not believe this was taken care of yet since no improvements have been made yet. Mr. Mullin stated that this issue will be looked into.

Jim Garrity, about the building demolition, he believes the Township Engineers letter said that all the documentation should be run by the Township and the Township Solicitor, he does not think this is a problem. Mr. Garrity also asked about the \$147,000 contribution anticipated this entire property would be developed as a whole, now it could be developed as three lots. Any thought on how your client wants to handle the contribution given that it could be developed as three lots. Mr. Mullin stated that this has not been discussed, he believes the agreement indicates that the contribution will be paid when a gasoline sales service station is approved by the Township which would be lot 1.

Mr. Amey stated that at this point his review letter has been answered by the most recent plan and Mr. Benner's comments have all been addressed.

Mr. Garrity asked if the access easements mentioned on the plan? Mr. Bevin stated that they are mentioned as a note.

Mr. Silverman made a motion to approve the plan with the condition that the safety issue on lot 3 be addressed. Mr. Lancaster seconded this motion. This plan was approved by the Planning Commission.

5. Adjournment

There being no further business for discussion, Mr. Miller asked for any further questions or comments. Upon hearing none, Mr. Lancaster made a motion to adjourn. The motion was seconded by Mr. Carroll and unanimously passed. Mr. Miller noted that next month's meeting will be held on Monday November 6th. The meeting ended at 8:40PM.

Respectfully submitted



John Klein
Secretary