

March 2, 2015

1. Call to Order

The March 3, 2014 Planning Commission Meeting was called to order at 7:30 p.m.. Those present were:

John Lancaster	Vice-Chairman
John Klein	Secretary
Robert Schunke	Member
Christopher Carroll	Member
Gil Silverman	Member
Nicole McCabe	Member
James Santi	Liaison, Township Commissioners
E. Van Rieker	Zoning Officer & Planning Coordinator

2. Re-Organization of Officers

Mr. Lancaster noted that since this was the first meeting of the year a reorganization of officers was necessary. He asked for nominations from the members.

Mr. Schunke made a motion for Mr. Miller to remain Chairman. Mr. Klein seconded the motion and it passed unanimously.

Mr. Klein made a motion for Mr. Lancaster to remain Vice-Chairman. Mr. Schunke seconded the motion and it passed unanimously.

Mr. Schunke made a motion for Mr. Klein to remain Secretary. Mr. Silverman seconded the motion and it passed unanimously.

3. Approval of Minutes of December 1, 2014

Mr. Lancaster advised that the Minutes of December 1, 2014 had been distributed previously via e-mail and asked for any questions or corrections. Upon hearing none, Mr. Silverman made a motion to approve the Minutes. Ms. McCabe seconded the motion and it passed unanimously.

4. Report of Commissioners Meeting

Commissioner Santi reported on the previous Board of Commissioner Meetings.

December 22, 2014

The Board of Commissioners approved Ordinance No. 2014-017; an Ordinance fixing the tax rate for the year 2015.

The Board of Commissioners re-appointed E. Van Rieker to Zoning Officer and Planning Coordinator for another year.

The Board of Commissioners re-appointed Christopher Carroll and Gilbert Silverman to the Planning Commission Board for an additional four years.

The Board of Commissioners approved Allan A. Myers (Turnpike Expansion Project) request for a Waiver from Chapter 113-1 for afterhours night work between 8:00 PM and 6:00 AM to perform demo work and install new beams for the Northeast Extension Bridge over Valley Forge Road. There will be four night closures. Two next year and two the following year. One night for demolition and one night for erection of new beams (repeated). There are no dates pinpointed yet.

January 26, 2015

Mr. Santi noted that GlennAnne Chabala was recognized for the 2015 SHAPE America Eastern District Outstanding Professional Award in Recreation. He advised that Mrs. Chabala had left Upper Gwynedd Township for a Park and Recreation job at Upper Merion Township.

The Board of Commissioners postponed the vote to approve Resolution No. 01-2015 which would approve the transfer of Restaurant Liquor License No. R-937 into Upper Gwynedd Township from Upper Merion Township for Weis Market, Inc..

The Board of Commissioners approved Resolution No. 02-2015 accepting the Dedication of Langberg Lane in the Gwynedd Meadows Development from David Erb Contractors, Inc.

The Board of Commissioners approved a Stipulation Agreement between Couzins, Inc., the Upper Gwynedd Township Zoning Hearing Board, and Upper Gwynedd Township regarding 810 Dickerson Road.

The Board of Commissioners approved Resolution No. 04-2015 designating the North Wales Public Library as its Agency for providing Public Library Service.

Mr. Santi reported that there was a SWAT Merger:

The Board of Commissioners approved an Inter-Governmental Agreement to Dissolve the North Penn Area Tactical Response Team in order to join Montgomery County SWAT – Central Region.

The Board of Commissioners approved the Mutual Aid Compact for Montgomery County SWAT Central Region Team.

February 23, 2015

The Board of Commissioners approved Resolution No. 01-2015, approving the transfer of Restaurant Liquor License No. R-937 into Upper Gwynedd Township from Upper Merion Township for Weis Market, Inc. Mr. Santi reported that everyone would be carded.

Special Meeting held March 2, 2015

Mr. Santi advised that there was a special meeting held on March 2, 2015. He noted the following:

The Board of Commissioners approved a Withdrawal Agreement between Upper Gwynedd Township, Towamencin Township, and the Upper Gwynedd Towamencin Municipal Authority (UGTMA).

The Board of Commissioners approved a Customer Service Agreement between Upper Gwynedd Township and Towamencin Township regarding Sanitary Sewer Services.

Mr. Lancaster asked when this would occur and Mr. Santi stated the expected date would be April 30, 2015. Mr. Santi explained it would take four to five years to become a customer of Upper Gwynedd – Towamencin Authority.

Ms. McCabe questioned if there was a financial benefit to this separation and Mr. Santi confirmed there was and advised there had been upgrades completed to the wastewater treatment plant mandated by DEP and EPA. He stated that it would also control the sewer rates for the residents as well.

5. Old Business

**A. Enclave at Maple Green – 1931 South Broad Street
Subdivision for Five (5) Single Family Lots**

Rolph Graf, Engineer for the applicant, reminded the Planning Commission that the property consisted of four acres, barns where horses were kept and that the property was devoid of landscaping. Mr. Graf stated there was a Restrictive Covenant which surrounded the wetlands on the property. He advised the following waivers would be needed per T & M Associates' letter dated February 26, 2015:

1. A waiver from Section 168-20.D (1)(c)[1] - this section states residential streets are those which are used strictly to serve residential areas and do not serve as through roads in a development. Per Section 168-20.D(2)(a), the minimum street requirements for a residential street are a 54 foot right-of-way, a 30 foot pavement with, 4 foot sidewalk and curb.
2. A waiver from Section 168-20.D(3)(c)- two streets intersecting a third street from opposite sides shall either intersect with a common center line or be separated by a minimum distance of 350 feet, measured along the centerline.

Mr. Lancaster asked if the applicant would comply but the plan was not showing the compliance and Mr. Graf confirmed that was correct. Mr. Rieker advised the proposal was looked over six to eight months ago and the Township was asked if it would be better without the cul-de-sac. Mr. Rieker explained the Township felt it would be a burden for plowing and Liquid Fuels and the Township Solicitor suggested a list could be made for the homeowners as to items they would have to take care of, such as the placement of mailboxes, general upkeep and things of that nature. He stated Staff recommended acting on the waivers separately and if it was not acceptable then the street would need to be public. Mr. Graf noted the Township, Engineer, and Fire Marshal have all reviewed the plan.

Mr. Lancaster questioned if the emergency access was approved and Mr. Graf confirmed it had been. Mr. Graf mentioned the Fire Marshal suggested a fire hydrant and that would be added as well.

Mr. Graf advised flow of traffic would come in off of Broad Street, into a fourteen foot wide entrance, and there would be a fourteen foot wide exit with a ten foot wide planting strip in the middle. He stated prior to the first two driveways there was thirty-eight feet of pavement then goes down to thirty feet wide. There was discussion relative to restrictions of entrance into the development and Mr. Graf stated there would be no restrictions.

Mr. Carroll mentioned the shoulder ends abruptly on Broad Street. Mr. Graf stated it would be widened in order to allow a safe entrance into the development.

In response to Mr. Lancaster's question regarding who would be responsible for snow plowing, Mr. Graf advised the Homeowners Association would be responsible. He stated the association would be responsible for maintenance.

Mr. Lancaster asked for any further questions or concerns. Upon hearing none, Mr. Klein made a motion to recommend approval of the subdivision to the Board of Commissioners contingent on waivers being granted. Ms. McCabe seconded the motion and it passed unanimously. Mr. Schunke abstained from the vote.

**B. 1328 East Prospect Avenue (Newbury Phase 2)
Proposed Zoning Classification Change**

Attorney Ed Mullin advised the neighbors were listened to and reasonable concerns satisfied. He advised the changes in zoning were on a partnership basis with the Township, Farm Lane residents, the Sanctuary Methodist Church, Newbury residents, the school district and the County. Mr. Mullin stated the County agreed the R-4 zoning was compatible and consistent with the adjacent R-4 development and smaller lot residential development off Farm Lane, and the Montgomery County comprehensive plan for residential development. He advised the County recommended approval as long as adequate landscaping was provided. Mr. Mullin distributed a booklet which provided a copy of the letter from the County.

Mr. Mullin introduced Pastor Carver from Sanctuary Methodist Church. Pastor Carver advised when he received the call requesting consideration to sell the piece of property he listened to the community, and there had been discussions with members of the church who support the process. He advised he went through all the necessary processes with the church, including advertisements and votes, of which the votes were unanimous. Pastor Carver noted the Children and Youth would be the target due to Nor Gwyn Baseball field next door which they were able to use but there was no year round activity available. He stated by selling off this piece of land there could be year round activities with a community center.

Pastor Carver introduced Pastor Raffanf from West Lawn, Spring Township in order to convey how a community center can benefit the community. Pastor Raffanf gave a speech regarding the activities that take place in the community center owned by his church. He advised it was used for mostly church activities with a library in the basement and when available non-profit organizations use it as well.

Mr. Silverman questioned what the zoning change benefit would be and Pastor Carver explained the property would remain the same for the church. He advised the sale of the land would allow the church to build the community center. Mr. Silverman stated the sale of the land gives more money to the church regardless of the types of homes built and Pastor Carver agreed. Mr. Mullin noted fewer homes means less money and if approval was given the church can give back more to the community.

Mr. Carroll asked the purpose of lot premiums. John Kennedy, Planner for the Applicant, was introduced to answer the question. Mr. Kennedy advised lot premiums were common in development. He reported some builders don't use them at all while some builders use them on every lot. Mr. Kennedy explained it was a way the developer could distribute the total amount of money. He advised the developer needs to get money to get out of the property to cover the price of the land, to get necessary approvals, and the money to improve the land which he then redistributes to lower the base price of the property. Mr. Kennedy stated the base price was where people begin. He advised they were commonly used especially if a lot size was larger, privacy or other elements such as a wooded

part of the property. Mr. Kennedy noted it was not typically documented as to why there was a lot premium unless there was a golf course or lake front property involved.

Mr. Kennedy advised he read all the letters from the residents of Newbury and feels planning has gotten lost. Mr. Kennedy showed the surrounding land uses and zoning. He reported this was an ideal setting for multi type homes; R-2 single family detached homes would stand out where twins would protect the style in the area.

Mr. Kennedy noted the County recommended approval of the zoning change.

Mr. Kennedy reviewed previous plans submitted to the Township with the first one being in 2007 by Parec. He advised it encompassed the area where Newbury currently was and the subject property and was favorable to the Township but the church was not willing to sell. Mr. Kennedy explained the area that became Newbury was zoned to R-4. He advised the next plan dated December 2013 was the same standards as Newbury with less density because the parcels were larger. Mr. Kennedy stated the residents felt additional space was needed and the County also recommended property buffering and landscape as well. He reported in June of 2013 the plan was resubmitted with a thirty foot buffering shown which was a fifty percent increase. Mr. Kennedy advised more trees would be added, however residents were still not happy with the plan. He noted Mr. Woodrow met with the residents in the area and resubmitted a plan in October 2014 which had a fifty foot setback but there were still some concerns. Mr. Kennedy stated PRDC asked him to take a look at the plan, which he did and now the plan has been compacted. He explained there was a single cul-de-sac with an over-sized bulb with an island that could be used for storm water management. Mr. Kennedy pointed out another island closer to Hancock Road stating that this would calm traffic and an entrance point past the entrance point to the church. He advised there would need to be some re-configuration done for the church entrance and parking area which would require them hiring an architect.

Mr. Kennedy read some separation distances relative to the lots. He explained they tried to push buildings back in order to maintain existing trees. Mr. Kennedy stated the emergency access can function as a walking trail as well.

Mr. Kennedy reported there would be thirty-two units which were below the maximum density but an additional four units than originally proposed. He stated they worked with neighbors, increased the distance, kept trees and add additional landscaping.

Mr. Mullin advised if the zoning were to remain R-2 the set-back would be fifty feet where the R-4 would be 100-200 feet. He also agreed the Homeowners Association documents would prevent anything from being built in the rear of the properties such as pools or sheds. Mr. Mullin advised \$40,000.00 would be donated to the Newbury 1 Homeowners Association for landscaping in order to enhance their community. He stated \$25,000.00 would be donated to the Township Park and Recreation Department. Mr. Mullin noted they would work with the church in regards to paving and re-stripping the parking lot, provide a fence along Farm Lane that was requested by the residents and work with Nor-Gwyn on their parking lot to clean it up to make it more useable. Mr. Lancaster asked if the deed restrictions would apply to all thirty-two units and Mr. Mullin confirmed all thirty-two units would be restricted.

Mr. Rieker noted there were fewer parking spaces available for the church. Mr. Kennedy stated there was a loss of some parking that would be relocated and would need to be looked at due to the community building. Mr. Rieker advised there would need to be an understanding where another seventy parking spaces would go.

Mr. Mullin introduced Greg Richardson of Traffic, Planning & Design. Mr. Richardson gave a brief background of himself. He then explained there were three parts to the study. He reported the first part was to actually count the vehicles on the road in order to set a base line and determine the number of trips that the new development would generate. Mr. Richardson stated there was a one hour time period in the morning, a one hour time period in the evening and add the new development being proposed it would create twenty-one new trips in the morning and

twenty-four in the evening. He advised currently there was 10,000 trips on Hancock Road and this additional traffic would be less than 5% which would not be an impact. Mr. Richardson acknowledged the most critical intersection was Hancock Road and Prospect Avenue, when making a left from Hancock Road onto Prospect Avenue. He stated the same would go for driveways. Mr. Richardson reported a speed study had been done on the road. He advised the road was posted with a speed limit of 25 mph but showed most vehicles traveled at 39 mph. However, Mr. Richardson felt it there was safe access point and in checking with the Upper Gwynedd Police Department there had been two accidents reported in the last five years.

Mr. Silverman expressed concern relative to seeing the new road when approaching it from Hancock Road. Mr. Richardson explained that different things need to be taken into consideration such as the posted speed, the travel speed, the grade of the road, DES, which was Penn DOT standards for sight distance, which would be desirable, and the SSD, which was the safe stopping distance, based on the 39 miles per hour travel speed. He then explained that you go to where the road would be located, crouch down to the height of three feet, which was the height of a driver in a car, and look at the sight distance. There was further discussion relative to the grading and curve.

Mr. Schunke questioned if there would be an overhead light at the intersections. Mr. Rieker advised that would be considered at the time of land development.

Mr. Rieker advised the church driveway on Hancock Road would be shared. He reported it would be removed and relocated which means only one curb cut in the area would remain. Mr. Rieker questioned with thirty-two dwellings and the church if a left turn lane should be considered. Mr. Richardson stated that was not looked into but could be considered. He explained weekday houses alone did not warrant a left turn lane. Mr. Rieker noted with a community building it may warrant it. Mr. Richardson agreed that was a good point. Mr. Schunke advised in the evenings of Spring and Summer the baseball parking lot fills up. Mr. Richards once again agreed that was a good point, however does not believe the volume would interfere. Ms. McCabe expressed concern relative to sight visibility when parking along the road occurs and questioned how that would be controlled. Mr. Richardson advised a no parking on the road would need to be enforced.

Mr. Mullin introduced Ron Smith who was the lighting consultant. Mr. Smith gave brief background information on himself. He reported that he reviewed the existing lighting system at the fields. Mr. Smith advised the glare was greatly reduced and was a good system. It was confirmed the lighting being discussed was only on the baseball fields. Mr. Rieker questioned if side house shields would be necessary for the new homes and Mr. Smith felt they were not needed.

Mr. Silverman questioned if the existing berm was on the church or PECO property. Mr. Woodrow advised that the berm straddled the property Nor Gwyn property and PECO property. He explained the grading would need to be readjusted in order to separate the Nor Gwyn parking from the new homes.

Mr. Lancaster opened the floor for public comments or questions.

Michael Hartz, 357 Farm Lane, questioned if the depth to Farm Lane was changed and Mr. Kennedy stated it was not changed. He advised it would remain at fifty feet. Mr. Hartz advised there was a basin at the end of Farm Lane and questioned if there would be an impact on that basin. Mr. Woodrow explained the discharge from the basins would need to be worked on due to the interaction between the two. In response to the question from Mr. Hartz relative to whether the fence would go all the way down Farm Lane, Mr. Mullin confirmed it would go the length of Farm Lane. Mr. Hartz expressed concern relative to the speed vehicles travel on Hancock Road and the lighting on the baseball fields. Mr. Smith explained lighting can be objectionable but not obtrusive. He advised it may appear to be shining brightly but it would not be bright enough to be shining on one of the properties.

Edward Trice, 337 Farm Lane, questioned if a berm would be added and Mr. Woodrow advised they had not gotten that far. Mr. Woodrow explained there was vegetation that would need to be removed but when the time comes the applicant could meet with the residents to discuss. Mr. Trice expressed concern relative to water issues when it

rains and the impact to the basins. He reminded the berm had to be installed due to impact of water run-off onto the fields when it rained. Mr. Woodrow advised there would be an improvement once the project was constructed and the Farm Lane basin would not be adversely impacted. He explained there were DEP regulations to be followed as well as Township regulations.

Mr. Trice asked if there would be an overhead light installed at the new road on Hancock Road and Mr. Woodrow advised it had been discussed. Mr. Smith explained that would assist in preparing for the turn. Mr. Smith stated Hancock Road was dark and by turning into the road a vehicle could end up in the ditch. Mr. Trice asked if there was any discussion of widening of Hancock Road east bound. Mr. Richards stated it had not been discussed yet.

Francis Azul, 341 Newbury Court, expressed concern relative to water pressure at Newbury Court and questioned if there had been study or would there be one in regards to this. Mr. Lancaster advised that would need to be taken up at another time as this was not a topic for discussion at this meeting.

Joseph Abbott, 349 Newbury Court, stated he had paid a lot premium for privacy, space and quiet. He advised had he known this proposal was going to happen he would not have purchased the home. Mr. Abbott agreed the new plan was better but still was not happy about it happening.

Kathy Johnson, 325 Newbury Court, requested part of the R4 approval be landscaping. Mr. Mullin explained the applicant had offered to remove the vegetation behind their home and put in new, would also donate money to Newbury 1 for any landscaping they want or to do whatever they see fit with it, whatever their choice may be.

Mrs. Johnson asked why there was an emergency access and Mr. Woodrow explained if emergency vehicles could not get through on the main road they can use the emergency access. Mr. Woodrow was unsure if emergency accesses had ever been used but firefighters prefer them. He explained what material was used to build the access.

Mrs. Johnson questioned what storm water BMP was and Mr. Woodrow explained it was like a rain garden, something like a low depression that filters out rain water and absorbs nutrients that adversely affects ground water below.

Amy Gross, 313 Newbury Court, expressed concern the number of homes increased and was concerned for the deer.

Barry Green, 305 Newbury Court, thanked the developer for addressing concerns of the residents.

Glenn Johnson, 325 Newbury Court, expressed concern as to the lighting from the fields. Mr. Johnson asked what the size of the storm water BMP would be and Mr. Woodrow explained it was unknown at this time as to the size or if it would be fenced in but felt fencing it in would not be necessary. Mr. Woodrow reminded this was a meeting for a zoning change and the next step would be land development where this item would be decided. There was discussion relative to water pressure in the area. Mr. Woodrow advised it was a North Wales Water issue and needs to be addressed with them.

David Sevcik, 329 Croft Road, Commissioner of Nor Gwyn Baseball/Softball, expressed concern how the berm would impact parking at the field and looked forward to working with the applicant to improve that. Mr. Sevcik was curious how the increase of homes came about and Mr. Mullin stated it came down to how it was able to be laid out with the road configuration as compared to before. He advised that once land development began some homes could be lost or added though it was highly unlikely.

Mr. Sevcik advised there had been some wind damage to the lights on the field, some had shifted as well but they will be addressed.

Mr. Schunke questioned on the plan there were five lots and Mr. Mullin stated there will be nine. Mr. Mullin advised the neighbors had been listened to and the applicant had worked with them. He felt they had addressed all their concerns.

Mr. Lancaster stated he was chairing the meeting and if there would be a vote where he would have had to break a tie he would have to abstain due to having been a part of Sanctuary Methodist church and a professional relationship with a resident of Newbury 1. Mr. Lancaster advised it was fortunate there was an odd amount of members in attendance so his vote would not be required.

Mr. Lancaster reminded this was for re-zoning only and would not be the last meeting. Mr. Rieker stated this was an advisory vote only for the Board of Commissioners who would have their own vote on this topic.

Mr. Lancaster asked for any further questions of concerns. Upon hearing none Mr. Schunke made a motion to table. There was no second. It did not carry.

Mr. Lancaster asked for any other recommendation. Mr. Carroll made a motion to recommend approval of the proposed zoning classification change from R2 to R4 to the Board of Commissioners. Mr. Silverman seconded the motion and it passed four to one with Mr. Schunke voting nay.

6. New Business

**A. Bridge Community Church – 983 Allentown Road
Building Expansion**

Joel DelliCarpini of Boehler Engineering advised that Bridge Community Church was behind the PNC Bank at Allentown and Valley Forge Road. Mr. DelliCarpini explained the applicant wants to expand the adult classrooms only at the southwest part of the building and a small storage area on the northwest side of the building. He stated it would be just short of a 100 foot residential setback. Mr. DelliCarpini noted it would be an additional 3200 square feet of additional building area added to the church. He reported the parking would not change because that was based on the sanctuary size and there was still excess parking available. Mr. DelliCarpini advised that the applicant met with Staff and at this time the only other minor improvements would be sidewalk and to move the handicap accessible spaces to the front of the building to comply with ADA. He noted water from the roof drains right onto the lawn but would be piped into an inlet to alleviate it from going onto the neighbors properties.

Mr. Lancaster questioned if there had been a Site Review yet and it had not been completed yet. Mr. Rieker advised there were no zoning issues but a Site Review needed to be completed and County Review comments were not received yet. Mr. DelliCarpini reported the neighbors had been notified with plans so they were aware of what the church was proposing.

Mr. Rieker noted old records were checked and since this was in an R2 District a special exception was needed for Institutional uses. He state all other features at the site were fully compliant.

7. Public Comments

There were no public comments

8. Adjournment

Mr. Lancaster asked for any further questions or comments. Upon hearing none a motion was made to adjourn. The motion was seconded and it passed unanimously.

Respectfully submitted,

John Klein
Secretary