

**LOWER POTTSBROOK TOWNSHIP  
PLANNING COMMISSION**

*Meeting Minutes for May 18, 2009*

The Lower Pottsgrove Township Planning Commission held their regularly scheduled meeting on Monday, April 20, 2009. The meeting was called to order by Chair, Geoff Dailey, at 6:30 p.m. and the following were in attendance:

Geoffrey Dailey, Chair  
Frank Cebular, Vice Chair  
Nick Hiriak  
Ron Dinnocenti

Alyson Elliott, Assistant Manager  
Scott Exley, Township Engineer

A motion was made by Mr. Hiriak, seconded by Mr. Cebular, and unanimously approved by a 4-0 vote to approve the minutes of *April 20, 2009*.

**ACCEPTANCE OF NEW APPLICATIONS**

None.

**OLD BUSINESS**

(#2009-02M) **Occidental Chemical Corp. – BCW Associates, Ltd.**, *Minor Subdivision Plan*, proposal to adjust the lot lines between Occidental Chemical Corp.'s 222.825-acre parcel and BCW Associates Ltd.'s 40.86-acre parcel by reducing Occidental Chemical Corp.'s parcel to 220.936 acres and increasing BCW Associate, Ltd.'s parcel to 42.630 acres on 263.6 acres at 375 and 351 Armand Hammer Boulevard in the HI Heavy Industrial District. [Plans prepared by Langan Engineering & Environmental Services, 30 South 17<sup>th</sup> Street, Suite 1300, Philadelphia, PA 19103, dated 03-07-2008, last revised 02-19-2009, and consisting of seven (7) sheets].

Mr. Michael Viscuso, the applicant's attorney, Mr. Sean Higgins, the applicant's engineer, and Mr. Dave Madeira, the applicant's representative, were present at the meeting to represent the application.

Mr. Viscuso explained that the Zoning Hearing Board, at its May 12, 2009, hearing granted relief based on the plans as they exist to allow zero reduced lot setbacks. The Zoning Hearing Board made no distinctions as to front yard or rear yard on this project.

In their plan, the applicant requested the following waivers:

- §507.1. of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to allow a property line to extend through an existing structure. This waiver applies to the Tech Center and Administrative Building.
- §510.1. of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to allow the survey for the current subdivision plans to be based on an arbitrary datum.
- §510.2. of the Lower Pottsgrove Township Subdivision and Land Development Ordinance which requires all lots to be staked by a registered engineer or surveyor when final grading has been completed.
- §602.C.1 of the Lower Pottsgrove Township Subdivision and Land Development Ordinance which requires existing features within 400 feet of the property to be shown on the plan.

The applicant explained that the request for a waiver from §507.1 is a precaution because this section is a little vague. He stated that the Administrative building is slated for demolition. When the building is demolished, this condition will no longer exist.

The applicant expressed concern with meeting the Township's datum because the property is so large and the project only a small part of the property. The applicant said that the project did not justify the expense necessary to do the survey work to meet the Township's datum requirement. The applicant agreed to work with Township staff to see if they could work out an acceptable solution.

The applicant requested relief from the requirement to mark property line boundaries, particularly along the boundary of Route 422 because it was not sure what exactly PennDOT would require for right-of-way in its widening project and when it would be needed. The applicant agreed to work with Township staff to determine an acceptable time frame for marking the property boundaries, particularly along the area in question.

Township staff said it had no further concerns with regard to this application.

**Action:** A motion was made by Mr. Cebular, seconded by Mr. Dinnocenti, and unanimously approved by a 4-0 vote, to recommend approval of the requested waivers with the following conditions:

- Future grading and land development would meet the Township's datum. Oxy Chem, BCW and Township staff would work together to come up with an acceptable solution.
- Applicant would install lot markers on common property lines and work with the Township to determine an acceptable time line and locations for the remaining boundary markers.

**Action:** A motion was made by Mr. Cebular, seconded by Mr. Hiriak, and unanimously approved by a 4-0 vote, to recommend approval of the minor subdivision plan of Occidental Chemical and BCW Associates, Ltd. With the following conditions:

- The applicant complies with any outstanding Township comments.
- The applicant agrees to keep open the possibility of granting an access easement to Hart Road to the Township in the future for a trail easement.

#### **Assisted & Independent Living Facilities (Basile) *Sewage Facilities Planning Module Component 4-A***

Ms. Elliott explained that the Assisted & Independent Living Facilities is working on its sewage facilities planning module and has submitted Component 4-A for the Planning Commission's review and approval. Ms. Elliott said she and Township staff had reviewed the information submitted on Component 4-A and found it to be accurate.

**Action:** A motion was made by Mr. Hiriak, seconded by Mr. Cebular, and unanimously approved by a 4-0 vote, to recommend approval of Component 4-A of the Assisted and Independent Living Facilities Sewage Facilities Planning Module.

#### **NEW BUSINESS**

None.

OTHER BUSINESS

Mr. Exley introduced Chad Camburn of Bursich Associates, Inc. who will be helping him out with Township business. He will be replacing Craig Forwood.

***Pottstown Metropolitan Region Planning Committee***

Ms. Elliott reported that the PMRPC will be considering an application by Upper Pottsgrove and West Pottsgrove to request future land use amendments to the Comprehensive Plan for land adjacent to the Upland Square Shopping Center along Route 100. Upper Pottsgrove is looking to change approximately 18.7 acres from Suburban Residential to Regional Commerce and West Pottsgrove is looking to change approximately 15.5 acres from Rural Resource to Regional Retail. These proposed changes would enable this area to develop in conjunction with the Upland Square development and both Upper and West Pottsgrove said the amendments would fit with the existing land use in the area.

Mr. Cebular said he thought the proposal made sense. The members of the Planning Commission were in agreement that they would not oppose this project.

There being no other business, a motion was made by Mr. Hiriak, seconded by Mr. Dinnocenti, and unanimously approved by a 4-0 vote to adjourn the meeting at 6:54 p.m.

The next meeting of the Planning Commission is scheduled for June 15, 2009 at 6:30 p.m.

Respectfully submitted by:

Alyson Elliott, Assistant Manager