

**LOWER POTTS GROVE TOWNSHIP
PLANNING COMMISSION**

September 20, 2010

The Lower Pottsgrove Township Planning Commission held their regularly scheduled meeting on Monday, September 20, 2010. The meeting was called to order by Chair, Geoffrey Dailey, at 6:30 p.m. and the following were in attendance:

Geoffrey Dailey, Chair
Nicholas Hiriak
Ronald Dinnocenti
William Wolfgang

Alyson Elliott, Assistant Manager
Chad Camburn, Bursich Associates, Inc.
Joseph Nixon, MCPC
Anthony Chericco

APPROVAL OF MINUTES

A motion was made by Mr. Hiriak, seconded by Mr. Dinnocenti, and unanimously approved by a 4-0 vote, to approve the minutes of August 16, 2010.

ACCEPTANCE OF NEW APPLICATIONS

None.

OLD BUSINESS

(2009-04P) **2209 East High Street (Cilluffo)**, *Preliminary Land Development Plan*, proposal to construct a 4,500 square foot, one-story building with a 2,500 square foot restaurant, two 1,000 square foot offices, and a 900 +/- square foot patio on the 36,281 square foot lot [Parcel ID #42-00-01882-90-2] located at 2209 East High Street in the LCO-Limited Commercial Office District with the SV-Sanatoga Village District Overlay. [Plans prepared by Ludgate Engineering Corporation, Lincoln Corporate Center, 10 Vanguard Drive, Suite 90, Reading, PA 19606, dated 08-25-2009, last revised 07-12-2010, and consisting of nineteen (19) sheets].

The application was represented by the applicant's attorney, Ameer Farrell, the applicant's engineer, Thom Ludgate, and the applicant's representative, Maria Cilluffo.

Ms. Farrell explained that the applicant has addressed a significant portion of the Township's comments and feels it is ready for a recommendation of preliminary plan approval.

Mr. Wolfgang asked about the PennDOT Highway Occupancy Permit (HOP) and alley.

Mr. Ludgate said that while the HOP is not in hand, he understands based on correspondence with PennDOT that the HOP will be issued soon as currently designed without access restrictions.

Ms. Farrell explained that her position, based on her research and legal precedent, is that the applicant does not need permission from the other property owners abutting the alley to use the alley, because they all have the same deed description with regard to the alley. The Township does not disagree with this assessment, but has concern over the potential for court battles and does not want to grant approval based on the alley as an access point.

She is working a restriction and use covenant agreement with the neighboring property owners. She has had success in contacting the three property owners who currently access the alley and has been able to work out an agreement with them. She said that two other property owners have been difficult to contact due to family situations.

Mr. Camburn said it is his understanding that the Township Solicitor's position is that preliminary approval can be granted showing the alley as a means of egress; however, the alley issue shall be resolved prior to final land development approval.

Joe Zlomek asked if it was determined that all properties adjoining the alley have equal access, does liability is shared as well. Ms. Farrell said it depends on whether an agreement exists and how it is drafted.

Mr. Hiriak asked if the alley would be improved, since it is currently in a messy state. Mr. Camburn stated that the SALDO requires the alley to be improved to the standards of a Township road.

Action: A motion was made by Mr. Wolfgang, seconded by Mr. Dinnocenti, and carried unanimously by a 4-0 vote to recommend approval of the following waivers:

- §215-17.D.(5). of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to permit two parking spaces within the rear setback which abuts a residentially zoned property.
- §215-17.D.(10) of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to permit a less than five foot radii of curvature of in curb line for two parking islands.
- §215-24.I.(1)(a) of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to permit a stormwater retention basin/detention basin within 50 feet of the proposed building. The proposed infiltration basin is estimated to be 44 feet from the proposed building.
- §215-24.I.(4) of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to allow 0.5 feet of freeboard within the stormwater basin emergency spillway in lieu of one foot.
- §215-24.J.(5) of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to permit storm pipes to have a minimum diameter of 12 inches, rather than the 18 inches required.
- §215-24.J.(6) of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to allow the applicant to use HDPE pipe, rather than a material rated to meet the 100-year life expectancy criteria contained in PennDOT DMII, most recent edition.
- §215-24.J.(11) of the Lower Pottsgrove Township Subdivision and Land Development Ordinance which requires a minimum of 18 inches of cover over storm pipes. Applicant requests a cover of no less than 12 inches.
- §215-35.C. of the Lower Pottsgrove Township Subdivision and Land Development Ordinance which requires all existing features within 400 feet of a site to be shown on a site plan. Applicant will provide a color aerial photograph illustrating the required area.
- §215-51.B.(1) of the Lower Pottsgrove Township Subdivision and Land Development Ordinance which requires a planting island every 10 parking

spaces. Applicant will place landscaping elsewhere on the site or donate required landscaping or fee-in-lieu to Township for planting elsewhere in the Township.

- §215-51.B.(2) of the Lower Pottsgrove Township Subdivision and Land Development Ordinance which requires the ends of all parking rows to be separated from drives by planting islands. A partial waiver is granted.
- §215-51.B.(5) of the Lower Pottsgrove Township Subdivision and Land Development Ordinance which requires the applicant to provide 9' x 18' landscaping islands. Applicant has provided smaller parking islands due to site configuration.
- §215-57.C.(4) of the Lower Pottsgrove Township Subdivision and Land Development Ordinance which requires the applicant to show landscaper certificates on the final plans.

Action: A motion was made by Mr. Hiriak, seconded by Mr. Wolfgang, and unanimously approved by a 4-0 vote to recommend preliminary approval of the land development plan for 2209 East High Street subject to items such as design, HOP, planning module, and other items are addressed prior to submission of the final plan.

(#2010-02M) **Women's Medical Center**, *Minor Land Development Plan*, proposal to demolish the existing 5,025 sq. ft. building and construct a two-story, 10,212 sq. ft. medical office building and minor improvements to the parking lot and driveway area on a 43,647 sq. ft. lot at 1597 Medical Drive [Parcel# 42-00-03065-39-4, Block 025, Unit 045] in the LI Limited Industrial District [Plans prepared by Grande Engineering, 43 Burnside Avenue, Norristown, PA 19403, dated 06-01-2010, last revised 08-23-2010, and consisting of four (4) sheets].

The application was represented by the applicant's engineer, Jose Grande, and the applicant's architect, John Betts.

Mr. Grande stated that he met with Mr. Camburn to discuss revisions to the plans based on the Planning Commission's comments. The changes that resulted include:

- The driveway width will be no less than 20 feet wide.
- The rear parking was shifted to allow for a 25 foot wide drive aisle.
- Planting islands were added to separate the drive aisles in all feasible locations.
- The plan now meets the Township ordinance requirements with regard to parking space sizing and quantity.

Mr. Camburn stated that there are minor changes that still need to be made, but he believes the plans meet the Township ordinances to the best of the applicant's ability.

Waivers were discussed. The applicant chose to withdraw the request for a waiver from 215-55.D.(2) since Township staff does not support the elimination of a landscaping bond. The applicant also requested a new waiver from 215-17.D.(10) to permit a less than five foot radii of curvature of in curb line in some of the parking areas.

Action:

A motion was made by Mr. Dinnocenti, seconded by Mr. Hiriak, and carried unanimously by a 4-0 vote to recommend approval of the following waivers:

- §215-17.B.(3). of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to permit a 20-foot wide drive, as opposed to 24 feet, for a majority of the driveway. This waiver is granted upon the condition that if, at any time, the existing transformer pad and telephone box along the eastern side of the driveway are removed, the entire driveway shall be improved to meet the minimum requirements for a two-way driveway (24 feet).
- §215-17.B.(3). of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to permit a maximum driveway grade of 8 percent along the eastern side of the building as opposed to 5 percent.
- §215-17.D.(5). of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to permit parking within five feet of the property line. The existing parking lot is three feet from the property line.
- §215-17.D.(7). of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to permit certain parking spaces to be not less than 9'x18' in lieu of 9.5' x 18'.
- §215-17.D.(10). of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to allow certain curbs to have a radius of curvature less than five feet.
- §215-17.D.(11). of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to permit a two-way parking aisle to have a width of less than 25 feet for the southern parking lot. The existing southern parking aisles have widths of 22 feet and 23 feet wide.
- §215-51.B.(2). of the Lower Pottsgrove Township Subdivision and Land Development Ordinance which require parking rows to be divided from drive aisles by planting islands to permit existing parking rows to remain without parking islands subject to the following conditions:
 - a. The parking rows just north and south of the proposed building shall include minimum 9'x18' islands to separate them from the driveway.
 - b. The northern-most parking row shall include the required planting island at its eastern end.
 - c. The southern-most parking row shall include the required planting islands at both ends.
- §215-51.B.(5). of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to permit planting islands smaller than 9'x18'. No planting islands shall be less than 5'x18'.

- §215-54.C.(4)(a). of the Lower Pottsgrove Township Subdivision and Land Development Ordinance to permit a buffer area of less than 25 feet due to existing site conditions.

Action: A motion was made by Mr. Hiriak, seconded by Mr. Wolfgang, and unanimously approved by a 4-0 vote to recommend preliminary/final approval of the minor land development plan for Women's Medical Center subject to addressing open items in the Township Engineer's review letter prior to final approval by the Board of Commissioners.

NEW BUSINESS

Reorganization

At Mr. Wolfgang's suggestion, the Planning Commission tabled the reorganization until full membership is available.

GRADING PERMITS

None.

AUTHORITY BUSINESS

None.

PLANNING & ZONING

None.

There being no other business, the meeting was adjourned at 7:07 p.m.

The next meeting of the Planning Commission is scheduled for **Monday**, October 18, 2010 at 6:30 p.m.

Respectfully submitted by:

Alyson Elliott, Assistant Manager