



**MEETING MINUTES OF THE
PLANNING COMMISSION OF
LOWER POTTS GROVE TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA
March 16, 2015**

The Lower Pottsgrove Township Planning Commission held their regularly scheduled meeting on Monday, March 16, 2015. The meeting was called to order by Chair, Frank Cebular, at 6:30 p.m. and the following were in attendance:

Frank Cebular, Chair
Ronald Dinnocenti, Vice-Chair
William Wolfgang
Anthony Cherico
Scott Fulmer

Edward C. Wagner, Manager
Scott Exley, Engineer

Mr. Cebular announced the meeting was being recorded.

APPROVAL OF MINUTES

Mr. Wolfgang made a motion to approve the minutes of the February 17, 2015 regularly scheduled meeting and the February 25, 2015 special meeting of the Lower Pottsgrove Township Planning Commission. Mr. Cherico seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

ACCEPTANCE OF NEW APPLICATIONS – None.

SUBDIVISION & LAND DEVELOPMENT PLAN REVIEW – None.

AUTHORITY BUSINESS – None.

PLANNING & ZONING

Presentation Regarding Amending the Lower Pottsgrove Township Sign Ordinance

At its February 17, 2015 meeting, the Planning Commission discussed incorporating provisions of Montgomery County's model sign ordinance into Lower Pottsgrove Township's existing sign ordinance, based on recommendations made by Marley Bice of the Montgomery County Planning Commission. Ms. Bice was present at the meeting to answer questions regarding her recommendations and the sign ordinance in general.

Mr. Cebular said the Lower Pottsgrove Planning Commission's biggest concern is the volume of the County's model sign ordinance versus the Township's sign ordinance. He asked if the Township needed an ordinance of that size to be effective. He also noted Ms. Bice cited legal concerns regarding provisions in the existing sign ordinance that would not hold up in court.

Ms. Bice advised the recommendations to the Definitions section will shorten that particular section but other sections need to be organized by topic area. In the Table of Sign Regulations, Ms. Bice recommended having actual ordinance language in the format so that it is codified properly, then have a summary table for each zoning district. This may add to the length of the ordinance but it would be easier to read.

Mr. Cebular said the biggest difference in volume is the number of photographs included in the County's ordinance. Mr. Wagner said the photos in the Township's ordinance are not clear and precise. Ms. Bice said readability and enforceability will go hand-in-hand and they can work on a format that would be the most useful to the Planning Commission and code officials. Ms. Bice said there are no extra section numbers in the Township's existing ordinance and recommended adding some.

Mr. Dinnocenti asked if the Township's sign ordinance would be a separate booklet or if it was part of the Zoning Ordinance. Mr. Wagner advised it will be part of the Zoning section of the Code. Mr. Wagner explained the new ordinance talks about speed, distances, electronics, etc. and Mr. Dinnocenti felt overall the ordinance has good merit. Mr. Wagner agreed that the ordinance was very well written.

Mr. Cebular reiterated the Planning Commission's biggest concern is the volume of the ordinance but he thought Ms. Bice's comments were right on. Mr. Exley suggested getting the content to fit in the ordinance with fewer pages and pictures. Meredith Curran Trego of Montgomery County Planning Commission advised they have done this for a few other municipalities. She advised the County's model ordinance itself includes everything, so when you take out what doesn't apply or carry over to Lower Pottsgrove, the average ordinance has been around 20 double-sided pages. The new ordinance will be complete, will close holes and get rid of inconsistencies in areas where the Township may have struggled with enforcement because the language isn't in there.

Mr. Wolfgang asked if some pictures will be included in the ordinance so an applicant would have an idea of what is required. Ms. Bice said from her experience, she found that the inclusion of all the photos in the Definition section made the document harder to scan, both in print and online. She has seen other municipalities have a separate reference document that would have the best photos and examples of signs that fit your community character properly. She does not see the reference document as something that should be codified; instead, it would be more of a recommendation, like design guidelines for signs. Mr. Wolfgang thought it was a good idea to have a supplement to refer to if need be. Ms. Trego said we haven't had anyone include a supplement in the codified ordinance, especially municipalities that use General Code's online eCode 360 Library, because it doesn't translate well into that type of format. She suggested having the supplement as a separate appendix and posting it on the Township's website. Mr. Wagner advised the Township does use eCode 360, which is all online.

Ms. Bice asked for the Planning Commission's input on the following signs:

1. **Temporary Signs**—Ms. Bice advised the model ordinance distinguishes between temporary signs (such as yard sale, grand openings, etc.) which are displayed for 30 days or less and limited duration signs, which need to be up for more than 30 days (such as real estate signs) and could potentially require a permit. Mr. Exley asked if the real estate signs are the large ones or the smaller, yard sale type. Ms. Bice said it could be both. She explained the Township's current ordinance has temporary signs defined into categories based on their content and this strategy would take away content-based distinctions. She said it's a choice of how the Township wants to administer it; if it's an issue, they could group them all into temporary signs and decide on an appropriate size and time limit. Mr. Cebular supported the idea of having two distinct groups and Ms. Bice will go that route when drafting the ordinance.
2. **Electronic Signs**—Ms. Bice advised they made a distinction between signs such as electronic gas price and school message signs and electronic signs that have digital displays such as flames and waterfalls. The ordinance distinguishes alpha-numeric gas price and school message-type signs as "message center" signs because they have less of an impact on the community. The signs with flames and waterfalls are being called "digital display" signs and they are only allowed in certain areas because they are inherently more distracting. Mr. Cebular agreed with Ms. Bice's recommendation and felt that is a good distinction.

There being no further questions or comments, Mr. Wagner said the next step is drafting the ordinance. Ms. Bice will not be able to attend the April 20, 2015 Planning Commission meeting but she will have the ordinance prepared

by the May 18 meeting. Mr. Wagner said it is a priority with the Board of Commissioners to keep the ordinance process moving along. He requested the complete draft ordinance be submitted in 30 to 40 days.

Presentation Regarding the Pottstown Metropolitan Regional Comprehensive Draft Plan

Meredith Curran Trego attended the meeting in place of John Cover. She delivered an update on the Pottstown Metropolitan Regional Comprehensive Draft Plan.

Ms. Trego advised the Regional Comprehensive Plan was last written in 2005. In December 2014, MCPC sent out the draft plan for the official comment and review period and they are still accepting comments. Donna Fabry and John Cover will be working with Regional Planning to make changes to the Plan. Ms. Trego advised most changes are data updates, such as new census and demographic information, the condition of our roads, park systems and infrastructure; however, the biggest change in the Plan has to do with the future land use plan.

Ms. Trego advised the land use map itself hasn't changed but some of the land use categories were condensed. There are now primary growth areas where growth is expected to happen and the idea is to leave it up to the municipalities to decide how they want to develop these areas and focus growth.

Another change eliminates the maximum density limits. All categories on the 2005 map had maximum residential densities, maximum commercial densities, etc. This change allows communities to have some flexibility without going through the process of getting a change approved by the Regional Planning Commission. She explained the future land use plan draft language doesn't have hard limits; instead, it has intent statements that are intended to be complied with.

Mr. Cebular noted there were 7 land use categories in the 2005 plan and now there are 5. Ms. Trego clarified there are 4 categories and the Highway Commercial Overlay. She said the intent of the Highway Commercial Overlay is to focus on big box development along the main roadways where there is infrastructure and it makes the most sense.

Mr. Cebular asked for the meaning of "residential fair share." Ms. Trego explained residential fair share commitment means legally, every municipality has to provide what the Pennsylvania courts have deemed a fair share amount of affordable types of housing. She said this does not mean affordable housing like subsidized or vouchered; it simply means the type of housing that is generally more affordable than single family detached dwellings because it is high density, apartments, townhomes, etc. Basically, the courts have determined a percentage, anywhere from 3 ½% to 5% has been deemed appropriate, and this is the amount of these housing types that you have to zone for in your municipality.

Ms. Trego further explained because Lower Pottsgrove Township is part of the region, we only have to comply with the fair share housing requirement as a regional group. For example, if Lower Pottsgrove's fair share is less than the required percentage, but another municipality in the region is above, as long as the requirement is met as a region, we would not be legally liable for a challenge.

In 2005, all municipalities in the region agreed to maintain a certain number of acres zoned for these types of housing. Lower Pottsgrove Township committed to 339 acres and exceeds that requirement. Ms. Trego used the example of the Township's R-1 Zoning District, which is primarily single family detached, which would not apply or contribute to fair share housing, but also allows for Planned Residential Development. Mr. Wagner advised the Township repealed the PRD in its entirety in December and MCPC's planner reviewed that ordinance. Ms. Trego said this will not impact the regional legal liability but might impact the chart showing Lower Pottsgrove Township's commitment. Without the PRD, Lower Pottsgrove may not meet its 339 acre commitment. Mr. Wagner advised there have been other zoning changes, such as the establishment of the Gateway Mixed Use (GMU) and Gateway Residential Overlay (GRO) Districts that will contribute towards the Township's fair share

housing commitment. Ms. Trego will contact Mr. Wagner for more information regarding this matter. She did point out that the region itself is above what is needed.

Mr. Wagner stated the Board of Commissioners passed a resolution to include language in the Plan, under Transportation Goals, prohibiting tolling on Route 422. Ms. Trego said there was a comment brought up at another municipal meeting about that subject. She was not at that meeting but was told Regional Planning voted to not include that sentiment. Mr. Wagner advised Tom Troutman reported that information back to the Commissioners and it was then that they decided to pass a resolution stating they wanted a “no tolling” statement in the Plan. The Board also wants to encourage the 7 other municipalities to oppose tolling as well.

Ms. Trego believes Regional Planning’s thoughts were not wanting to get into the tolling issue because they didn’t know if it would have an impact on a matter that gets voted on at the State level. She did say, however, it is up the Township if they want to send a resolution back to Regional Planning for more discussion on the subject. Mr. Wagner advised Tom Troutman will present the resolution to the Regional Planning Committee.

There being no other questions or comments, Ms. Trego concluded her presentation and said they are still taking comments on the Plan.

Mr. Troutman asked if there has to be a public hearing on the Draft Comprehensive Plan. Ms. Trego said yes, but since there are still comments being received and changes being discussed, they are not yet going to require the municipal Planning Commissions to make a recommendation for adoption to their governing boards. She felt tolling and creation of a chart to track progress were the only issues that are still outstanding.

Mr. Wolfgang asked if Planning Commission members will get a summary of the other municipalities’ comments and suggestions. Ms. Trego advised the Draft plan distributed at tonight’s meeting shows all the comments MCPC has gotten since the Draft Plan was sent out for comments officially.

ENGINEER REPORT

Mr. Exley reported the following:

1. Buchert Ridge Modified Phase I Plan was approved by the Board of Commissioners.
2. Still waiting for the County Solicitor’s office to get an agreement the Board of Commissioners
3. Floodplain ordinance deadline moved to November 2015
4. Property owner on Porter Road is looking to put storage units on property

Mr. Wagner stated another storage unit facility proposed for N. Charlotte Street will be before the Zoning Hearing Board for consideration on March 17, 2015. Hearing is continued from February 16, 2015.

Ms. Bice distributed Montgomery County Planning Commission’s calendar and reviewed some of the upcoming events.

ADJOURNMENT

There being no further business, Mr. Dinnocenti made a motion to adjourn the meeting. Mr. Wolfgang seconded the motion and it was unanimously approved. Vote was 5-0 in favor. Public meeting adjourned at 7:38 p.m.

Respectfully submitted,



Edward C. Wagner, Township Manager