



**MEETING MINUTES OF THE  
PLANNING COMMISSION OF  
LOWER POTTS GROVE TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA  
November 17, 2014**

The Lower Pottsgrove Township Planning Commission held their regularly scheduled meeting on Monday, November 17, 2014. The meeting was called to order by Chair, Frank Cebular, at 6:30 p.m. and the following were in attendance:

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

Edward C. Wagner, Manager  
Chad Camburn, Township Engineer  
Joseph Nixon, MCPC

**APPROVAL OF MINUTES**

Mr. Wolfgang made a motion to approve the minutes of the July 21, 2014 meeting. Mr. Cherico seconded the motion to approve the minutes, and the motion was unanimously approved. Vote was 4-0 in favor.

Mr. Cherico pointed out two minor grammatical errors to the October 20, 2014 meeting minutes that he instructed Mr. Wagner to fix. Mr. Cherico made the motion to approve the minutes of the October 20, 2014 Planning Commission meeting, subjected to the grammatical changes proposed by Mr. Cherico. Mr. Fulmer seconded the motion to approve the minutes, and the motion was approved with Mr. Wolfgang abstained. Vote was 3-0 in favor.

**ACCEPTANCE OF NEW APPLICATIONS** – None.

**SUBDIVISION & LAND DEVELOPMENT PLAN REVIEW –**

**2006-05A Buchert Ridge Community Phase 2**, *Final*, proposal to construct 45 units on 13.34 acres along Buchert Road [42-00-0069300-3, 42-00-0069400-2 & 42-00-0069700-8] in the R-2 Residential District [Plans prepared by Hallman Retirement Neighborhoods 2061 E. High Street, Suite M-12 Pottstown, PA 19464, dated 9-15-2010 with latest revision date of 9-18-2014, and consisting of 35 sheets].

Mr. McMenamain explained the details of the buildings, parking, landscaping and features of the Community. He said they ran into a stumbling block when there was a staff change at the Montgomery County Conservation District but they now have a permit.

Mr. McMenamain advised the applicant was granted zoning relief in 2011. Regarding the subdivision/land development ordinance requirements, the applicant is requesting the Planning Commission to recommend approval of the waivers from the amended plan stated below to the Board of Commissioners:

203-13.D.(6) waiver from having all storm sewers be a material which meets the 100 year life expectancy criteria contained in PennDOT Design manual 2.

215-16.C.(1)(b)(2) waiver from widening the half-width of Buchert Road to 20 feet

- 215-16. E(8) waiver from providing a minimum pavement edge radius of 25 feet at residential road intersections
- 215-17.B.(1) waiver from providing the minimum required sight distance at all intersections
- 215-17.D.(4) waiver from providing a minimum of 20 feet of open space between the curb line of a parking area and a dwelling unit in a residential building.
- 215-18.A.(3) waiver from placing sidewalks 2 feet from a curb line or edge of paving.
- 215-21.D.(2) waiver from providing recreational space equal to 20 percent of the gross tract area.

Mr. Wagner informed the Commission members that the waivers were reviewed and discussed at the last meeting on October 20<sup>th</sup>. Mr. Cebular agreed with Mr. Wagner and he had no issues with what is being proposed. He asked if any other commission members had any objections and he did not hear anything. Mr. Wolfgang made the motion, which was seconded by Mr. Cherico to grant the waivers listed in the Bursich review letter dated November 14<sup>th</sup> and the motion was unanimously approved. Vote was 4-0 in favor.

Mr. Camburn wanted to express his thanks with working closely with Mr. McMenamain on resolving all the outstanding items that were outlining in his previous review letter. Mr. Camburn felt comfortable recommending final plan approval to the Board of Commissioners once the issues are resolved with Penndot.

**ACTION:** Mr. Cherico made the motion, which was seconded by Mr. Wolfgang and approved unanimously 4-0 vote, to recommend final approval of Application #2006-05A **Buchert Ridge Community Phase 2:** subject to the conditions stated in the Bursich review letters of November 14<sup>th</sup> and resolving the issues outlining by Penndot.

**#2014-04 HEB LLC.**, seeking *Preliminary/Final* at 2169 E. High Street [42-00-0150100-5] on a combined tract of 1.4 acres in the R-4 Residential District [Plans prepared by Alta Design 948 Matsonford Road, West Conshohocken, PA 19428, dated 11-10-2014 and consisting of 4 sheets].

Mr. Wagner began the discussion by informing commission members that Mr. Buchholtz is in the process of purchasing the former Ehrlich Building at 2169 E. High Street. He received zoning relief on October 21<sup>st</sup> from the township zoning hearing board but one of the conditions was to obtain land development on the following criteria: landscaping, lighting, metes and boundary survey of the property, fencing and traffic circulation. During the zoning hearing Mr. Exley of Bursich Associates entered his appearance at the hearing and had some questions regarding the overall use of the property. By Mr. Exley actions this in turn created a conflict so the township hired Pennoni Associates to conduct the engineer review on the land development plan.

Mr. Buchholtz asked commission members if it was ok to go line by line on the letter Pennoni Associates letter dated for today (11/17/2014). Mr. Wagner informed commission members that he did not receive the letter until 5:00pm this evening. The letter was broken into four (4) areas: Zoning, SALDO, Stormwater & General Comments. The majority of the zoning comments were referencing parking for handicap, the proper parking slope and striping requirements. Mr. Buchholtz agreed to meet these regulations. The SALDO comments talked about property buffer line, planting islands, street trees, curbing and striping in the proposed parking lot. There were discussions back and forth regarding landscaping, planting islands and a host of other items outlined in the Pennoni letter of November 17<sup>th</sup>. At one point in the discussion Mr. Foltz asked the planning commission how much are you going to require Mr. Buchholtz to perform on this property. He is proposing a similar use and why should Mr. Buchholtz have to jump through a bunch of hoops in order to clean-up an empty building. Mr. Cebular agreed with Mr. Foltz assessment and asked fellow commission members to allow Mr. Buchholtz to work out the details with Kal Hassan of Pennoni Associates. All members agreed that this is the best approach for Mr. Buchholtz to work out the items and if he needed any waivers he should request it when he appears in front of the Board of Commissioners.

**ACTION:** Mr. Wolfgang made the motion, which was seconded by Mr. Cherico and approved by a unanimous 4-0 vote, to recommend preliminary/final approval of Application #2014-04 **HEB, LLC** subject to the working out the items that were stated in the Pennoni review letters of November 17<sup>th</sup> and if waivers are required to requested them for consideration at the Board of Commissioners meeting.

## **AUTHORITY BUSINESS**

### **Pottstown Medical Building Associates Planning Module, Component 4a**

**ACTION:** A motion was made by Mr. Wolfgang, seconded by Mr. Cherico, and unanimously approved by a 4-0 vote, to approve the signature of Component 4a for the Pottstown Medical Building Associates at 295 Armand Hammer Blvd. Sewage Planning Module.

## **PLANNING & ZONING**

Ordinance 315 Repeal Article XI Planned Residential District– Mr. Wagner presented the ordinance that would repeal Article XI Planned Residential District from the township zoning code. Joseph Nixon of the Montgomery County Planning Commission presented a letter dated November 10<sup>th</sup> recommending approval of this amendment. Mr. Cherico made a motion to recommend approval of Ordinance 315 to the Board of Commissioners. Mr. Fulmer seconded the motion. The vote was 4-0.

Ordinance 316 PSD Preservation Subdivision Overlay- Mr. Wagner presented the proposed Preservation Subdivision Overlay PSD ordinance. Joseph Nixon of the Montgomery County Planning Commission presented a letter dated November 10<sup>th</sup> that the new overlay is to allow for cluster development and preserve large tracts of land 60% as open space. The ordinance allows for single family detached homes on lot areas not less than 5,500 square feet. Total tract must meet a minimum of 50 acres and limit to 1.45 dwelling units per acre. Mr. Nixon stated the current cluster ordinance has more comprehensive language then the proposed ordinance and may create a potential conflict in the future. Mr. Adam Supplee of KMS Design who was hired to create the proposed ordinance stated the cluster ordinance would be used on tracts of land that are smaller than 50 acres. He felt this would give property owners more flexibility to develop their land. Mr. Nixon stated the proposed density of 1.45 dwelling units per acre is significantly higher than the density permitted by the cluster standards in the R1 Residential District. This increase in density is inconsistent with the County Comprehensive Plan and potentially with the Pottstown Regional Comprehensive Plan. Mr. Nixon stated the proposed ordinance has very little design guidelines and should consider strict design standards to mitigate the impact on smaller lots. Mr. Supplee stated a lot of the design standards are coverage in the SALDO and felt why duplicate the same standards in zoning. Mr. Supplee stated that the preservation standards are coverage in the SALDO which include steep slopes, flood plains, existing vegetation riparian buffers and stormwater. Mr. Nixon added that the proposed ordinance has no standards for buffering between incompatible uses. Mr. Supplee stated the tract buffer is required in Section 215-54 of the SALDO and requires a minimum buffer between uses. Mr. Nixon agreed with Mr. Supplee but thought it would be better served to mention it in the proposed ordinance. Mr. Nixon finished his comments and Mr. Cebular opened it up to commission members. Mr. Wolfgang had some concerns with the lack of open space standards. Mr. Wagner commented that there are requirements stated in the ordinance that calls out specific standards but not exactly the ones the county would like to see. Mr. Cebular stated in fairness to time, he felt the commission should act on the ordinance. Mr. Wolfgang made a motion to recommend approval of Ordinance 316 PSD to the Board of Commissioners. Mr. Cherico seconded the motion. The vote was 4-0.

Ordinance 317- Township Zoning Map PSD- Mr. Wagner presented the proposed Preservation Subdivision Zoning Map. Joseph Nixon of the Montgomery County Planning Commission presented a letter dated November 10<sup>th</sup> and was unclear why the township has not chosen to extend the overlay district across the entire

R1 Residential District. There may be contiguous parcels that, when combined may reach 50 acres and be suitable for the overlay. Mr. Wagner stated he did indeed look at the entire R1 and some of the larger parcels east of Pleasantview Road already had proposed/approved building lots. He felt the overlay would be best served on the west side of Pleasantview Road. Mr. Cebular heard no additional comments asked the commission to vote on the proposal. Mr. Wolfgang made a motion to recommend approval of Ordinance 317 PSD Overlay to the Board of Commissioners. Mr. Cherico seconded the motion. The vote was 4-0.

#### **ENGINEER REPORT**

Chad reviewed his October's report with Commission members.

#### **ADJOURNMENT**

There being no further business, Mr. Wolfgang made a motion to adjourn the meeting. Mr. Cherico seconded the motion and it was unanimously approved. Vote was 4-0 in favor. Public meeting adjourned at 7:51 p.m.

Respectfully submitted,



Edward C. Wagner, Township Manager