



**MEETING MINUTES OF THE  
PLANNING COMMISSION OF  
LOWER POTTS GROVE TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA  
October 20, 2014**

The Lower Pottsgrove Township Planning Commission held their regularly scheduled meeting on Monday, October 20, 2014. The meeting was called to order Chair, Frank Cebular, at 6:30 p.m. and the following were in attendance:

Frank Cebular, Chair  
Anthony Cherico  
Scott Fulmer

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

**APPROVAL OF MINUTES**

Planning Commission members who attended the July 21, 2014 meeting were not present tonight to vote on the minutes. Mr. Cebular recommended tabling approval of the meeting minutes until those members are present.

**ACCEPTANCE OF NEW APPLICATIONS** – None.

**SUBDIVISION & LAND DEVELOPMENT PLAN REVIEW –**

**2014-02 Limerick Generating Station**, seeking Amended Preliminary/Final Plan Approval, proposal to erect a Robust Storage Structure for a total of approximately 5,400sq. ft. on 58 acres at 3146 Sanatoga Road [42-00-02932-00-5] in the LI Light Industrial District [Plans prepared by Clancy & Associates, INC, 600 Asbury Avenue National Park, NJ 08063, dated 6-30-2014 with latest revision date of 10-8-2014, and consisting of 7 sheets]. The applicant was represented by Craig J. Nicholas, Limerick Generating Station Fukushima Site Lead.

Mr. Wagner advised Exelon originally filed two separate applications for this project -- one for Limerick Township and one for Lower Pottsgrove Township. The Montgomery County Conservation District required the applicant to combine both plans into one application. Exelon amended its preliminary/final plan to reduce the disturbance area so it is under one acre. Mr. Wagner advised this is the only change and the plan and location of the Robust Storage Structure remains the same. Mr. Cebular said basically the Planning Commission would be reapproving what was approved in July and asked for a motion to recommend approval of the plan, as amended.

**ACTION:** Mr. Cherico made a motion to recommend amended preliminary/final approval of Application #2014-02 of Limerick Generating Station. Mr.

Cebular seconded the motion and it was unanimously approved. Vote was 3-0 in favor.

**#2014-03 Lewis E. Babel, Jr.**, seeking a *Lot Line Adjustment* at 1360 N. Pleasantview Road [42-00-0345400-5 & 42-00-0345700-2] on a combined tract of 4.34 acres in the R-2 Residential District [Plans prepared by Aston Surveyors/Engineers, Inc., 44 South Chestnut Street Boyertown, PA 19512, dated 8-22-2014 with latest revision date of 10-7-2014, and consisting of 1 sheet]. The applicant, Lew Babel was present at the meeting.

Mr. Camburn advised the project is a minor lot line adjustment. Mr. Babel owns both properties and he is adjusting the lot line to comply with minimum lot area and to install a septic system on his occupied property.

Mr. Camburn explained the ordinance requires a 40-foot half-width along Pleasantview Road; the adjacent right-of-way alongside Mr. Babel's property is 30-foot. Mr. Babel is seeking approval of a waiver to keep the 30-foot right-of-way which conforms to the adjacent properties.

**ACTION:** Mr. Cherico made a motion to recommend approval of the waiver as requested in Application #2014-03 of Lewis E. Babel, Jr. Mr. Fulmer seconded the motion and it was unanimously approved. Vote was 3-0 in favor.

Mr. Babel said his letter from Bursich said he has to put in markers. Mr. Camburn explained Mr. Babel would need to install 2 concrete monuments along Pleasantview Road and 3 along Sunnyslope Drive and he showed Mr. Babel the locations on the plan. Mr. Wagner advised Mr. Babel is offering the right-of-way to the Township should we ever need to make improvements to Sunnyslope Drive.

Mr. Cebular officially recognized Scott Fulmer, who was recently appointed to the Planning Commission.

**ACTION:** Mr. Cherico made a motion to recommend preliminary/final approval of Application #2014-03 of Lewis E. Babel, Jr. Mr. Fulmer seconded the motion and it was unanimously approved. Vote was 3-0 in favor.

**2006-05A Buchert Ridge Community Phase 2**, *Informational*, 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].

Carrie Nase-Poust of Fox Rothschild, the applicant's attorney, gave a brief history of the project. She then turned the presentation over to the applicant's engineer, John McMenamin, who provided an overview of the project.

Mr. McMenamin 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, Mr. McMenamain said certain things don't make sense for every project. On those things, the applicant is requesting the Planning Commission to recommend approval of the waivers to the Board of Commissioners, who ultimately have the final say.

Mr. Cebular asked Mr. Camburn if he had issues with any of the waivers. Mr. Camburn advised he supports all waivers but he does have a recommendation for one of them that can be addressed when they get to it. Mr. McMenamain then explained the requested waivers in detail.

Mr. Camburn expressed concern about the waiver for two small parking areas that have head-in parking and no separation between the sidewalk and the parking lot. Mr. Camburn's concern is two-fold: First and foremost, it is a safety concern. The other concern is the Americans with Disabilities Act (ADA) requirement that you do not provide potential for a car to overlap a sidewalk. Mr. Camburn was not necessarily saying it had to be a bollard, just something to stop a car.

Wil Hallman was also present at the meeting. There was lengthy discussion about how the applicant could go about separating the parking lot from the sidewalk. Mr. Wagner said the bollards installed at Bella Italia Restaurant on E. High Street are a good example and suggested Mr. Hallman take a look at them. Mr. Hallman said they will come up with something to address this issue.

There were no other concerns regarding the requested waivers. Mr. Hallman also discussed the agreement he had with the Trimburns to install sidewalk along their property on Buchert Road. This agreement has expired.

Mr. Cebular asked Joe Nixon if he would be getting involved. Mr. Nixon advised the Montgomery County Planning Commission reviewed the plan earlier and it is up to the Township if they want to resubmit it for another review.

No action was taken by the Planning Commission.

## **PLANNING & ZONING—**

**ORDINANCE NO. 315** - AN ORDINANCE AMENDING THE ZONING ORDINANCE OF LOWER POTTS GROVE TOWNSHIP (CHAPTER 250 OF THE CODE OF ORDINANCES) AS AMENDED, ESTABLISHING THE PRESERVATION SUBDIVISION (PSD) DISTRICT AND ADDING DEFINITIONS TO SECTIONS 250-21 D.2, SECTION 250-8 AND SECTION 205-9.

**ORDINANCE NO. 316** - AN ORDINANCE AMENDING THE LOWER POTTS GROVE TOWNSHIP CODE OF ORDINANCES, ARTICLE III, SECTION 250-10 TO AMEND THE LPT ZONING MAP TO INCLUDE THE PSD – PRESERVATION SUBDIVISION DISTRICT OVERLAY ZONING CLASSIFICATION TO CERTAIN TRACTS OF LAND ON THE TOWNSHIP ZONING MAP.

**ORDINANCE NO. 317** - AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF LOWER POTTS GROVE, MONTGOMERY COUNTY, PENNSYLVANIA AMENDING ARTICLE VI, R-1 RESIDENTIAL DISTRICT AND

DELETING ARTICLE XI, PLANNED RESIDENTIAL DEVELOPMENT DISTRICT OF THE LOWER POTTS GROVE TOWNSHIP ZONING ORDINANCE.

Mr. Wagner reported proposed Ordinance No. 315 would create the Preservation Subdivision Overlay in the R-1 zoning district. He explained the minimum tract size would be 50 acres and 60% of subdivision would be dedicated to the Township for open space. The minimum lot size would decrease to 5,500 square feet. Mr. Wagner advised the Board of Commissioner like this proposal.

Mr. Wagner advised Ordinance No. 316 is a zoning map amendment to include the PSD overlay.

Mr. Wagner explained Ordinance No. 317 deletes and removes the Planned Residential Development District. The existing PRD allows for some commercial development (retail food store, drug store, barber shop, etc.) and the Board of Commissioners would like to remove it in its entirety from the R1 District.

Joe Nixon had questions regarding the proposed ordinances. He said the Township has a cluster subdivision that covers a lot of the same territory. He asked for thoughts on altering that ordinance to meet what the Township needs. He felt the Township could save time and effort by putting the proposed requirements into the cluster.

Mr. Wagner said the Board wants to create the overlay with a minimum 50 acre tract so they would not have a 3 or 5 acre tract turn into a cluster development. Mr. Nixon felt time and effort could have been saved by putting that into what already exists in the cluster. Mr. Nixon will address this in his review letter.

Mr. Nixon further advised in the cluster, 50% has to be preserved. Neighborhood design standards of the cluster have open land designed to protect site features, maximize common boundaries, centrally locate open space, and things of that nature.

Mr. Nixon said Montgomery County Planning Commission would recommend having some open space standards so the Township not just getting one big piece of open space. He suggested having central open space, smaller parks spread throughout the denser residential areas, boulevards, etc. Mr. Nixon felt the proposed ordinance is a little light on regulations for some of the standards and that's something you may want to consider.

Mr. Nixon also pointed out the County has a model that has been used effectively called a Land Preservation District, which does a lot of the same things you are doing here. The model has open space standards and describes a process by which you can filter out what land gets preserved, what land gets developed on, and what is the most sensitive land you want to protect (wetlands, steep slopes, etc.).

Mr. Nixon also had questions for the Commissioners' consideration about public water and sewer, providing for agricultural uses, how much has to be recreation use, ownership and maintenance of the land (dedicated to Township or homeowner associations). He felt a number of details needed to be worked out for it to be a more complete ordinance.

Mr. Nixon asked for a timeline. Mr. Wagner said we have to give the County 45 days for review and the Planning Commission needs to act at its November meeting.

Mr. Cebular liked what Mr. Nixon was saying. He said if there are things that should be in the ordinance, it's a good idea to dot our i's and cross our t's before we make it an overlay. Mr. Nixon will provide a letter to the Township within three weeks so it is ready for the November Planning Commission meeting. Action on the ordinances was tabled to November 17, 2014.

Mr. Wagner reported a public hearing on the three ordinances will be held on Monday, December 1, 2014 at 6:00 p.m. at the Ringing Hill Fire Company.

#### **ENGINEER REPORT**

Mr. Camburn provided his monthly report for September to the Planning Commission.

#### **ADJOURNMENT**

There being no further business, Mr. Cherico made a motion to adjourn the meeting. Mr. Fulmer seconded the motion and it was unanimously approved. Vote was 3-0 in favor. Public meeting adjourned at 7:49 p.m.

Respectfully submitted,



Edward C. Wagner, Township Manager

