



*MEETING MINUTES OF THE*  
**PLANNING COMMISSION OF  
LOWER POTTS GROVE TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA  
July 20, 2015**

The Lower Pottsgrove Township Planning Commission held its regularly scheduled meeting on Monday, July 20, 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  
William Wolfgang  
Anthony Cherico  
Scott Fulmer

Edward C. Wagner, Manager  
Chad Camburn, Engineer

Ronald Dinnocenti, Vice-Chair was absent.

**APPROVAL OF MINUTES**

Mr. Wolfgang amended a typographical error on Page 2 in the minutes of May 18, 2015. Mr. Wolfgang then made a motion to approve the minutes, as amended, of the May 18, 2015 regularly scheduled meeting the Lower Pottsgrove Township Planning Commission. Mr. Cherico seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

**ACCEPTANCE OF NEW APPLICATIONS** – None.

**SUBDIVISION & LAND DEVELOPMENT PLAN REVIEW**

**#2015-02 Spring Valley Farms II** seeking Preliminary approval for the proposal to construct 178 homes on 143.58 acres along Bleim Road [42-00-0266200-5] in the R-1 Residential District with PSD (Preservation Subdivision District Overlay) [Plans prepared by Graf Engineering, LLC 5 Cannon Avenue, Suite 103 Lansdale, PA 19446, dated 6-10-2015 and consisting of 36 sheets].

Mr. Rolph Graf of Graf Engineering delivered a presentation on the proposed Spring Valley Farms II development. Mr. Brennan Marion was also present at the meeting to represent the ownership of that property, 1934 Bleim Road Associates.

Mr. Graf summarized the project as follows:

- **History**—Prior to this application, the Spring Valley Farms subdivision/land development plan involved a 178-unit development that was spread throughout the entire 140 acre property. When the recession hit, the developer took another look at property and that's when the clustering idea came up. Mr. Graf explained it made sense to develop the area where the actual building would occur and keep the rest as open space. Lower Pottsgrove Township adopted an ordinance establishing the Preservation Overlay District, which allows for further clustering of subdivisions.

- **Development and Open Space**—The applicant is proposing to develop 57 acres. 86 acres are planned for open space and would be restricted against future development. The applicant is proposing to dedicate open space to the Township.
- **Water and Sewer**—Public water and sewer are available and they have an easement agreement with a property owner on Deer Ridge Drive. There will be a gravity connection to Deer Ridge Drive and 5 lots in the lower section would have to go with individual grinder pumps. Those systems would be private.
- **Lot Size, Streets and Homeowners Association (HOA)**—The current plan consists of 178 lots, based on Lower Pottsgrove Township’s Preservation Subdivision District (PSD). Minimum lot size is 5,500 square feet in the PSD. All proposed streets will be private and will not be offered for dedication to Lower Pottsgrove Township. They will be owned and maintained by the HOA. Mr. Graf advised the streets are 28 feet wide and they worked with the Fire Marshal on coming up with street widths that would allow parking on one side, yet still give safe and reasonable access for fire vehicles.
- **Review Letters**—Chad Camburn issued a land development review letter (dated July 15, 2015) and a sewer review letter (dated July 16, 2015). The Fire Marshal’s review letter is dated July 10, 2015. Mr. Graf advised they have some issues to address with Mr. Camburn but everything is essentially a “will comply” with the exception of the waivers they are requesting.

Mr. Graf advised the waivers are listed in a separate letter and are as follows:

**1. Waiver to go from 100 feet to 80 feet for straight approaches at intersections on a private street.**

The ordinance requires 100 feet minimum straight distance as you approach an intersection. There are 2 areas with less than 100 feet distance and those areas are approximately 80 feet distance. Mr. Graf felt that reduction was appropriate for this type of development.

Mr. Wagner asked how they decided on 80 feet and what their arbitrary reason was. Mr. Graf said the applicant wanted to give more than the required 75 feet so they wouldn’t have any issues with visibility based on vegetation and/or the orientation of the intersection.

Mr. Camburn asked Mr. Graf what he anticipated the speed limit would be. Mr. Graf said 25 mph or less. He confirmed stop signs will be at each of the intersections.

**2. Waiver to use plastic instead of reinforced concrete storm sewer piping.**

Mr. Graf advised the Township requires reinforced concrete pipe and, more recently, people are using the HDPE plastic pipe. The applicant would like to use plastic pipe and noted that the storm sewer system is not being offered for dedication, it is all the responsibility of the HOA.

Mr. Wolfgang asked who will be the responsible party on the HOA to make sure all utilities are properly functioning. Mr. Graf said the Association will have a structure in place to maintain them. He also stated in addition to the HOA, the Township has the right to perform periodic inspections of the system and the HOA has an obligation to fix it. Mr. Wolfgang asked if there will be an individual person on the HOA who will be responsible to make sure everything is running properly. Mr. Graf said there will be a point of contact.

Mr. Camburn advised as part of the applicant's NPDES permit, the DEP will require them to provide maintenance criteria, so there will be a list and it will be a recorded document.

**3. Waiver for street trees.**

Mr. Graf explained the trees in the proposed development are between the curb and the sidewalk, similar to a borough, instead of the being on the outside of the right of way. They tried to pick shallow-rooted trees so the roots do not break up the curb and/or sidewalk. The Township's PSD ordinance anticipates and allows for this; however, approval must be granted by the Board of Commissioners.

Mr. Wagner stated red maples are surface root trees and could possibly affect the sidewalk. He expressed concern about this potential problem and asked Mr. Graf to look into this.

Mr. Graf advised on the other side of the street, they want to keep the street trees **in the right of way** but because they are not between the curb and the sidewalk, the ordinance does speak to those. Technically, the applicant must get Planning Commission approval for the street trees within the right of way limit.

**4. Waiver for curbing.**

Mr. Graf advised Lower Pottsgrove's ordinance requires concrete curb. They would like to use Belgian block curb. He explained Belgian block curbing provides the same structural integrity as concrete curbing.

Mr. Graf discussed the issue of roadway improvements around the perimeter of the development. He explained the two access points are off of Bleim Road, a state roadway, and they are required to get a Highway Occupancy Permit (HOP) from PennDOT. He said a question was raised in the traffic review as to whether any widening along Pleasant View Road was appropriate as part of this application. Mr. Graf said they are focusing on the two entrance points on Bleim and they are not in a position, nor did they believe it should be required of them, to widen Pleasant View Road. He also talked about taking the curve out of Pleasant View Road, which was part of the plan for the original, larger development.

Mr. Wagner asked Mr. Graf if he has gone to PennDOT yet because PennDOT will ultimately dictate what has to be done on Pleasant View Road. Mr. Graf responded he cannot go to PennDOT or the Conservation District until he has preliminary plan approval from the Township.

Bill Wolfgang, who lives close to the proposed development, expressed his concerns about additional traffic in that area and how it was going to be handled. He said traffic is a concern of the Township and it would become a concern of the people buying the homes if they can't get out of their development.

Mr. Graf said our ordinance has very specific criteria for traffic impact analysis and they are still going through the review process. He said overall, the study says we have a certain level of service for all of these intersections and this development does not impact the level of service of any of the existing intersections around the perimeter of the property. Mr. Graf was not saying there aren't problems out there; he said they are not making any of the issues worse with this development. He also said impact

fees and other monies have to be contributed as part of the application process and those fees are intended to help with those things.

Mr. Cherico said Bleim and Pleasant View is one of the intersections that was discussed for traffic impact fees prior to this development. Mr. Wagner said the Board voted against including that intersection in the study because it would delay the timeline. Mr. Cherico pointed out this intersection was recognized as an intersection where we would like to do an impact study without this development being considered. Mr. Graf was fairly certain, according to the applicant's study, this intersection was operating at level of service D and would continue to operate at level of service D even after this development.

Mr. Wolfgang said one of the concerns in Bursich's engineering review letter was about lighting. He asked what type of lighting, when it would be going on/off and how it would affect surrounding property owners. Mr. Graf advised the proposal right now is to add street lights at the main intersection and around some of the darker areas spaced 400 to 600 feet apart. He estimated 15 to 20 streetlights are proposed as part of this application. Mr. Graf advised the ordinance can require them to do a luminaire analysis.

Mr. Cherico asked Mr. Camburn for his thoughts on the requested waivers. Mr. Camburn said they are most concerned with the street trees and they are somewhat uncomfortable with putting the trees that close to sidewalks and curbs. He said it is done in some locations but he was not 100% confident that the trees are not going to break up the sidewalk, although it is private. Another concern with the street trees is the developer doesn't always have the opportunity to say where the utilities are going and, for the most part, the utility companies decide on location. If they choose to put them in the area of the street trees, there would be a conflict.

Mr. Wolfgang suggested they consider smaller, slow growing trees that will provide shade for the homeowner. Mr. Marion said that is the goal and it is a design issue more than anything for him. He said it would be easier to put the trees in the yard but for a development like this, for its location and visibility, they want to make sure the entrance is beautiful. Mr. Marion said this would give the streets that small town suburbia feel and the street trees create a beautiful canopy, which looks better and feels like a traditional neighborhood from a design standpoint. He said it is obviously more difficult to do but he is confident in his construction team and his design team.

Regarding Mr. Camburn's comments about the location of the utilities, Mr. Marion said they work very closely with PECO and the water companies and they have a lot of latitude as far as what the utility companies can do and what they (the developer) can do.

Mr. Cebular said aesthetically, the street trees will look better but questioned if there will be problems with cracked sidewalks and curbs ten years down the road. Mr. Marion said they can mitigate that risk, as he has excellent arborists he works with who can make recommendations to the Township so they can keep this design feature.

Mr. Cebular asked Mr. Camburn if he saw a big problem with the reduction to 80 feet for straight approaches at the two intersections. Mr. Camburn did not and he explained the low miles per hour speed limit will help mitigate that situation. Mr. Graf commented there are traffic calming devices in

place, such as narrower streets and bends in the road, to help keep the traffic slow. Mr. Camburn added that there will also be stop signs and he did not foresee this as a large concern.

Mr. Wolfgang asked if there were any review comments from Montgomery County. Mr. Wagner has not received the County's review letter but did receive an email from them late today asking for clarification on the street trees. Mr. Graf thought they had a review letter for the first submission but not the resubmission. Mr. Wagner confirmed the County did issue a review letter dated April 15, 2015 and he read their concerns. The review letter indicates the County did support the project and recommended it for approval.

Discussion continued on dwelling density and open space. Fire Marshal Lew Babel asked about parking and it was clarified that parking would be on one side of the street. Joe Zlomek of the Sanatoga Post recalled the developer initially talked about 95 acres of open space but he last heard 86 acres. Mr. Graf said 86 acres would be offered for dedication to Lower Pottsgrove Township and there will be another 20 acres of open space around the units. He said this is still open space but a different form of ownership.

Tom Troutman asked if there are any walking trails planned within the developed areas. Mr. Graf advised there are no trails but there will be sidewalks throughout the development.

Scott Fulmer asked if they are expecting families to move into this development. Mr. Graf said they are single family homes and the price point is for families. Mr. Fulmer estimated 300 students would be going into the Pottsgrove School District and he said Pottsgrove cannot handle that. Also, he could not see how 300 cars would not affect the intersection at Bleim Road and Pleasant View Road.

Mr. Camburn advised the Township's ordinance requires an impact statement, which the developer did with the initial development. The impact statement now has to be updated as part of this application and it will include the development's impact on the schools and a traffic analysis.

Mr. Cebular asked for the Planning Commission members input on whether the applicant should come back with the "clean ups" they are looking for or if they wanted to grant preliminary approval, with the understanding that the applicant would not go before the Board of Commissioners for approval until all the engineering issues have been resolved.

Mr. Wolfgang was not ready to proceed because there are too many "maybes." He wanted more definitive answers. Mr. Wolfgang still has a huge problem with the intersection but realizes not much can be done until the plan is submitted and reviewed by PennDOT.

Mr. Cherico asked how many of the issues cannot be resolved until preliminary approval is granted, which would allow the plan to move forward to other agencies for review. Mr. Graf stated PennDOT holds the key when it comes to their access points. Mr. Wagner noted they cannot go to DEP for sewer issues until they get preliminary plan approval from the Township.

Mr. Wolfgang said at this point, he would like to see a letter with just 2 or 3 outstanding issues. There are currently 30 plus items to be addressed. Mr. Graf said they will never get down to 2 or 3 points.

Mr. Graf asked for some direction on the waivers Mr. Cebular was concerned with the waiver to use plastic pipe instead of concrete pipe. Mr. Camburn said concrete pipe is a somewhat outdated requirement in our ordinance.

After discussion, Mr. Wolfgang made a motion to approve the July 20, 2015 waiver letter prepared by Rolph Graf. Mr. Fulmer seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

No other action was taken.

**AUTHORITY BUSINESS** – None.

### **PLANNING & ZONING**

**Proposed Sign Ordinance**—Mr. Cebular asked for the status of the revised draft of the sign ordinance. Mr. Wagner reported he met with Marley Bice and she addressed all changes in a redlined version of the ordinance.

Ray Lopez, President of Ringing Hill Fire Company and Joe Oberholtzer of Sanatoga Fire Company were present at the meeting. Mr. Lopez distributed an informational letter and explained the role of the fire stations in the community when answering calls and providing emergency services. Ringing Hill Fire Company has also hosted off-site Township meetings and has served as the Emergency Operations Center.

Mr. Lopez spoke on behalf of both fire companies. Because of the nature of the public and emergency services provided by both fire companies, Mr. Lopez asked for a total waiver from the sign ordinance. He explained the fire companies are all-volunteer and it is tougher and tougher to get people to do this. He also pointed out that it would cost the fire companies extra money to go through a zoning hearing(s) for relief from the Township's sign ordinance provisions.

Mr. Cebular asked if the Township itself is exempt from the provisions of the proposed sign ordinance. Mr. Wagner said no, Marley did not put that in the ordinance. He explained Ringing Hill Fire Company is zoned R-1 Residential and the fire company is obviously not residential. Mr. Wolfgang asked if they were grandfathered. Mr. Wagner said the fire company can change the square footage of its sign but installing a digital sign is totally different. Most likely, both fire companies would eventually like to install digital signs in the future.

Mr. Wagner asked if the Planning Commission was in favor of moving forward with the changes in the proposed ordinance. He pointed out the format has been simplified and their comments have been addressed.

Mr. Cebular had 2 additional comments:

- On Page 15, the formula adding the 10 percent safety factor for feet per second should be multiplied by 1.1 percent, not 1.0 percent.
- On Page 24, 1 small temporary sign up to 6 square feet in area and **4 square feet in height** Should read 6 square feet in area and **4 feet in height**.

Mr. Cebular said Ms. Bice saw the Township exemption as a difficult point. Mr. Wagner said she recommended talking to the Township Solicitor about the exemptions. Mr. Cebular recommended that Mr. Wagner keep moving forward and consult with the Solicitor.

#### **ENGINEER REPORT**

Mr. Camburn had nothing additional to report.

Mr. Cebular asked when the hearing would be for the off-street parking and sign ordinances. Mr. Wagner said we are hoping to schedule next month.

#### **ANNOUNCEMENT**

Mr. Cebular announced the next meeting of the Planning Commission will be held on August 17, 2015 at 6:30 p.m.

#### **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 7:35 p.m.

Respectfully submitted,



Edward C. Wagner, Township Manager