



MEETING MINUTES OF THE
**PLANNING COMMISSION OF
LOWER POTTS GROVE TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA
May 15, 2017**

The Lower Pottsgrove Township Planning Commission held its regularly scheduled meeting on Monday, May 15, 2017. The meeting was called to order by Chair Frank Cebular at 6:00 p.m. and the following were in attendance:

Frank Cebular, Chair
Ronald Dinnocenti
William Wolfgang
Scott Fulmer
Chad Camburn, Bursich Associates
Lew Babel, Fire Marshal

Edward C. Wagner, Manager
Anthony Cherico (arrived at 6:10 p.m.)
John Caruolo, Caruolo Associates, Inc.

APPROVAL OF MINUTES

Mr. Dinnocenti made the motion to approve the January 17, 2017 minutes and Mr. Wolfgang seconded the motion. All in favor (4-0)

Mr. Cebular announced that the meeting is to be recorded. He also stated that the meeting would have a two-hour time limit, ending at 8:00 p.m., as the Board of Elections is scheduled to set up the polling stations for the primary election on Tuesday. In addition, he mentioned there has not been a meeting since January 17, 2017.

ACCEPTANCE OF NEW APPLICATIONS.

A. Mr. Wolfgang made the motion to accept application #2016-01 Sanatoga Green, 313 Evergreen Road and Mr. Fulmer seconded the motion. Mr. Dinnocenti abstained. All in favor (3-0)

AUTHORITY BUSINESS

- A. The Township Sewer EDU Estimate letter of March 28, 2017 was distributed for information.
- B. Mr. Fulmer made the motion to accept Windhaven Estates 2917 East High Street Sewage Planning Module Component 4A. Mr. Wolfgang seconded the motion. All in favor (4-0)

SUBDIVISION & LAND DEVELOPMENT PLAN REVIEW

Representatives for the Sanatoga Green project were in attendance to present their updated project status. Mr. Cebular stated he feels there are two main topics of concern that need to be addressed tonight. The first being stormwater and the second being the traffic studies. Mr. Wolfgang added there is one additional waiver that also must be addressed.

Frank Bartle, attorney for the applicant, started the conversation by discussing his letter dated May 11, 2017 sent to Ed Wagner. In it he references his March 20th letter and the 17 waivers already recommended by the Planning Commission along with the request for one new waiver, §203-15.C(1)(a) regarding stormwater retention or detention basin setbacks from structures. He explained the purpose of this letter was to ensure that the Township and the Applicant are in agreement with regard to a related section of the Stormwater Ordinance - §203-15.C(1)(b) which requires, “*Whenever possible*, stormwater retention or detention basins shall be located at least 50 feet from any property boundary or right-of-way.”

The Applicant has reviewed these waivers with the Township Engineer, who has indicated that he is favorably disposed with respect to these.

Mr. Wolfgang asked how deep the basins are and who will maintain them. Mr. Bartle responded that they will be maintained by the private Community Association. Mr. Engle, the Engineer for the Applicant, responded that the basins are about 8’ 0” deep give or take. Mr. Wolfgang reiterated his concerns about someone slipping/falling into the basins and asked what would be done to prevent such an occurrence.

Mr. Engel stated that the bulk of the basins are underground basins; they are pipes that are solid and are usually three to five in a row. In most cases they are five foot in diameter pipes with a minimum of 2’ 0” of soil on top of them; some are in roadways and some are in lawn areas. There is only one basin that would fall under the category of the waiver request, and is identified as basin #700. It is a relatively small basin, approximately 36” deep, and 40’ 0” across. There is one large basin on the property, but sufficiently inside the property lines and does not fall under the waiver request requirement. This basin will replace the existing basin serving Genesis and is over 12’ 0” deep and approximately 100’ 0” across.

A conversation was held in regards to tying into the Township stormwater system. Mr. Wagner discussed an existing Resolution in which the owner of the property agreed to donate 1.54 acres of land to the Township with the understanding that the Township will accommodate stormwater from the future development to connect to the Township’s stormwater basin on the Sanatoga Park property. The details of the agreement are in question, particularly whether the developer has the right to construct a new stormwater basin, with an area less than 1.54 acres, on the Township’s property, or if the developer is simply allowed to connect to the existing stormwater basin. The attendees agreed that Mr. Bartle will need to work this out with the Township Solicitor. Mr. Engel stated that he believes the stormwater management for the project may be accommodated without the basin, but he would prefer to include it in the design.

Mr. Bartle mentioned that Mr. Wagner had requested additional copies of the renderings be provided to this Board for their consideration. Mr. Wagner stated that page 5 of the engineer review letter notes that submissions for architectural design shall be made in accordance with the requirements of §250-158.18.A. In addition, all architectural design shall incorporate the requirements of §250-158.18.B and the Planning Commission has to recommend their approval of the renderings to the Board of Commissioners. Mr. Drauschak mentioned that these drawings are meant to be a representation of the different types of facades that the buildings will have and that there are no scenarios where there will be ten houses in a row.

Mr. John Caruolo, Caruolo Associates, Inc. and Mr. Kevin Johnson, Traffic Planning & Design discussed Mr. Caruolo's Traffic Review comments from his May 3, 2017 letter and the Applicant's responses. Mr. Caruolo indicated his concern with safety along Evergreen Road once the project and other nearby potential projects are developed. He would like to see some improvements such as left turn or deceleration lanes considered due to the anticipated traffic. At a minimum, further investigation should be performed as to the potential impacts and possibility for improvements.

Mr. Drauschak feels that they have been very cooperative with all parties involved including other developers, the Township and PennDOT. He feels they are in some way working in the dark as the other developers have submitted nothing to their respective townships and there is no way of knowing what will be coming along in the future. He feels they are trying to please everyone without any real specifics, which could cause an overdesign in anticipation of these things happening. He also stated that he feels PennDOT will control what improvements are required along Evergreen Road, not the Township, since the road is owned by PennDOT. Mr. Caruolo clarified that PennDOT typically takes the Municipality's recommendations into consideration when reviewing the need for potential improvements due to new development projects.

Mr. Johnson and Mr. Caruolo agreed to meet to further evaluate Mr. Caruolo's concerns. The Applicant agreed to comply with all comments in the May 3, 2017 letter from Caruolo Associates, Inc. unless after additional information is provided and meetings are held, Mr. Caruolo agrees that additional improvements are not warranted or feasible and/or alternate improvements are more appropriate.

Mr. Wolfgang inquired about the phasing of the project. Mr. Bartle stated they will be marketing all components of the project and phasing will be determined based upon the response. Mr. Drauschak stated that the townhouse project is under contract and would most likely be the first phase; he added that the negotiations for the medical portion are moving forward very quickly. Mr. Camburn stated that there are methods which may be implemented to restrict the number of residential units built until another phase, specifically a commercial component, starts. Those restrictions would be set by the Board of Commissioners and would be based upon recommendations from the Planning Commission. Mr. Bartle reminded the group that this project cannot work financially for anyone if all phases do not happen.

Mr. Wolfgang asked if there is a plan which incorporates the Engineer's comment letters and all other comment letters. Mr. Bartle stated there is a partial set available, but based upon Mr. Wagner's recommendation, they are not submitting them at this time. Mr. Bartle stated that these items would not be incorporated until the Applicant has received Preliminary approval. He stated that once they have received Preliminary approval, the drawings will be updated with the proviso they are corrected based upon the letters all parties have agreed are important.

Mr. Camburn stated he would recommend the approval of the two requested waivers as follows:

- In regards to §203-15.C(1)(a) stormwater retention or detention basin setbacks from structures, the basins must be no less than 15 feet from a structure and must be watertight so the water will not permeate into ground. In addition, a geotechnical and/or engineering certification will be required stating the basins will not adversely impact the structures.

- In regards to §203-15.C(1)(b), stormwater retention or detention basin setbacks from property boundaries or right-of-ways, the Applicant provided a letter stating that the basins will be constructed and maintained without encroaching onto the adjoining properties or Right-of-Way. In addition, any basins within 50' from any property line or right-of-way must be watertight and may not permeate the ground and affect adjoining properties.

Based upon the input of Mr. Camburn and the Applicant abiding by his recommendations, Mr. Wolfgang made the motion to grant Waivers for §203-15.C(1)(a) and §203-15.C(1)(b). Mr. Cherico seconded the motion. All in favor (4-0); Mr. Dinnocenti abstained.

Mr. Cherico made the motion to accept the Architectural Renderings. Mr. Wolfgang seconded the motion. All in favor (4-0); Mr. Dinnocenti abstained.

Mr. Cherico made the motion to recommend Preliminary Plan Approval subject to the following:

The applicant must comply with all comments in the following letters:

- Township Engineering letter of April 28, 2017
- Township Sewer letter of April 28, 2017
- MCPC letter of April 17, 2017
- Township Traffic Engineer letter of May 3, 2017
- Applicant's updated Waiver Request Letter of March 20, 2017
- Applicant's Traffic Response letter of April 7, 2017
- Township Solicitor letter of May 1, 2017 on Conditional Use Steep Slope Disturbance
- Township Fire Marshal letter of May 8, 2017

Although he is not in favor of the project, Mr. Fulmer seconded the motion. The motion was approved; three in favor, Mr. Wolfgang opposed and Mr. Dinnocenti abstained.

Mr. Wagner stated the Applicant will be on the agenda for the June 8, 2017 Board of Commissioners meeting.

ANNOUNCEMENTS

None

ADJOURNMENT

Mr. Dinnocenti made a motion to adjourn at 8:02 p.m. Mr. Fulmer seconded the motion. It was unanimously approved. Vote was 5-0 in favor.

Respectfully submitted,



Edward C. Wagner, Township Manager