

AGENDA ITEMS

Commerce Group
Township Community Center

cc:	R. Birch	K. Johnson
	M. Fox	Sewer Authority
	J. McDonnell	F. Bartle
	J. Walsh	B. Shoupe
	C. Chimera	E. Reynolds
	L. McGuire	M. Beatty
	J. Glickman	K. Amey
	J. Goldstein	J. Trump
	J. Rall	S. Krumenacker

MONTGOMERY TOWNSHIP PLANNING COMMISSION
November 21, 2013

The November 21, 2013, meeting of the Montgomery Township Planning Commission was called to order by Chairman Jonathan Trump at 7:30 p.m. In attendance were Commissioners Michael Beatty, Jay Glickman, Leon McGuire, James Rall and Ellen Reynolds. Commissioner Steven Krumenacker was absent. Also present were Bruce Shoupe, Director of Planning and Zoning, and Candyce Fluehr Chimera, Supervisor Liaison. Larry Gregan, Township Manager, was also present.

The minutes of November 7, 2013, were approved as submitted.

There were no public comments.

The first item on the agenda was a discussion of the plan for the Commerce Group. Joe Mc Grory, attorney for the applicant, was present to address this plan. Mr. Mc Grory explained that this site was at the corner of Vilsmeier Road and Bethlehem Pike and had been the subject of litigation for many years. He is the new attorney for the project and has had several meetings with the Township staff to try to find a solution to this situation and end the litigation. He felt that this plan would serve that purpose. The intended use is a multi-tenant retail store of approximately 11,000 square feet. Mr. Mc Grory stated that they had received numerous review letters from the township consultants and would comply with all of the comments except for some waiver requests. He advised that the waivers were as follows:

1. Section 205-10.D.(4)(b) – A waiver is requested from the requirement that additional right-of-way widths, paving widths and curbing may be required by the Township for parking in commercial areas. (*The Applicant has indicated that the project has been designed in accordance with the PennDOT project to improve the 5-point intersection.*)

2. Section 205-10.H.(6) – A waiver is requested from the requirement regarding off-street loading areas. *(The Applicant has indicated that “the site is not proposed to be accessed by a semi-tractor trailer”.)*
3. Section 205-10.H.(7)(b) – A waiver is requested from the requirement that off-street parking spaces for the physically handicapped be a minimum of 12 feet wide. *(The Applicant is requesting this waiver based on the ADA Standards for Accessible Design which requires a minimum of 96 inches wide. The consultants have no objection to this waiver conditioned upon the plans meeting all other ADA requirements for off-street parking spaces.)*
4. Section 205.18 - A partial waiver is requested from this section regarding storm and surface drainage. The applicant shall reduce the post-development flow to less than the pre-development flow in lieu.
5. Section 205-52.A. – A waiver is requested from the requirement that street trees be required for any subdivision or land development where suitable street trees do not exist. *(The consultants have no objection to this waiver, but recommend a fee in lieu of the missing 3 street trees.)*
6. Section 205-52.B(3)(a) – A waiver is requested from the requirement for softening buffers being located within 20 feet of the property line. The applicant has shown some buffers as being more than 20 feet from the property line. *(This may be waived at the discretion of the Board of Supervisors. The consultants have no objection to this waiver.)*
7. Section 205-52.B.(4)(a) – A waiver is requested from the requirement that softening buffers be required in all zoning districts and for all uses. *(The consultants have no objection to this waiver, but recommend a fee in lieu of the missing 17 shade trees.)*
8. Section 205-52.C.(2)(b) – A waiver is requested from the requirement that all truck loading, outside storage areas, mechanical equipment and trash receptacles be screened from view from streets and abutting residential areas in accordance with the standards for screen buffer size and type. *(The applicant proposes to screen the dumpster area with fencing only. The consultants have no objection to this waiver.)*
9. Section 205.52.C.3(b) - A waiver is requested from the requirement that screen buffers shall be located within 20 feet of the property lines or within 20 feet of the legal or ultimate right-of-way lines, whichever is farther from the street center line. *(The applicant requests a waiver regarding the planting of the softening buffer within 20 feet of the property line. All plant material will be within 25 feet of the property line. The consultants have no objection to this waiver.)*
10. Section 205-52.D. – A waiver is requested from the requirement regarding parking area landscaping. *(The consultants have no objection to this waiver, but recommend a fee in lieu of the missing 6 shade trees.)*
11. Section 205-52.D(1)(d) - A waiver is requested from the requirement that raised continuous concrete curbing be provided around all planter islands in order to permit a fire truck turning radius through the parking lot. *(The consultants have no objection to this waiver.)*

12. Section 205-52.D(1)(f) – A waiver is requested from providing hedge plantings for 9 parking spaces along Vilsmeier Road. *(The consultants have no objection to this waiver. Twenty-seven shrubs are missing from the required hedge plantings along Vilsmeier Road, however, 30 additional shrubs have been provided in other locations on the site.)*
13. Section 205-52.G. – A waiver is requested from the requirement regarding individual lot landscaping. *(The consultants have no objection to this waiver, but recommend a fee in lieu of the missing 3 shade trees.)*
14. Section 205-52.B(1) and (2) – A waiver is requested from the requirement restricting tree root disturbance to less than $\frac{1}{4}$ of the total root area. ***(The consultants do not support this waiver, as it does not appear that a waiver is required. The planting of landscape material within the dripline of an existing tree is not considered to be tree root disturbance.)***
15. Section 205-53.C – A waiver is requested from the tree preservation requirements. *(The consultants have no objection to this waiver. A fee in lieu of the missing 8 replacement trees should be provided.)*
16. Section 205-56 – A waiver is requested from the Recommended Plant List requirements. ***(The consultants do not support this waiver. The Board of Supervisors may permit planting types other than those listed if they are hardy to the area, not subject to blight or disease, and are of the same general character and growth habit as those listed in the Plant List.)***
17. Section 205-78.B.1 - A waiver is requested from showing the location, names and widths of streets and alleys, including existing streets; the location and names of railroads; the location of property lines and names of owners; and the location of watercourses, sanitary sewers, storm drains and similar features within 400 feet of any part of the land to be subdivided. *(An aerial photograph has been provided in lieu of showing the existing features within 400 feet of the land to be developed. The consultants have no objection to this waiver.)*
18. Section 205-100. to 102. – A waiver is requested from the requirement that a traffic management study be required for all major subdivisions, land developments and rezoning requests as described in §205-102. *(The Applicant proposes to provide a partial Traffic Management Study and requests only a partial waiver from these sections.)*
19. Z.O. Section 230.78.A – A waiver is requested from the requirement for a planting area 25 feet in width be provided along all street frontages and along all side and rear boundary lines. *(This may be waived or reduced at the discretion of the Board of Supervisors. The consultants have no objection to this waiver.)*
20. Z.O. Section 230-127.A(8)(a) – A waiver is requested from the requirement that the applicant provide two square feet of landscaped area for each square foot of sign area where freestanding signs are proposed. *(The consultants have no objection to this waiver.)*

Mr. Mc Grory explained that they felt that this was the complete list of waiver requests. Even though these were numerous, they had been discussed and agreed upon with the township consultants and staff. Mr. Glickman stated that he would like to see this site developed. It had been vacant for many years and this would improve the area. He also felt that the waivers should be approved. Mr. Mc Guire

stated that he would like to see some further storm water management practices utilized on this site. Mr. Mc Grory advised that they would work with the Township Engineer to see what could be provided. After some further comments, a motion was made by Mr. Glickman, seconded by Mr. Mc Guire, to recommend approval of the plan to the Board of Supervisors, subject to satisfactory compliance with all comments of the Township review agencies. The motion further recommended that the waivers be approved, however, a fee in lieu of the missing landscaping should be provided by the applicant. It was further suggested that the motion include that the applicant would work with the Township Engineer to provide further storm water management practices. Motion carried unanimously.

The next item on the agenda was a discussion of the Township's new Community Center plan. Rolf Graf, the engineer for the project, was present to address this plan. Mr. Graf noted that Jonathan Trump was the architect for this project. Mr. Trump advised that Steve Krumenacker was the structural engineer for the project and that the landscaping plan had been prepared by Boucher & James. Mr. Graf presented a brief history of the site. It is located at the corner of Horsham Road and Stump Road. This parcel had been the site of an approved plan for office buildings. However, it was never developed and the Township was able to purchase the property. Mr. Grogan stated that everyone was very excited about this project. It was felt that it would be a wonderful addition to the Township facilities. He advised that he has just heard that the Township had been awarded a grant to provide for a playground and spray park that will be handicapped accessible. Gilmore Associates will be the engineer for this playground. Even though this was a township project, everything needed to proceed through the land development process. Mr. Graf stated that there were no waiver requests for this plan. After some further discussion, a motion was made by Mr. Glickman, seconded by Mr. Beatty, to recommend approval of this plan to the Board of Supervisors. Motion carried 5-0-1, with Mr. Trump abstaining. Mr. Krumenacker was absent from the meeting.

The next meeting will be held on Thursday, December 19, 2013.

This meeting was adjourned at 8:35 p.m.

Respectfully submitted:

Marita Stoerrle
Development Coordinator/
Recording Secretary