

AGENDA ITEMS

Hawthorne Court (Trefoil)

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	M. Schelly
	L. Manai	J. Goldstein
	J. Trump	J. Rall

MONTGOMERY TOWNSHIP PLANNING COMMISSION

March 17, 2011

The March 17, 2011, 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, Leon McGuire, James Rall (arrived at 7:45 p.m.) and Ellen Reynolds. Commissioner Jay Glickman was absent. Also present were Matthew Schelly, Montgomery County Planning Commission, Bruce Shoupe, Director of Planning and Zoning, and Kenneth Amey, Planning Consultant.

The minutes of March 3, 2011, were approved as submitted.

Under Public Comment, Richard Fosco, 109 Gwynmont Circle, asked about the status of the 202 Parkway project. He stated that the traffic is very heavy and backs up so that the residents cannot get out of the development. Bruce Shoupe will provide Mr. Fosco with the contact information for the project manager from PennDOT.

The first item on the agenda was a presentation of the plan for Hawthorne Court. Residents of the Gwynmont Farms development were invited to attend as this development is adjacent to the proposed development. The site is located at Route 202 and Gwynmont Drive. Ron Klos, engineer for the project, and Steve Jaffe and Brian Alderfer, from Trefoil Properties, were present to discuss this plan. Chairman Trump explained that this plan had been previously presented to the Planning Commission and had just been resubmitted with revisions based on comments from the Township's consultants. He asked Mr. Klos to give a brief overview of the plan. Mr. Klos explained that the plan had been previously approved for two office buildings in 2003. The new plan proposed a four-story hotel with 83 rooms, which would be a Hampton Inn, an 11,000 square foot day care center and a three-story office building consisting of

27,000 square feet per floor. The plan included the extension of Gwynmont Drive from the Gwynmont Farms development to Route 202. Mr. Klos stated that the plan had been reviewed by the Township's consultants and with the exception of some waiver requests, the plan satisfied all comments. There was some discussion of the Montgomery County Planning Commission review letter. Matt Schelly stated that the applicant was required to provide either 10% open space or a fee in lieu of the open space. He suggested that the applicant provide access to the existing natural area instead of providing a fee in lieu of the open space requirement. A paved trail could be provided along the northeastern side of the detention basin which would provide access to the 20 acres of open space currently owned by PECO and PennDOT. The County Planning Commission felt that this would be beneficial whenever the Township acquired the right to use this open space area. A lengthy discussion occurred. The majority of the residents did not feel that a paved trail was necessary. It was suggested that perhaps the location could be changed somewhat to better serve the residential development. It was also mentioned that it did not need to be a paved trail. Possibly, it could be some kind of gravel trail. A discussion took place regarding the second access for De Kalb Pike. Mr. Klos stated that the applicant did not plan on having this road open at this time. Mr. Shoupe stated that he had spoken with the Township's Traffic Engineer regarding this topic and that he was not in favor of the roadway not being open at this time. Emergency vehicles needed to have another means of egress into the site. The Planning Commission also felt that there should be an additional means of egress and ingress for the site. Mr. Shoupe suggested that Mr. Klos discuss the situation further with the Township Traffic Engineer. Another point discussed in the County Planning Commission review was the need for a fence around the detention basin. Mr. Klos stated that they would do whatever the Township wished. The consensus of the Planning Commission members was that a split rail fence with wire mesh should be installed. Mr. Klos also indicated that the applicant would be agreeable to providing the crosswalks recommended by the County Planning Commission. A discussion of the waiver requests was then held. Mr. Klos stated that there were seven waivers which the applicant would like to request. The waiver requests are as follows: 1) the requirement to provide parking spaces of twelve feet in width. Mr. Klos stated that the spaces would be eight feet wide with an additional five foot wide striped area, which would meet the federal ADA requirements. The Township Traffic Engineer was in agreement with the waiver. The Planning Commission members did not have any concern with this request; 2) the requirement that slopes within softening buffers be 25% or less. Mr. Klos advised that the slopes would be 33% in the isolated area along the right-of-way lines. The Township Landscape Architect was not opposed to this waiver provided that the appropriate stabilization notes and details are included on the plans. The Planning Commission members agreed with the recommendation of the Township Landscape Architect; 3) the requirement that softening buffers be provided along the perimeter of the property. The applicant did not feel that a softening buffer would be required along the southern side of the property because it is not located near any new development. The Township Landscape Architect recommended that a fee be provided in lieu of the 34 shade trees and the 67 shrubs that would not be installed as a softening buffer; 4) the requirement for one shade tree to be placed in each 290 feet of planting island. Mr. Klos stated that there are 11 islands that do not have trees shown as being planted as there are underground utilities at these locations. He advised that the required trees have been provided elsewhere on the parking lot. (The Township Landscape Architect had noted that there are actually 21 planting islands without trees (13 single row islands and 4 double row islands.) They recommend that a fee be provided in lieu of the 21 shade trees); 5) the requirement to plant a minimum of 4 shade trees and 8 shrubs per 100 feet of a divider island. Mr. Klos explained that the applicant is unable to plant the required number of trees and shrubs on the island because it would not all fit; however, it will be planted elsewhere on the site. Therefore they are requesting a waiver of the location only. The Township Landscape Architect has no objection to this waiver request; 6) the requirement that no more than 60% of trees be removed during. The applicant has indicated that there are areas where disturbance of the trees is unavoidable. However, they have

provided the 69 replacement trees elsewhere on the site. The Township Landscape Architect has no objection to this waiver request; 7) Mr. Klos advised that the applicant had met with one of the neighbors of the site and it had been requested to provide more screening along the perimeter of the property. He explained that there was a berm at that location and a screening buffer will be moved to basically be on top of the berm, which would provide an additional 3 to 4 feet in height. However, they would need a waiver to move the landscaping to the top of the berm as it is required to be within 20 feet of the property line. The consensus of the Planning Commission was that they were in agreement with this waiver. Chairman Trump opened the meeting for any public comment. Approximately 25 residents of Gwynmont Farms Development were in attendance to voice opposition to the Trefoil Project. Mr. Trump stated that everyone would be given an opportunity to speak, but requested that each person limit their comments to five minutes. He also asked that everyone provide their name and address for the record. Mr. Trump further stated that the Planning commission had reviewed the plan several times and that the plan did meet all of the requirements of the Township Codes, with the exception of the waiver requests just discussed. Steve Dorshaw, 106 Trotter Lane, stated that he was concerned about the proximity of the hotel to the residences. He was concerned that he could see the hotel from his second floor windows and that any hotel guests would be able to see into his home. Mr. Dorshaw advised that he was the resident that had met with Trefoil representatives about the screening buffer. He was also concerned about security of the neighborhood with a hotel, with transient guests, being in their backyards. Bob Raggi, 102 Gwynmont Circle, stated that he agreed with Mr. Dorshaw's comments and would also like to ask about the lighting of the parking lot. Mr. Klos advised that the lights would be 30 feet high, but would only illuminate the site, as they are at zero foot candles. Kelton Collopy, 135 Gwynmont Drive, questioned as to the times of operation. He did not feel that a hotel, which would be open 24 hours, was a good use for the site. Laura Salverian, 104 Gwynmont Drive, stated that she hoped the Township would realize that this subdivision is actually an island and that they are virtually cut off from the rest of the Township because of all of the development around them. She further stated that she is not aware of another location that has a residential development directly next to a commercial development. There is no beautiful open space area around them as there is in most every other development. Ms. Salverian is concerned for the safety of the children, if the extension of Gwynmont Drive is approved. She further mentioned that the property value of the homes will go down with the approval of this commercial development. She asked that the Township officials do what is right for the residents of the Township. Mr. Trump explained that if a plan meets all of the code requirements, it cannot be denied, even if the Township officials were not in agreement with the plan. Pennsylvania law requires that the property owner be permitted to utilize their land as they wish as long as it meets the Township code requirements. Rich Fosco, 109 Gwynmont Drive, advised that the residents were opposed to the development that was approved in 2003 and now they are faced with an even worse plan. He did not see this as "good" planning. However, he stated that the major concern was the extension of Gwynmont Drive into their development. He would like to see this be one way so that no traffic could come into their development. Rachel Yoka, 103 Trotter Lane, asked why the road needed to be extended. She also questioned on the number of parking spaces. Mr. Klos advised that they needed to have one space per unit for the hotel. It was suggested that the hotel share parking with the other uses on the site and perhaps a small area could then be set aside as a "pocket" park of some kind. Della Payne, 101 Trotter Lane, stated that she was also concerned with the road extension. She did not feel that it would be safe for the children who were now used to playing there. She further asked if a wall of some type could be installed to separate the residential development from the commercial development. Ms. Yoka also suggested that the hotel be moved to the front of the site so it would not be right in the backyard of the residents. Pam Lambert, 141 Gwynmont Drive, stated that she did not feel that there was a market demand for a day care or a hotel in the Township. There were already several of both in the area. Ms. Lambert further stated that there are many empty office buildings, so

why would there be a need to build another one. She suggested utilizing the ones that are already constructed before building a new office building. Andrew Herman, 110 Gwynmont Circle, said that he thought this plan was very insensitive to the residents. He feels that this part of the Township is forgotten by the Township officials; other areas have beautiful parks, but they have nothing. He also said that he feels that the layout of the plan is the worst possible scenario. Francisco Dieguez, 116 Gwynmont Circle, stated that he was confused as to why the residents were even invited to attend this meeting, if the plan "had" to be approved, as was stated previously. He felt it was a waste of everyone's time. He felt that he did not understand the process. Mr. Trump advised that this was a meeting of the Planning Commission, who were advisors to the Board of Supervisors. The Board would have the final vote on the approval of the plan. However, he did advise that the Township is required to follow Pennsylvania Law and also the Township Ordinances. They could not deny a plan even if they did not personally feel it was appropriate, as long as it met all of the codes. Public input is invited for discussions with the developers to see if any alternatives could be found. Mr. Shoupe explained that the law does not require that residents be notified during the land development process, as it does for the Zoning Hearing Board. However, he had asked the Board to notify the residents about this meeting because it had been brought to his attention that the residents had many questions regarding this plan. Much general discussion occurred. Several residents asked for a contact name and number for Trefoil. Steve Jaffe stated that the number was 215-855-5100 and that Jim Wrigley could help them. Meg Fusco, 109 Gwynmont Drive, stated that while it might not have been legally required to notify the residents, it was the right thing to do and she wanted to say thank you. She did not feel that the plan should move forward as it would not be good for the neighborhood. Bob Gursky, 120 Gwynmont Circle, stated that he had looked for other residential areas that had a four story commercial building nearby and he could not find any. He believed that this is the only area affected by this. He also said that the neighbors were concerned with three things: safety, security and separation. He asked if the Gwynmont Drive Extension could be deleted from the plan. The residents do not wish to have traffic coming through the development. This could be closed off completely. He further suggested that a traffic signal be installed at the old Gwynmont Drive intersection. Mr. Gursky also asked that the applicant be required to install a stone wall around the commercial development to separate it from Gwynmont Farms. Kathy Halberg, 121 Gwynmont Circle, stated that she did not understand why it was being said that the plan met the ordinance requirements while there were seven waivers being requested. She did not feel that this was meeting the ordinance. Mr. Trump stated that there are waiver requests and that they can be approved or not approved. However, the Township Code does allow for waiver requests. If a waiver was not granted, the applicant must revise the plan to meet the requirements. Mary Lynn Alvarrino, 102 Oval Lane, stated that she felt the value of their homes would go down with this development. She asked if the business taxes collected from this development would be greater than what was paid in real estate taxes. Mr. Trump advised that the Planning Commission members would not have this information. Some discussion followed. It was further advised that the waivers which are being requested are not unusual for a developer to request. The Supervisors are permitted to grant waivers of the Subdivision Ordinance when they feel it is not detrimental to the Township. Ms. Alvarrino further stated that she would like to know what the next step would be if the Planning Commission approved the plan. Mr. Trump stated that the Planning Commission is an advisory body only. They would make a recommendation to the Board of Supervisors and then the Board would discuss the plan and made the final decision. Rich Fosco, 109 Gwynmont Circle, asked if the Planning Commission could recommend that the Gwynmont Drive Extension not be put in, or as an alternate, designate it as one way only. The residents did not wish to have traffic coming into their development. Mr. Shoupe indicated that in 2003, the Board of Supervisors had adopted a resolution regarding the Gwynmont Drive Extension. The resolution stated that the roadway would be monitored to see whether alternate decisions regarding the road opening were necessary. Ray Kerr, 115 Gwynmont Drive, asked about the height of the hotel. Mr.

Klos stated that it was a four story building, approximately 45 feet high, but that it was about the same as the originally approved office buildings. It was noted that the ordinance requires that for each foot over 30 feet, certain set back requirements must be met. An unidentified gentleman read from the mission statement for the Department of Planning and Zoning, that states: *"to preserve and improve the quality of life for residents and businesses within the community through the enforcement of the codes and ordinances of the township; to be sensitive to the needs of the community while involved in planning and redevelopment; to serve the community as we would ourselves."* He asked that this be kept in mind as the plan is considered. The concerns of the residents should be considered. Mr. Jaggi, 127 Gwynmont Circle, stated that he did not understand the reason that the roadway needed to be extended. It was explained that it was a public safety issue. Mr. Trump stated that if this development was being considered by the Township today, it would not meet the ordinance requirements, as it has only one egress and ingress to the development. It is now required that emergency vehicles have alternate ways to access the development. After some further general discussion, Mr. Jaffe stated that Trefoil would be happy to set up a meeting with the residents to further discuss their concerns. The applicant requested that the Planning Commission make a preliminary recommendation to the Board of Supervisors. The consensus of the Planning Commission was that they did not wish to make a recommendation at this time. It was felt that another meeting would be necessary after the residents had met with Trefoil. However, they would vote on the waiver requests at this time. A motion was made by Mr. McGuire, seconded by Mr. Rall, to recommend to the Board of Supervisors that the waiver requests be granted and that no other recommendation be made until after the residents have a chance to meet with the applicant. Motion carried unanimously. Once that meeting has been held, the Planning Commission will schedule another meeting with the applicant. The residents will again be invited to attend.

Mr. Beatty presented a synopsis of the Board of Supervisors meeting of March 14, 2011.

Mr. Schelly distributed and explained some information which would be of interest to the Planning Commission members: Census Numbers for 2010; Transit Outperforms Green Buildings; Why are Americans Driving Less; Growing Wealthier; Inner-Ring Suburbs; Taking the Big Out of the Box; and, Market Based Retrofit of Suburban Strip Corridors.

There being no further business, this meeting adjourned at 10:30 p.m.

Respectfully submitted:

Marita Stoerrle
Development Coordinator/
Recording Secretary