

AGENDA ITEMS

- Conditional Use Application - BJ's Fueling Station – Wilkinson Five Point LP
- Plan Review – 1023 Lansdale Avenue
- Plan Review – 1701 N. Line Street

MONTGOMERY TOWNSHIP PLANNING COMMISSION

February 19, 2015

The February 19, 2015, meeting of the Montgomery Township Planning Commission was called to order by Vice-Chairman Jay Glickman at 7:30 p.m. In attendance were Commissioners Leon McGuire, Steven Krumenacker, James Rall and Ellen Reynolds. Chairman Jonathan Trump was absent. Also present were Bruce Shoupe, Director of Planning and Zoning, and Candyce Fluehr Chimera, Supervisor Liaison.

The minutes of January 15, 2015, were approved as submitted.

There were no public comments.

CONDITIONAL USE APPLICATION – BJ'S FUELING STATION

A discussion of the conditional use application for the BJ's Fueling Station was next on the agenda. Robert Brant, attorney for the project, and Luke Teller, engineer for the project, were present to discuss this application. Also present was Dick Wilkinson, owner of the property. Mr. Brant advised that this property was Condominium #3 at Five Points Plaza. At present there is a vacant bank building at this site. He stated that they proposed to demolish the building and construct a gasoline fueling facility with 14 fuel stations, a drive-thru ATM and a 157 square foot building. Mr. Teller presented an overview of the plan. Mr. Brant advised that they had received variances from the Zoning Hearing Board for this project. This conditional use application was the next step. A fueling station is permitted as a conditional use in the Shopping Center District. He advised that they also have submitted a land development plan, which is now under review. That plan will be discussed at the March 19, 2015, Planning Commission meeting. A question arose as to hours of operation. Mr. Brant stated that the hours of operation would be from 6:30 a.m. to 10:00 p.m. It was further stated that deliveries were usually during off hour periods. The Planning Commission members were concerned about the buffering for the residential property adjoining this property. Mr. Wilkinson stated that at present the house was not able to be seen from the BJ's property and that they would make certain that the house was buffered properly from the new construction. Mr. Krumenacker questioned the access to the property. Mr. Teller advised that the access was from inside the shopping center; there was not direct access from either Cowpath Road or Route 309. After some further discussion, a motion was made by Mrs. Reynolds, seconded by Mr. Rall, to recommend to the Board of Supervisors that this conditional use application be approved, subject to satisfactory compliance with all comments of the Township's review agencies. Motion carried unanimously.

1023 LANSDALE AVENUE

The next item on the agenda was a presentation of the plan for a minor subdivision at 1023 Lansdale Avenue. Robert Jordan, engineer for the project, was present to discuss this plan. He advised that this was a two lot subdivision. The property is a developed 1.4 acre parcel located at 1023 Lansdale Avenue. The site currently contains a single family residence with an accessory carport and a paved driveway accessing Lansdale Avenue northwest of its intersection with Pecan Drive. It is within the R-2 Residential Zoning District. The applicant proposes to subdivide the property into two parcels, containing net areas of .682 acres. Presently, all that was being done was the subdivision of the lot; no new construction is being proposed at this time. Mr. Jordan stated that this needed to be done so that the subdivision could be recorded. He mentioned that this subdivision had occurred previously, but apparently had never been recorded. Mr. Jordan stated that there currently is a house on Lot #1. A question arose as to the improvements on Lot #2; who would be responsible for them. Mr. Jordan stated that the owner of Lot #2 would be responsible. Notes would be placed on the plans regarding this. Mr. Shoupe suggested that a restrictive covenant be recorded so that any potential buyer would know exactly what would be required of them. Mr. Jordan stated that they were asking for a waiver from Section §205-87.B(10) – the requirement to provide the locations and dimensions of all existing utilities within 400 feet of the property to be shown on the plan. Mr. Shoupe stated that there were also some landscaping waivers which were being requested. Normally, the applicant either provides for the landscaping or submits a fee in lieu of the plantings. Mr. Jordan stated that the owner had decided that he would provide the landscaping for Lot #1 and asks to defer the installation of any landscaping on Lot #2 until such time as it is constructed. Therefore the waivers are as follows:

1. Section §205-52.J – the requirement that in cases where preserved natural features on site duplicate or essentially duplicate the planting requirements of the chapter these requirements may be waived. *(The consultants have no objection to this waiver,)*
2. Section §205-87.B(10) – the requirement to provide the locations and dimensions of all existing utilities within 400 feet of the property to be shown on the plan. *(The consultants have no objection to this waiver.)*
3. Section §205-22.A Sidewalks - A waiver from the requirement to install sidewalks along Lansdale Avenue is requested. *(The consultants have no objection to this waiver.)*

After some further comments, a motion was made by Mr. McGuire, seconded by Mr. Rall, to recommend to the Board of Supervisors, that this plan be approved, subject to satisfactory compliance with all comments of the Township review agencies. Motion further indicated that the requested waivers be approved. It was also noted that a restrictive covenant should be recorded regarding improvements to Lot #2, as well as placing a note on the record plan. Motion carried unanimously.

1701 N. LINE STREET

Next on the agenda was a presentation of the plan for 1701 N. Line Street. This would be for a two lot subdivision. Joseph Del Ciotto, owner and architect, was present to address this plan. Mr. Del Ciotto explained that the property is a developed 31,242 sq. ft. parcel at 1701 N. Line Street, at the intersection

with Rosewood Drive. The site currently contains a duplex, a detached garage, shed and a paved driveway accessing N. Line Street. The parcel is within the R-2 Residential District. They propose to subdivide the property into two parcels containing net areas of 16,573 sq. ft. and 14,744 sq. ft. An existing structure on Lot 1 is to be restored to a single-family dwelling unit and an existing garage is to be demolished. They were granted a variance from the Zoning Hearing Board on September 5, 2014. Mr. Del Ciotto stated that he had received several review letters and would comply with most comments. However, there were three waivers which he was requesting; landscaping, sidewalks, and showing existing features within 400 feet of the site. He advised that there was not enough room for all of the trees and shrubs that are required in the landscaping buffer. He would plant what trees and shrubs that would fit in; however a waiver would be requested for the rest of the landscaping. Mr. Rall stated that normally if all required landscaping could not be planted, a fee in lieu was provided by the applicant. Mr. McGuire stated that he would like the Township to review the Landscaping Ordinance to see if the regulations could be changed for smaller properties. The Planning Commission members stated that they would like to review the ordinance to see if this would be possible. A waiver was also requested from the installation of sidewalks along Rosewood Drive. Mr. Del Ciotto stated that there were no other sidewalks in the area. Installation of sidewalks was something that was discretionary on the part of the Board of Supervisors. The following are the requested waivers:

1. Section 205-22.A – the requirement that sidewalks be installed. The applicant has requested that sidewalks not be installed along Rosewood Drive as there are no sidewalks presently located in the neighborhood. *(This is discretionary on the part of the Board of Supervisors.)*
2. Section 205-87.B(10) – the requirement from providing the locations and dimensions of streets, utilities, building, etc. within 400 feet of the site. *(The consultants have no objection to this waiver.)*
3. Section 205-52.B – the requirement for softening buffer. The applicant feels that they cannot install the required amount of landscaping on site. They will provide 2 shade trees, 6 evergreen trees and 22 shrubs. A waiver is required for the remaining shade trees and shrubs. *(The consultants have no objection to this waiver provided that the trees are planted in another Township location or a fee in lieu of the required landscaping be submitted. The applicant has made a commitment to a neighbor to plant evergreen trees. The consultants have no objection to this, however the proposed evergreens should be counted as equivalent to 3 shade trees as described in Section 205:A1 Note 1.)*
25 Shade Trees x \$350 = \$8,750 and 38 shrubs x \$65 = \$2,470.

A question arose regarding storm water management for the new lot. After some discussion, it was determined that Mr. Del Ciotto had not submitted any storm water information to the Township Engineer as yet. Mr. Shoupe stated that the plan indicated that no new construction would be done right now. However, that was not correct. Mr. Shoupe stated that this note would need to be corrected. Information would need to be submitted on any improvements to the site, including storm water management. Some discussion occurred after which a motion was made by Mr. Rall, seconded by Mrs. Reynolds, to recommend approval of this plan to the Board of Supervisors, subject to satisfactory compliance with all comments of the Township's review agencies. Motion specifically made reference to the applicant complying with any storm water management requirements. Motion further recommended approval of the waiver requests. Motion carried unanimously.

Mr. Glickman introduced Janet Riley, a resident, who was interested in submitting a resume for the vacant position on the Commission.

This meeting was adjourned at 8:15 p.m.

Respectfully submitted:

Marita Stoerrle
Development Coordinator/
Recording Secretary