

## AGENDA ITEMS

- Christian Brothers Automotive – Waivers
  - DEP Sewer Planning Module
- AMC 309 Cinema (Horsham Township)

## MONTGOMERY TOWNSHIP PLANNING COMMISSION

February 16, 2017

The February 16, 2017, meeting of the Montgomery Township Planning Commission was called to order by Chairman Jay Glickman at 7:30 p.m. In attendance were Commissioners Steven Krumenacker, Leon McGuire, James Rall, and Ellen Reynolds. Commissioners Michael Lyon and Andrew Terreri were absent. Also present was Bruce Shoupe, Director of Planning and Zoning, and Candyce Fluehr Chimera, Supervisor Liaison.

The minutes of January 19, 2017, were approved as submitted.

There were no public comments.

### **Christian Brothers Automotive – Waivers**

The first item on the agenda was a discussion of waiver requests for the Christian Brothers Automotive project. Carrie Nase-Poust, Attorney for the project, and Kristin Holmes, Engineer for the project, were present to address these waiver requests. Ms. Nase-Poust reminded the Commission members that they had discussed this plan at a meeting in November, 2016. She reminded everyone that the project is located at 565 De Kalb Pike, in the commercial zoning district. Since the last meeting, there has been much discussion with the Township consultants and there are several new waivers being requested by the applicant. Ms. Nase-Poust advised that they had been working with the Township consultants all day trying to resolve some issues and would continue to do so. Ms. Holmes stated that the majority of the waivers had previously been discussed, but she would review all of them. The waiver requests are as follows:

1. SALDO Section 205-10.G (6) – The Applicant is requesting a waiver to provide a wider driveway pavement width than required. The Applicant is proposing a 30 foot wide driveway while 26 feet is permitted. *(Chapter 441 of Title 67, "Access to and Occupancy of Highways by Driveway and Local Roads" indicates a maximum width of 24 feet for low volume driveways. Therefore, PennDOT may require a driveway width less than 30 feet. It is unclear of the need for a driveway wider than permitted by the ordinance. Wider driveways can lead to increased speeds entering the site. However, low driveway speeds are necessary for the proposed driveway due to parking spaces being located very close to DeKalb Pike. In addition, the office doorway extends into the drive aisle. Therefore, the consultants feel that the driveway width*

*should be restricted to a maximum of 26 feet as required by the Ordinance. PennDOT has not offered a comment to reduce the driveway width, however they are not responsible for review of internal site circulation and may not have reviewed the site plan. If a 30 foot driveway is provided, drivers following the ingress curb line could be led directly into the corner of the building which is only 25 feet from the driveway.)*

After much discussion, Ms. Holmes stated that she would follow up with PennDOT and TPD regarding this issue.

2. SALDO Section 205-10.H(3) – The Applicant is requesting a waiver from providing a turnaround area for emergency vehicles. The property is long and narrow and therefore cannot physically provide the requirements for a turning maneuver. The Applicant has coordinated with the Fire Marshal to provide sprinklering within the building to comply with International Fire Code requirements since the building cannot be accessed by emergency vehicles. *(The consultants do not support this waiver request. The Fire Marshal needs to address the need for a turnaround area for emergency vehicles. The applicant's engineer indicates that a turnaround area is not required for delivery vehicles and the "it is typical of this operation to have a trash truck pull in and back out of the property." The consultants disagree with this statement. It is typically not acceptable for large trucks to back out of a property onto a state road. Section 205-10.H (6) (b) specifically indicates that trucks should be able to exit the site without the need to back into a public street. A turnaround area should be provided to accommodate trash trucks, single unit delivery trucks, and rollback tow trucks. The truck turning templates indicate that small delivery trucks such as UPS or FedEx trucks will need to make a four-point turn to exit the site. To complete the four point turn requires the rear of the truck to touch the building.)*

There was much discussion of this waiver request. The Planning Commission members were concerned that the emergency vehicles would be able to navigate the site. Ms. Holmes will continue working with TPD to hopefully provide a solution agreeable to all parties.

3. SALDO Section 205-10.H(7)(b) – The Applicant is requesting a waiver to provide smaller handicapped parking stall sizes than required. The Applicant is proposing 8 foot wide parking stalls with a shared 8 foot wide access aisle which complies with federal requirements of the 2010 ADA Standards. *(The consultants have no objection to this waiver.)*
4. SALDO Section 205-17.A(3) & (4) – The Applicant is requesting a waiver from providing asphalt pavement in the proposed driveway and parking area. The Applicant is proposing concrete pavement in these areas which is preferred by the Applicant and is a part of their standard prototype for the facility. *(The consultants have no objection to this waiver. However, the plans will need to include additional information such as the need for wire fabric reinforcement, joint spacing, etc.)*
5. SALDO Section 205-18.A(3)(a) – The Applicant is requesting a waiver from providing a storm pipe with minimum 0.5% slope. The project proposes an underground detention system with flat pipes at 0% slope for storage. *(The consultants have no objection to this waiver.)*

6. SALDO Section 205-18.A(3)(b) – The Applicant is requesting a waiver from providing storm pipes with a minimum velocity of 3.5 feet per second and maximum velocity of 15 feet per second. The project proposes pipes with a slower velocity than the required minimum due to site constraints. The pavement area is relatively flat along the length of the building which requires multiple inlets within the pavement area for adequate drainage, and results in limited flexibility for adjusting depth, slope and velocity of pipe. *(The consultants have no objection to this waiver.)*
7. SALDO Section 205-18.D(3) – The Applicant is requesting a waiver from meeting the requirements for a detention facility. The project proposes an underground detention system due to site constraints. An underground detention system does not meet the requirements for basin side slope of minimum 4:1 and basin bottom slope of 2 percent. The side slopes are vertical and bottom slope is flat to promote storage within underground pipes. *(The consultants have no objection to this waiver.)*
8. SALDO Section 205-18.D(4)(d) – The Applicant is requesting a waiver from providing a fence around the top of a basin. The project proposes an underground detention system due to site constraints, therefore it would be practical to provide a fence for an underground system. *(The consultants have no objection to this waiver.)*
9. SALDO Section 205-22.A – The Applicant is requesting a waiver from providing sidewalk along DeKalb Pike. Sidewalk does not exist to either side of the property and this area is a hazardous pedestrian area which would have no pedestrian connectivity to other properties. *(The consultants do not feel that this waiver should be granted. As other properties are redeveloped, sidewalks will be required and connectivity provided. This is the decision of the Board of Supervisors.)*
10. SALDO Section 205-52.A(2)(a) – The Applicant is requesting a waiver to allow reduced street tree plantings due to spatial constraints and presence of utilities along the street frontage. One street tree is proposed while two are required. *(Due to existing site constraints, the consultants have no objection to the waiver request provided the required plant material is planted elsewhere in the Township or a fee-in-lieu is provided. 1 Shade Tree x \$350.00 = \$350.00.)*
11. SALDO Section 205-52.B(4)(a) – The Applicant is requesting a waiver to allow reduced buffer plantings along Eastern and Northern property boundaries due to spatial constraints and utility conflicts. *(It should be noted that in addition to the waiver requested, tree species at the size specified in SLDO 205-56.B Small Street Trees are proposed in the northern and southern property buffers. The consultants have no objection to the use of trees meeting the ordinance requirements for Small Street Trees within the buffer areas due to spatial constraints on the site. The consultants have no objection to the waiver request provided the required plant material is planted elsewhere in the Township or a fee-in-lieu is provided. Twenty-nine (29) shade trees are required. Twenty-two (22) shade trees are proposed. Therefore, the plan is deficient by seven (7) shade trees. 7 Shade Trees x \$350.00 = \$2,450.00.)*
12. SALDO Section 205-52.D(1)(a) and Table 1 – The Applicant is requesting a waiver to allow reduced parking lot landscape requirements due to spatial constraints. One shade tree is

proposed while three are required; eleven shrubs are proposed while seventy-five are required. *(The consultants have no objection to the waiver request provided the required plant material is planted elsewhere in the Township or a fee-in-lieu is provided. Revised plans detailing the quantities of parking lot shade trees and shrubs proposed should be submitted in order to confirm the extent of the waiver requested. 2 Shade Trees x \$350 = \$700.00; 64 Shrubs x \$65.00 = \$4,160.00)*

13. SALDO Section 205-52.D(1)(f) – The Applicant is requesting a waiver to reduce amount of shrubs where parking is within 100 feet of DeKalb Pike due to spatial constraints. Five shrubs are provided. *(The consultants have no objection to the waiver request provided the required plant material is planted elsewhere in the Township or a fee-in-lieu is provided. The plans are deficient by two (2) shrubs. 2 Shrubs x \$65.00 = \$130.00.)*
14. SALDO Section 205-52.B(1)(b) and Table 1 – The Applicant is requesting a waiver to permit a substitution rate of greater than 50% to permit the planting of three evergreen trees in lieu of two shade trees. *(The consultants have no objection to the waiver request provided the required plant material is planted elsewhere in the Township or a fee-in-lieu is provided. Four (4) evergreen trees would provide the equivalent of the 2 required shade trees in accordance with SLDO substitution requirements. Therefore, the plan is deficient by 1 evergreen tree. 1 Evergreen Tree x \$250.00 = \$250.00)*
15. SALDO Section 205-53.C(f)(b) – The Applicant is requesting a waiver to allow reduced tree replacement plantings due to spatial constraints along the perimeter, presence of utility and access easements, and presence of existing buffer vegetation west of the western property line. *(The consultants have no objection to the waiver request provided the required plant material is planted elsewhere in the Township or a fee-in-lieu is provided. Ten (10) replacement trees are required. Two (2) are proposed. Therefore, the plan is deficient by 8 replacement trees. Revised plans detailing the quantity of replacement trees proposed should be submitted in order to confirm the extent of the waiver requested. 8 Replacement Trees x \$275.00 = \$2,200)*
16. SALDO Section 205-78.B. – The Applicant is requesting a partial waiver from providing existing railroads, watercourses, sanitary sewers, storm drains and similar features within 400 feet of any part of the property. Detailed survey information is provided within 10 to 50 feet of the property boundaries, and property lines and owners are provided within 400 feet of the property. A partial waiver is being requested for the additional area beyond the survey information. An aerial map is provided which provides general information within the 400 foot overlap from the property boundaries. The proposed project has no negative impact on surrounding properties. *(The consultants have no objection to this waiver.)*
17. SWMO 206-11.E – The Applicant is requesting a waiver from implementing the required volume control requirements of Section 206-14. Soils testing has been performed at the subject property on December 8, 2016 and results of this testing observed a seasonal high groundwater table just below the existing pavement. Additionally, a geotechnical study was performed at this property in April 2016 which states the site is underlain by carbonate lithology and is subject to development of sinkholes and karst geologic features. The proposed

use is a vehicle repair facility which is considered a hotspot per section 206-6.H, and the volume control requirement shall not be applied to development that lies within a hotspot. Therefore, due to site constraints and soil conditions, infiltration measures are not feasible on this property and volume control cannot be achieved. *(The consultants have no objection to this waiver.)*

18. SWMO 206-11.K – The Applicant is requesting a waiver from dewatering the underground detention facility within 24 to 72 hours. The proposed project is utilizing the minimum 3-inch orifice in the outlet structure to comply with ordinance requirements, but due to the small drainage area cannot comply with a minimum 24 hour dewatering time. *(The consultants have no objection to this waiver.)*

19. SWMO 206-14 – The Applicant is requesting a waiver from providing the required volume control requirements of this section. Soils testing has been performed at the subject property on December 8, 2016 and results of this testing observed a seasonal high groundwater table just below the existing pavement. Additionally, a geotechnical study was performed at this property in April 2016 which states the site is underlain by carbonate lithology and is subject to development of sinkholes and karst geologic features. Additionally, the proposed use is a vehicle repair facility which is considered a hotspot per section 206-6.H, and the volume control requirement shall not be applied to development that lies within a hotspot. Therefore, due to site constraints and soil conditions, infiltration measures are not feasible on this property and volume control cannot be achieved. *(The consultants have no objection to this waiver.)*

20. SWMO 206-17.B – The Applicant is requesting a partial waiver from the requirement to dewatering the underground detention facility within a minimum of 24 hours. The proposed project is utilizing a minimum 3-inch orifice in the outlet structure to comply with this ordinance section, but due to the small drainage area cannot comply with a minimum 24 hour dewatering time. *(The consultants have no objection to this waiver.)*

(Concerning Waivers #17 through #20 – Given that the site soils and geology are not conducive to infiltration and due to the relative minor volume of runoff to be managed, the consultants have no objection to these waivers.)

There was a discussion on stormwater management practices. Mr. McGuire stated that he would like to see some best management practices applied to the stormwater management facility for water quality. Ms. Holmes stated that Gilmore had not indicated anything, however, she would look into this to see what measures could be taken. Mr. Krumenacker was concerned with the driveway width. He was unsure that PennDOT would require a smaller driveway width. Ms. Holmes advised that they were working with PennDOT and TPD to resolve this issue. Chairman Glickman stated that he felt that overall this was a good plan for the site. He noted that there were some open issues and hoped that things could be worked out satisfactorily. After some further discussion, a motion was made by Mr. Rall, seconded by Ms. Reynolds, to recommend to the Board of Supervisors that the waiver requests be granted to the extent that they concur with the recommendation of the Township's consultants. Motion carried unanimously.

**DEP Sewer Planning Module**

Mr. Shoupe stated that Ms. Holmes would also like to address the DEP Sewer Facilities Planning Module. Ms. Holmes stated that they had applied for an exemption, however, DEP had responded that they would need to submit a complete Planning Module. Ms. Holmes stated that all was in order, they just needed to file the entire application package. They are in the process of gathering all of the required signatures and information. Mr. Shoupe asked for authorization to allow him to sign the component for the Planning Commission. Therefore, the applicant would not need to come back for another meeting. A motion was made by Mr. Glickman, seconded by Mr. Rall, to authorize Mr. Shoupe to sign the Planning Commission component. Motion carried unanimously.

**309 AMC Cinema – Horsham Township**

Mr. Shoupe advised that the Township had received plans for renovations at the 309 AMC Cinema, located at the Gwynedd Crossing Shopping Center. While this is primarily within Horsham Township, there is a section of the roadway, which is within Montgomery Township that is being realigned. Mr. Shoupe explained that this had been reviewed by the Township Engineer, Landscape Architect and Traffic Engineer. There were no outstanding issues. Horsham Township is taking the lead in the review and has already scheduled this for their Board of Supervisors meeting. A motion was made by Ms. Reynolds, 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's review agencies. Motion carried unanimously.

There were no land development items discussed by the Board of Supervisors at their last meeting.

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

The next meeting of the Planning Commission will be held on March 16, 2017.

Respectfully submitted,

Marita Stoerrle  
Development Coordinator/  
Recording Secretary