

# Upper Gwynedd Township Planning Commission

**Wednesday February 12, 2020**

1. Call to Order

The February 12, 2020 Planning Commission Meeting was called to order by John Lancaster, Chairman at 7:34 pm. In attendance were:

|                 |                     |
|-----------------|---------------------|
| John Lancaster  | Chairman            |
| Kathryn Carlson | Secretary           |
| John Tierney    | Member              |
| Gil Silverman   | Member              |
| Chris Carroll   | Member              |
| Andrew Falker   | Member              |
| Scott Bachman   | Member              |
| Gail Ramsey     | Member              |
| E. Van Rieker   | Zoning Officer      |
| Deanna Logan    | Recording Secretary |

2. Election of officers for 2020

Mr. Lancaster asked for nominations for Chairman of the Planning Commission for 2020. Mrs. Carlson nominated John Lancaster for chairman. Mr. Silverman seconded this motion. Mr. Lancaster asked for a motion to close the nominations for chairman. Mr. Bachman made a motion to close the nominations. Mr. Carroll seconded this motion. The Planning Commission voted unanimously to approve John Lancaster as Chairman.

Mr. Lancaster asked for nominations for Vice Chairman. Mr. Tierney nominated Ken Weirman for Vice Chairman. Mr. Carroll seconded this motion. Hearing no further nominations, Mr. Lancaster closed the nominations for Vice Chairman. Upon request by Mr. Lancaster, the Planning Commission voted unanimously to close the nominations followed by a unanimous approval of Mr. Weirman as Vice Chairman.

Mr. Lancaster asked for nominations for Secretary. Mr. Silverman nominated Kathryn Carlson for Secretary. Mr. Carroll seconded this motion. Mr. Lancaster asked for a motion to close the nominations for Secretary. Mr. Tierney made a motion to close the nominations. Mr. Carroll seconded this motion. The Planning Commission voted unanimously to approve Kathryn Carlson as Secretary.

3. Approval of January 8, 2020 Minutes

Mr. Lancaster asked for any corrections/additions pursuant to the Minutes of January 8, 2020, which had been circulated via email. Hearing none, a motion to approve the minutes was made by, Mr. Silverman, seconded by Mr. Carroll and unanimously passed.

4. Report of Commissioners' Meeting

Mrs. Hull reported that some new items are included at the BOC meeting. We now have a manager's report and department spotlight. She said the Board wants to focus on educating our residents and a good way to do this is through the department spotlight. Sarah Prebis gave an update on the Parks and Recreation Department with goat yoga coming to the Township as well as an updated day camp program. Rebecca Mason, our Director of Wastewater Operation did a presentation on FOG, fats oils and grease that was very

informative and Susan McKnight from the Police Department did a presentation on the new Crime Watch website and how to sign up for the alerts.

5. Old Business

A. UGT Comprehensive Plan

Mr. Silverman said at the January meeting, the committee reviewed Community Facilities and Institutions such as the North Penn School District, other area schools, the library, religious institutions and cemeteries, etc. The 2019 community survey ranked quality of schools as respondent's top choice of describing Upper Gwynedd Township. Access to regional highway system and affordability and quality of housing also ranked high. Mr. Silverman added other recommendations to be considered in the Comprehensive Plan include the construction of a new community center, continue to partner with the NPSD on long term facilities planning, sidewalk connections, trail development and stormwater management, continue to support the NW Library and continue to provide high quality community services to Township residents. Mr. Rieker added the next Comprehensive Plan meeting is February 19, 2020.

6. New Business

A. Roosevelt Court – Zoning Map Amendment R-2 to R-3

Edward Wild of Benner & Wild introduced applicant Rob Wagner, Better Living Homes and Rick Mast from Mast Engineering. Mr. Wild summarized the proposal and said a number of lots and movie lots have been assembled along State Street to create one comprehensive neighborhood.

Plans were included in the packet submitted to the Planning Commission. The proposed subdivision is zoned R2 but is surrounded on three (3) sides by R3 zoning. A draft declaration of covenants and restrictions were included. The declaration would be recorded to include restrictions on all of the properties included on the plan to assure that the property would develop consistent with the plan. The declaration includes; Only one entrance and one new street and this street will be a "P" loop configuration; The lots that front State St. gain access from the interior of the property; One single family dwelling on each lot with a limit of nine (9) single family homes; The driveways for each lot must have two (2) car garages and a double width driveway to accommodate two (2) additional vehicles; and there is overflow parking of nine (9) spaces. The various movie lots and tax parcels will be consolidated and resubdivided to match the conceptual design. Mr. Wild said there was an additional parcel purchased to complete the proposed plan.

Mr. Wild said we are here this evening to try and advance this plan through the land development process and get recommendation of approval to rezone from R2 to R3. A text amendment was also prepared for consideration (but not included in the packet) that would address the redevelopment of movie lots on a broader scale as there are movie lots throughout the Township. The text amendment would include a comprehensive development of movie lots in a thoughtful manner. The text amendment would make it by conditional use which requires a hearing in front of the governing body and the governing body can attach conditions. The text amendment would incorporate all the conditions discussed this evening and would apply on a limited scale so that you would only have a certain number of people that might qualify. Mr. Wild added they feel it's a good plan that movie lots are part of a comprehensive, thoughtful approach.

Rick Mast, Engineer, explained the proposed subdivision is 2.2 acres. There are 2 paper streets (Roosevelt and Franklin) on the proposed plan. It is a "P" loop configuration and all homes have access to the loop and not directly onto State St. One of the issues is stormwater management. Mr. Mast explained this tract has no existing stream to discharge stormwater and we don't want to direct any additional stormwater towards the already developed neighboring properties. We feel the best course of action for stormwater management is to extend the storm sewer along the existing streets and tie into that system. The proposed roadway will be curbs with inlets to capture the stormwater from the streets and yards, collected in the stormwater basins and then piped into the system which will improve stormwater in the area. At a recent meeting held with residents, Mr. Mast said there was a concern about trees being cut down. The intent is to preserve as many trees as possible, but we haven't gotten to that level of detail at this time. He went on to say we are willing to make improvements along State St. if that is what the Township wants us to do with curb and sidewalk

proposed but added there are some tall pine trees that may have to be removed in order to complete these improvements but new trees will be added in their place.

Mr. Carroll asked if one of the properties is a shared driveway? Mr. Mast said yes we are proposing a shared driveway so there is no access onto State St. This will be an HOA development. Mrs. Carlson asked if there is enough room for homeowners to turn around in their driveways to drive out? Mr. Mast said there would be adequate turn around. Mr. Silverman asked if this has been discussed with the Fire Chief to which Mr. Mast replied he has not reviewed the plan at this time. Mr. Mast said through the land development process, we would provide turning templates and such to demonstrate we have fire access. The roadways are two-way width (26' wide).

Mr. Mast continued and said there are two (2) proposed stormwater management areas which will require an NPDES permit. All parcels are under agreement. Mrs. Carlson commented that the trees along State St. are very nice and is concerned about the trees having to be removed for curb and sidewalk. Mr. Mast reiterated that if curb and sidewalk are proposed along State St. that some of the trees would probably have to be removed, but they would preserve as many trees as possible.

Mr. Mast said residents within 500' of the proposed subdivision were notified of the plan. He then showed the residents on a map, where the surrounding areas of R3 are located. Mr. Rieker said a number of residents called in with questions and concerns of parking. Mr. Mast explained there are double width driveways to accommodate two (2) parking spaces and a 2-car garage plus 1 additional parking space per home in overflow parking giving five (5) parking spaces per lot. Mr. Wild explained that this is above and beyond any zoning ordinance requirements but added, included in the declaration is a prohibition of any owner of the houses from converting any of the two-car garages into anything other than parking. The look of the houses will be consistent with what is proposed on the conceptual drawings and this will be a requirement of the declaration. The conceptual drawings were sent to the residents with the notifications. Mr. Rieker also said residents are concerned that if the zoning changes, could the plan change? Mr. Wild said if we weren't committed to building the proposed plan, we would have already filed for building permits. Mr. Wagner is committed to building what he proposed. He is committed to record a declaration that guarantees he will build what is proposed. Mr. Wagner has built in Upper Gwynedd before and was the developer of the Preserves at Gwynedd. There is significantly more assurance with this proposed development that it will be constructed as presented.

#### Public Comments:

Brian Belcher, a resident on State St. said State St. has been neglected for years. He doesn't want to see parking on State St. from the proposed development. He added there are no connecting sidewalks to Broad St., no ADA ramps and seniors are walking in the streets. He wants to know what is going to be done about it. Mr. Wild commented that stormwater management will be improved in the area. The developer will connect the sidewalk along State St. to Girard Ave. if the Township wants that done. They are committed to sidewalk in front of their proposed subdivision. Mr. Wild said that this is a good plan and added these parcels are going to be developed. The questions are how it will be developed, what it will look like, and what are the conditions that may be imposed on it.

Mr. Silverman clarified by saying this is a concept and not a final plan. Mr. Mast said a preliminary plan has not yet been submitted and the only thing we can commit to is our own property. Mr. Carroll said the square footage of the proposed homes is 2200 sq. feet and doesn't feel there will be many additional cars parking on a side street. Mr. Wild said this proposed plan addresses the possible parking issue on State Street.

Mr. Belcher said there are no sidewalks from Franklin (paper street) to Broad St. He again said senior citizens walk along the streets daily because there are no sidewalks and no ramps. Mr. Belcher added, the parking sound good but we have to have sidewalks if you're going to add nine (9) new families to the development. Mr. Rieker said we need to evaluate the comment as sidewalk links and walkability are in our Comprehensive Plan and may be dealt with partly by the developer and partly as a public improvement by the Township. Mr. Rieker added that handicap ramps are part of a federal and state mandate. Our Public Works department is working on installing ADA compliant ramps throughout the Township. Mr. Rieker asked Mr. Belcher to give him his information and he will find out when those ramps will be installed.

Jeff Urso of Whitney Place is concerned about the wildlife that lives on the property and wants to know if anything has been considered. He said the previous owner of the property made sure that wildlife had a home there.

Mr. Rieker replied that the future development will be done carefully and cautiously, but it will not be open space. He added that Mr. Clark (previous owner) had opportunity to preserve the land in perpetuity but he didn't and there is not a plan for permanent wildlife preservation.

Beatrice Gill, Whitney Place said Pete Clark's house was directly behind hers and is concerned about the proposed development being in her back yard. She wants to know how close to the property line is the proposed development. Mr. Mast estimated it is 15' from the property line. Mrs. Carlson asked if there will be any buffer? Mr. Mast replied there may be a fence or other buffering to Whitney, but we are not at that stage of planning at this time.

John Davis who resides at the corner of State and Girard asked if the extra parcel was near his property? The response is no.

Joe Devlin who resides at the corner of State and Jackson St. said he was at the meeting on January 7 and disagrees with some of the developments here. He is submitting a petition that the zoning is not changed from R2 to R3. He stated some of the reasons why the zoning shouldn't be changed; drainage is a concern and no testing has been completed and because of the high water table, they are going to have an above ground water retention basin; Parking issues are also a concern; He wants to know how long the building process will take; He questioned whether we are building "community" or creating disconnect in the Township; He is concerned with the environment, trees, barriers, and water retention basins. He added there is a high level of radon in the area and questioned how the radon issue be remediated. He is concerned with what will happen to the surrounding properties when construction begins, and dirt gets disturbed. Mr. Devlin believes there are a lot of missing pieces that we don't know the answer to. He strongly asked the Planning Commission to please consider not allowing this.

Mr. Rieker asked if Mr. Wild or Mr. Wagner had any comments based on what Mr. Devlin said. Mr. Wild stated that this property is oddly shaped is improperly zoned as it is a compilation of eighteen (18) tax parcels that are comprised of forty (40) movie lots. He added that Mr. Wagner is sensitive to all of the things heard tonight and wants to develop this property in a respectful manner with single family homes that limits the density and provides a lot of amenities that are above and beyond what is required by Township ordinance. He went on to say they are also proposing to record a declaration against the property with restrictions and conditions. There is a future land development process that has to be followed with reviews by the Montgomery County Planning Commission, Township Planning Commission, Engineers and there are requirements and permits by outside agencies. Mr. Wild stated you will end up with improvements in the neighborhood that currently don't exist. Mr. Wild also said he respects the residents comments and understands the angst surrounding this new development. This proposal is designed to fit into the community. He said we are trying to work with you and are sensitive your comments. Mr. Wild respectfully asked the Planning Commission to move this plan forward and support rezoning it.

Mr. Belcher asked for assurance that no townhomes will be put in should the developer go bankrupt. Mr. Rieker said the covenant covers the property not the developer. If the text amendment gets adopted, that is an additional layer of approval by conditional use. He also said stormwater management is governed by Act 167 by what can be done in order to approve a plan. The plan cannot be approved until all of the regulations and guidelines are met.

Mr. Belcher said he has stormwater issues with his neighbors. Mr. Rieker said the Township can help him with some professional advice on how to improve stormwater.

Mr. John Davis said there is a retention pond proposed next to his house. What is the chance that will push more water towards his home? Mr. Mast said the basin will be designed with a filtering soil and an underdrain system. He feels this will improve the storm drainage in the community. Mr. Lancaster asked if the proposed homes would have basements to which Mr. Mast said yes. The stormwater will be piped to underground storm pipes. It will not be a surface release from the basin.

Mr. Devlin submitted the petition to the Planning Commission and Board of Commissioners.

Mr. Rieker suggested this be tabled for tonight until we hear from Montgomery County Planning Commission and the Upper Gwynedd Planning Commission has a chance to further review and discuss the proposed plan. Mr. Rieker said this will be on the Planning Commission agenda for the next several months until we get to a decision.

Mr. Lancaster called for a motion to table the Roosevelt Court Zoning Map Amendment. Hearing no questions or comments, upon motion by Mr. Silverman, seconded by Mr. Carroll, the motion was unanimously passed.

Mr. Lancaster called for a 5-minute recess at 9:00 pm. The meeting resumed at 9:06 pm.

B. Lansdale Borough Proposed Comprehensive Plan

We were asked to comment on the Lansdale Comp Plan. Mr. Rieker said there is little mention of Upper Gwynedd Township in their plan, but he pointed out an incorrect date of our last Comprehensive Plan. He added the most meaningful land use they made in their plan is for the consideration of more Transit Oriented District (TOD) land use within a thousand feet of the train station. The Planning Commission can make comments or can elect to do nothing but just correct the date of the comp plan. Mr. Silverman asked if there is any mention of White's Road Park? Mr. Rieker said it is their biggest park property, but there are no proposed plans to make it more active but just to leave undeveloped areas as green space plan. Mr. Rieker said we have to respond by the end of February. Mr. Tierney said it would be nice to notify the residents on Green St. so they can review the plan as it may have some impact on their community. Mr. Rieker said we can incorporate that into the comments and suggest that our residents be notified of any changes to Whites Road Park. The Planning Commission will submit comments to Mr. Rieker by February 17, 2020.

7. Adjournment

A discussion ensued regarding the submitted petition. Mrs. Hull will present it to the Board of Commissioners and will call the residents who signed the petition.

There being no further business for discussion, Mr. Lancaster asked for any further questions or comments. Hearing none, Mr. Silverman made a motion to adjourn which was seconded by Mrs. Carlson and unanimously passed. The meeting was adjourned at 9:21 PM.

Respectfully submitted,



Kathryn Carlson  
Secretary

/djl

Attachment: Resident Petition