

Upper Gwynedd Township Planning Commission

Wednesday September 13, 2023

1. Call to Order

The September 13, 2023, Planning Commission Meeting was called to order by Ken Weirman, Vice Chairman, at 7:30 pm. In attendance were:

Ken Weirman	Vice Chairman
Kathryn Carlson	Secretary
John Tierney	Member
Chris Carroll	Member
Megan Weaver	Assistant Township Manager
E. Van Rieker	Zoning Officer
Nick Cross	Township Engineer
Colleen Tronoski	Recording Secretary

Mr. Weirman announced that the Applicant for 212 Church Road requested that their application be tabled until the October 11th Meeting.

2. Approval of July 12, 2023, Minutes

Mr. Weirman stated that the July Minutes cannot be approved because there was not a quorum. This item will be considered next month.

3. Report of Commissioners' Meeting

Commissioner Hull was not present due to illness.

4. Old Business

None.

5. New Business

- A. 212 Church Road, Land Development for detached storage building
(Secure Storage)

Tabled until next month.

B. Proposed Wawa, South Valley Forge Road & Sumneytown Pike, Land Development Plan

Christin Pionzio, from Hamburg, Rubin, Mullin, Maxwell, & Lupin was present. She is representing Goodman Properties. She stated that the applicant was already before the Zoning Hearing Board and had also resolved some issues with North Penn Auto.

Ms. Pionzio stated that this property is located at the corner of Sumneytown Pike and Valley Forge Road and it is wrapped around the North Penn Auto property. Currently there is an existing Wawa, which is the only occupant of the strip mall. The plan is to raze this structure and build in its place a 5330 sq. ft. Wawa Store. This store will include 8 gas pumps, containing 16 fueling positions on either side. The applicant is dealing with PA Dot for Valley Forge Road and the County for Sumneytown Pike relative to the ingress and egress. What is proposed is: from Valley Forge Road - right in, right out only; Sumneytown Pike - right in, right out and left in only.

Ms. Pionzio stated that they have the review letters from the Township consultants and the County. All the comments are a "will comply". There are some waivers the applicants will be asking for. There are some comments about landscaping in the Township Engineer's review. The Township Code does permit the Commissioners to modify the landscape planting list. There is more parking than is required. Thirty-eight spaces are required, and the plan has sixty-nine spaces. As part of the Agreement with North Penn Auto, fourteen spaces are reserved for them along Sumneytown Pike in the upper left section. There will also be a set of stairs provided because of the grade change between North Penn Auto and Wawa.

Ms. Pionzio provided a waiver letter. Mr. Rieker noted that these waivers have been on the plan from the beginning. The first is a request for preliminary and final at the same time. The second is to use bollards around the building as opposed to the curb. The third is the requirement that parking be 10-feet from an existing wall of a building. On the side of the building, it's 9 ft. 9 in. and 7 ft. in the front. There is full access from the rear. The last waiver is relative to foot candles. The proposed lighting spills over a bit onto the North Penn Auto property. The owner of North Penn Auto has no objection to this waiver.

Mr. Weirman asked if the Planning Commission had any questions.

Mr. Carroll asked if the prohibition of left out onto Sumneytown Pike was required by the County. Matt Hammond, Traffic Engineer, answered yes. He noted that this property had potential for redevelopment for the past 10-15 years. The original application had modifications proposed to the Sumneytown Pike access. The County at that point required that the left out be restricted because of its proximity to the traffic signal and a permit was issued in 2008 for that driveway. That project never happened, and the permit expired. Mr. Carroll stated that the same traffic signal has been there some time and even once it was expanded it would significantly reduce the issues of flow of traffic into the neighborhoods to go south on Valley Forge. He believes a metered left-hand turn would be safer and have less of an impact on the community. Concern was brought up regarding the traffic flow. It's unusual that they are restricting the one-way to alleviate that problem. Mr. Hammond noted that PA Dot is telling them that they cannot have the left out but to work with the township staff to see if there is signage or something along those lines to discourage a cut through. This topic was brought up during the Zoning Hearings. There was testimony given on both sides of it. Mr. Tierney stated that he read that there was a possibility of widening the right lane on Valley Forge Road to let traffic flow more easily. Mr. Hammond noted that there have been plans for 10-15 years to widen and improve Valley Forge Road and Sumneytown Pike. They did take this into consideration if at some point there was nothing that would prevent it from happening on the applicant's side. It comes down to the proximity of that left to the signal. Ms. Carlson stated that she recently drove through the Wawa parking lot. She said if she wanted to make that left turn, she would make a right turn out onto Valley Forge Road, turn into the Weiss Shopping Center, then turn around. Mr. Carroll stated that there is a substantial drop off from Valley Forge Road towards the store. On the plans the area where the pumps will be needs to be flat and currently it's at a 6% incline. Is the plan to just excavate out all the dirt? Mr. Muntz explained that the plan is to excavate all of that

out and install a retaining wall on the south side of the property. Behind the building where the pavement stops between the green area there's a retaining wall there and on the West side coming up Sumneytown Pike towards Valley Forge Road. Mr. Carroll asked what the height was. Mr. Muntz stated that the maximum height right now is 16 feet. Mr. Carroll asked, is there anything to discourage people walking onto the property from falling over/off the 16 foot retaining wall? Mr. Muntz stated that there would be a guardrail and fence at the top of the wall.

Mr. Carroll gave the site review summary for the Site Review Team. He noted that the agreement has been reached between the Marathon Station and Provco to permit the Marathon Station owners 14 parking spots on the Provco site. The plan has been modified to show this. The property includes an abandoned strip mall which will be demolished. The walk around the property did not reveal any substantial environmental remediation and remediation needed inside the building is yet to be determined. Extensive changes will be required as shown in the plan, especially for the gas pump area. It currently has a drop of approximately 6 feet with a 60-foot span. All trees on the property will be removed and a new landscape layout will be proposed. The proposed vehicle circulation plan shows that ingress onto the property from Sumneytown Pike can only be made going in the east direction. Ingress from Valley Forge Road can only be entered onto the property from the north direction of the road and the egress is only permitted going in the north direction onto the road. This situation may lead to accidents as customers may try to enter or leave by making turns from other directions not allowed by the site layout. The Site Review Team was supportive of this application.

Mr. Weirman asked for any public questions.

A resident asked if it was all going to be gas pump stations or if there would be electric charging stations?

Ms. Pionzio stated that they envision that there will be some charging stations but this has not been solidified yet. They are typical for Wawas.

A resident, Armstrong Drive, asked if this was going to be a 24/7 store? Ms. Pionzio answered that this will be a 24/7 store.

Mr. Weirman stated that normally they would take this to vote but cannot at this time but will be able to vote next month on this.

Mr. Rieker noted that the next Planning Commission Meeting will be held October 11.

C. 825 Morris Road, Proposed 4-Lot Subdivision

Rick Mast was present to represent the applicant. Currently existing conditions are: 2 driveway entrances, 2 vacant residences, and remnants of some outbuildings. The proposal is to remove the two existing residences and driveways and install a single access private roadway that would provide for four new residential dwellings. The project is in an R-2 Residential District. They are utilizing what is called the lot average standard for single family lots (Z.O. Section 195-27) and that is, averaging the areas of the lots allows them to vary the areas of the individual lots and also provides for different property setbacks than for standard zoning. This allows for the front yard setback to be reduced and pulls the dwellings further from the top property line. This puts the house in the middle of the parcel. This allows for the preservation of existing trees along the property line on the top of the plan. They are all single family homes. The road will be a private road and it will be owned and maintained by an HOA among the four lots. It will have Belgium block curbing and storm sewer facilities and one proposed detention basin/rain garden along Morris Road. The entire site is designed for water to be collected and drain into this basin. It then discharges into existing storm sewer piping that's within Morris Road. All the lots will be served by

public water by the North Wales Water Authority. They will have public sewer by the township, and it will be served by a low pressure grinder pump system. There is a turnaround area that the applicant worked with the Fire Marshal to design.

Mr. Mast went over the review letters.

The Township Engineer's letter dated August 15, 2023. Mr. Mast again mentioned that the applicant is providing the lot averaging verses the standard subdivision layout. Comment 2 asked for justification why they are using lot averaging. It allows the houses to be situated further from the property lines than the typical standards would and allows them to preserve some of the existing trees. Comment 46, what is the shaded area, that is additional emergency access turn around area. This allows the applicant from having to make a huge cul-de-sac bulb at the rear of the road. The applicant is asking for some waivers. The first waiver is for 15-inch diameter stormwater pipe where 18 inches is normally the minimum. Generally, it's in the private yards where a lot of drainage is directed. These pipes will be maintained by the HOA. The second waiver, the plan be considered preliminary and final concurrently. The next waiver, the applicant is asking for the configuration of the cul-de-sac as shown. Showing a 40 foot right of way, a 24-foot wide cartway with Belgium block curbing and a turn around and it would be privately owned. The fourth waiver is Belgium block curbing. The last waiver is for no sidewalk on both Morris Road and along the proposed street.

The Fire Marshal's review letter dated August 25, 2023. No additional comments since the applicant and the Fire Marshal have been working together.

The Environmental Advisory Council had several questions. Does the project propose to incorporate any green stormwater infrastructure? The answer is yes. The plan proposes a bioretention and rain garden. This will be reviewed by the Township and the Montgomery County Conservation District and will have to meet DEP standards as well. The EAC asked the applicant to provide a berm with native shrubs and wildflower seed mixes. Mr. Mast noted that there is a wildflower seed mixture at the bottom of the basin that is wet tolerant and that adding shrubs along the perimeter is a good idea.

Mr. Mast stated that they are proposing street tree plantings on both sides of the proposed street.

Development Lighting will include one LED lamp at the entrance road plus a lamp post at each driveway. The street lighting will be completely downlabeled so there's no upward pollution.

With wildlife habitat and natural resource management in a development of this size they point out that there's no mitigation measures practicable outside of required open space contributions.

The last comment was to run sidewalks southeast down Morris to connect to the Armstrong Drive sidewalk. This would involve permissions from other property owners since it's off the property. There's also substantial vegetation that may require assistance from the Township.

The Montgomery County Planning Commissions review letter dated August 22, 2023. The main two issues are pedestrian circulation and the cul-de-sac configuration. The cul-de-sac design included adding the right-of-way which goes to the back of the property and there's no purpose for that. This review suggests wrapping around the bulb. As long as the dimensional requirements work out, this can be done.

Mr. Carroll asked about the existing trees on the north side of this plan. Who would be responsible for maintaining them? Mr. Mast stated that right now, it's proposed that each individual homeowner will be responsible for maintaining the existing trees on their properties. The only difference would be the trees planted along the street and the plantings in the retention basin. Mr. Carroll asked if there's any restriction on removing those trees. Mr. Mast stated there is nothing noted on the plan currently. Mr. Rieker added that the township would want to see something a bit more durable. He noted that if you're going to use the averaging of lot size option, then it requires that a natural feature be preserved and then

at some point the township will want to see an easement. There would also need to be notice given to all future homeowners. They would have to be allowed for the removal of a dead or dying tree subject by the review of an arborist. Also, it may be replaced with another tree. Mr. Mast stated that this can also be written in the HOA documents as well as noted on the plan.

Ms. Carlson asked for comments regarding the suggestion to build a sidewalk along the cul-de-sac. Mr. Mast stated a fee would be offered in lieu of the sidewalk. It would only make sense to put it on one side of the street. It's only four lots and one is on Morris Road. He stated that sidewalks are not necessary.

Ms. Carlson asked if the bike lane on Morris Road would be preserved. Mr. Mast said yes it will be. The plan still needs to be submitted to PA Dot. Morris Road is a state highway, so the process is just starting. There may be additional comments from them.

Mr. Weirman gave the site review summary from the Site Review Committee. The general plans have already been discussed and the waivers have been talked about. It was noted that the Montgomery County Planning Commission recommends a pedestrian path on one side of the private street as well as the sidewalks along Morris Road. As a committee this will be brought up in discussion. As for stormwater management, the overall site is flat with no remediation at this time so there's sheet flow going to all the other houses. The plans do show that this will improve. The existing houses are an eye sore. It appears some of the neighbors already have fences along this property. There are large evergreens in the back left corner of this lot. They seem to be in good health and specimens. There are some large trees where the retention basin will be built that look in poor health. The site review team is supportive of this project.

Mr. Weirman asked for public comment.

Resident, Armstrong Drive, asked if there were any plans to widen Morris Road? He also stated that the current house is not on Morris Road. To get from Morris Road to the house, there's a pitch that's used as draining. How will this get accommodated. Mr. Mast noted that Morris Road is a state highway, and a permit needs to be submitted. Comments will be received, and this may be one of their comments. It is a typical intersection design. The driveway will need to pass PA Dot site distance review also.

Resident, Collins Avenue, shared her concerns about the tree line and hedge row. She noted that the trees are on the property line and provide shade and privacy. The root structure is well into the adjoining yards. The adjoining yards are downhill from the subject property, if these trees were removed it would cause drainage issues and water runoff. She also asked if the adjoining property owners are party to an easement agreement. She stated that she has not had her property surveyed yet.

Mr. Mast noted that the project property has been surveyed and located the trees that are on the tract. He stated that the applicant is willing to consider a preservation easement but probably not including the neighboring property owners.

Resident, Hartley Drive, pointed out that the property names on the plan were off by one house. Mr. Mast stated that this will be fixed. The resident had concerns about the trees being removed on the property line. With the tree removal, the cars headlights will come directly onto his back patio and house. Mr. Weirman asked if there would be an option of a hedge row or evergreens. Mr. Mast noted that there will be grading also. The resident stated that there is standing water where the easement will be after storms.

Resident, Hartley Drive, stated his concern is that these new houses, their front yards are his back yard, wants to know what he has to do to be in compliance with the township about a tree stump. Mr. Rieker stated that there's no enforcement issues with a tree stump.

Resident, Hartley Drive, noted that she has an overgrown tree on her property onto the other property. She asked if she was responsible for the removal of that tree or just the limbs that were hanging over the fence. Mr. Rieker stated that the applicant has a right to prune any branches that hang over onto their

property. The resident asked when the clearing would start for the building. Mr. Mast stated next spring the clearing should start.

Resident, Armstrong Drive, asked if the development could be flipped. Mr. Mast stated that the development is laid out this way because of road access. This is the high point of the property and is the best point of access along Morris Road. Also, it would be more difficult to preserve the trees on the northern side of the property. The third reason is, because the property slopes to the north, this is the best way to orient the houses because it puts the back of the house at a lower grade, and this works best for drainage.

Resident, Armstrong Drive, asked about trees on the plan. He wanted to know if they were proposed or existing trees. Mr. Mast noted they were proposed trees. The resident asked if there was an easement between the driveway and the trees that will be planted and the residents property line. Mr. Mast noted that the line on the plan will probably end up being part of lot four but no easement. The resident asked if the HOA would be maintaining the sewer pipes because his understanding was that the township maintained them. Mr. Mast stated that in older communities the township took ownership of sewer and stormwater management.

Resident, Collins Avenue, asked about the trees being removed. Mr. Mast stated only the trees with X's are being removed.

Resident, Hartley Drive, stated that she received a call about a year ago, from whom she thought was the applicant, stating they were putting the easement on her property to install piping. But then she never heard anything else. Mr. Mast said that this cannot happen without the homeowner's permission, and it was not the applicant who called.

Resident, Hartley Drive, asked if the trees along the property line were the applicant's. Mr. Mast stated that these trees are on the applicants' property. They were survey located.

Resident, Armstrong Drive, wants to know what the fate of the pin oak tree that's partially on his property and partially on the applicants property will be. Mr. Mast said that they have no plans for removing this tree. Mr. Mast also noted that this resident's fence may be encroaching a few feet onto the applicant's property.

There was a question regarding how deep the tree line would be from the northern property line. Mr. Weirman stated that it's too early to tell at this point.

Resident, Aldrin Drive, stated that when it rains a creek runs down along the adjoining properties back yards. The trees that may be removed help absorb some of this water that runs onto the adjoining properties. Mr. Weirman noted that everything going in will improve all this water runoff. The resident stated that there's no sidewalks on Morris Road between this development and South Broad Street, so why put one in? Mr. Weirman stated that over time it would be nice to have more sidewalks in more places but it doesn't make any sense to connect nothing to nothing. The township wouldn't do anything until there was money to build a stretch that made sense.

Resident, Armstrong Drive, there are some dying trees behind her house, she hopes they will be removed. Mr. Mast said these dead trees will be removed. The resident asked who would be mowing the green strip of grass next to her house. Mr. Mast said that the HOA will be mowing this strip of grass.

There was a question of when demolition of the landscaping would begin and if the neighbors would be notified. Mr. Rieker stated that the township usually does notify the neighbors of this demolition. Mr. Rieker noted that the applicant may flag all the plant material that will be preserved.

6. Adjournment

There being no further business for discussion, Mr. Weirman asked for any further questions or comments. Hearing none, Mr. Tierney made a motion to adjourn, which was seconded by Mr. Carroll and unanimously passed. The meeting was adjourned at 9:15 PM.

Respectfully submitted,



Kathryn Carlson, Secretary