



## **ZONING HEARING BOARD REGULAR MEETING**

**Tuesday, March 24, 2020 | 7:00 PM**

### **Main Meeting Room**

---

The meeting location is accessible to persons with disabilities. A request for special accommodations for persons with disabilities should be made at least 24 hours in advance of the meeting by calling 215-699-7777.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

A copy of the Application(s) and any exhibits and site plans attached thereto are on file with the Zoning Officer at the township building and available for review during normal township business hours. The public is invited to attend and will be given an opportunity to be heard.

---

### **ZHB #20-01: Pulte Homes of PA, LP, 150 Allen Road, Suite 303, Basking Ridge, NJ 07020**

**This appeal was continued from February 24, 2020 at the request of the applicant**

Pulte Homes has filed an Application requesting certain zoning relief to permit the installation of a ground sign on Open Space 'A' which is denoted on the residential development plan for "Newbury – Phase II" now known as "Gwynedd Park" located at Hancock Road and Sanctuary Road, Upper Gwynedd Township, North Wales, PA 19454 and which property is located in an R-4 Residential Zoning District.

The following zoning relief is requested:

1. A 7.05 square-foot ground sign area variance from Section 195-35 J of the Upper Gwynedd Zoning Code (Code) and the Schedule of Sign Regulations relating thereto (Sign Regulations).
2. A variance from said Code Section and Sign Regulations to permit the ground sign to identify the name of the residential development.
3. A variance from said Code Section and Sign Regulations to permit said sign to be permanent and to be internally illuminated.

## **ZHB #16-11/19-05: Provco Pinegood Sumneytown, LLC**

In July 2016, Provco Pinegood Sumneytown, LLC (the “Applicant”) filed an application (No. 16-11) requesting various items of zoning relief to permit the Applicant to construct and operate a 5,585 square foot Wawa convenience store with motor vehicle fuel sales at eight (8) fuel dispensing facilities (sixteen (16) individual fueling stations), a canopy, 56 parking spaces and accessory signage (the “Project”). The Project is proposed to be constructed on two adjoining properties in the Township located at 708 Sumneytown Pike, North Wales, PA 19454 and 1610 West Point Pike, Lansdale, PA 19446, being Montgomery County Tax Parcel Nos. 56-00-08524-00-6, 56-00-08527-00-3 and 56-00-08521-00-9. The Applicant is now the legal owner of these properties, which are entirely located in the C-Commercial District. The ZHB issued a decision on Application No. 16-11, which was appealed to the Montgomery County Court of Common Pleas. The Montgomery County Court of Common Pleas (per the March 23, 2018 Order of the Honorable Daniel J. Clifford) sent the application back to the Zoning Hearing Board for it to conduct hearings to gather additional testimony on certain issues (known as a “remand”). Upon remand, the Zoning Hearing Board assigned the remand hearings a new application number, No. 19-05.

The Zoning Hearing Board held one (1) remand hearing on Application No. 19-05 on June 25, 2019. At that time, the parties agreed to continue the hearings on Application 19-05 until the Court of Common Pleas decided on evidentiary matter. On November 12, 2019, the Court of Common Pleas issued an Order (“November 2019 Court Order”) resolving the evidentiary matter and providing additional direction to the Zoning Hearing Board on the scope of the remand hearings. Since the Applicant does not desire to present any additional evidence on the issue(s) permitted by the November 2019 Court Order, the Parties have stipulated that no further testimony is necessary and agree that the Zoning Hearing Board should re-issue its original decision in order to permit examination by the Court of Common Pleas (the “Stipulation”). The Zoning Hearing Board will consequently hold a hearing on March 24, 2020, where it will consider Application 19-05 and the Stipulation.

A copy of the original 2016 application, any exhibits and site plans attached thereto, and the applicable Court Orders of the Montgomery County Court of Common Pleas and the Commonwealth Court are on file with the Zoning Code Enforcement Officer at the Township Building and are available for review during normal Township business hours. Copies of such documents are also available at no more than the Township’s reasonable cost of such copying. The public is invited to attend the public hearing and participate in the consideration of the Stipulation.