

**MINUTES**  
**PLANNING COMMISSION MEETING JUNE 11, 2019**

Attendees: Dave Shula, Sherri Glantz Patchen, Patrick Doran, Vince Manuele, Peter Cornog, Bob Dambman, Charles L. Guttentplan, AICP, Director of Planning & Zoning, Amy Grossman, BOS Liaison & Krista Heinrich, Township Engineer, T&M Associates

1. Call to order: 7:00 PM by Chair Manuele
2. Announcements & Correspondence

**Announcements:**

- The second item on our agenda (sketch plan of SLD#06-19) has been postponed at the applicant's request; their design team was unable to attend this meeting.

**Correspondence:**

- A new waiver request letter for SLD#05-18 Conshohocken Construction was given out to the members.

3. Approval of Minutes:

- Mr. Dambman moved to approve the minutes as amended by Ms. Patchen (minor changes to public comment and the motion on SLD #02-19) from the May 28, 2019 meeting; seconded by Mr. Shula. Vote 5-0 (Mr. Manuele abstained, not present at that meeting)

4. Zoning Hearing Board Appeals: None

5. Subdivision & Land Development Applications:

- SLD#05-18: Conshohocken Construction, Inc., 252 Roberts Avenue, Conshohocken, PA; 2-Lot Minor Subdivision; Preliminary/Final Plan Review. George Ozorowski, Esquire, the applicant's representative, was present along with Garrett Bergey, P.E., Kimley-Horn. The applicant is proposing to raze the firehouse, remove the parking lot, subdivide the property into two lots and build a single-family detached home on each lot (total of two new houses). An approximate 15-foot strip adjacent to 240 Roberts Avenue (adjacent to the firehouse property) which is currently part of the parking lot, will be returned to grass, and an existing retaining wall will be removed; it has been determined that this area is not part of the property and will not be part of either proposed new lot. Mr. Ozorowski briefly reviewed the background and sequence of development plans before applicant decided to remove the firehouse and subdivide. On April 3, 2019 the Zoning Hearing Board approved three dimensional variances (lot area, lot width, reduced aggregate side yards) for the current plan. Review letters were received by the applicant and all comments in the letters are 'will comply' with the exception of the requested waivers. Mr. Garrett went over each waiver as listed noting that the waiver from section 105-21.B.(18) was removed pertaining to the HOA as it is no longer applicable; and the waivers from sections 105-21.1. Transportation Impact fee and 105-53.D.(1) dedication/fee in lieu of land for park and recreation use were deferred to the Board of Supervisors.

Questions and comments from the Planning Commission: clarification if the entire width of the street was going to be resurfaced (yes); if they are not going to provide a Sewer and Water Feasibility Report and a Groundwater Recharge and Replenishment Study, will this relieve them from preparing a stormwater report and calculations (no, the area is known to have poor infiltration rates so they are limited in what they can do; they are providing a basin that can infiltrate but they are not counting it towards their rate control or volume control, whatever infiltrates is extra and they are providing a porous asphalt driveway as well); are there any issues with the size of the drainage pipe diameter they are requesting (no, they are getting down to the smaller sizes now to better control the release); waiver #2 Survey vs. aerial (due to the nature of the project, the 500 ft perimeter away from the site is not impacting what they are doing so they are providing an aerial exhibit to depict the existing features within 500 feet of the site); is the existing soil surface going to be removed or how far down will the digging go (once the entire asphalt and building pad is removed, the soils will be scarified about 18 inches deep and tilled so it opens up all the void spaces in the soils so that the soils can hold most of the ground water on site as opposed to washing down stream); and what is the existing elevation today to what is being proposed (they are tying into the existing

grades around the perimeter, on the southern side they are around elevation 217' – 217.5' and will be maintaining the same elevation and same drainage pattern along that property line).

Public Comment: Eli Glick, 7 Whitefield Drive; asked why are requested waivers not part of the agenda, how does the public know to show up and comment on the waivers being requested by a builder or developer, etc.; also commented on sands added to soil will not help the percolation, it will end up compacting and turning into concrete and the water will not absorb, they should use compost (in response, sand is only 50% of the component; the amended soils are comprised of a lot of organics and compost, the sands are used to help with the void space).

Mr. Cornog stated this plan is a lot better than the 5 townhouses and that he is glad the applicant worked with the community and the Planning Commission to achieve this outcome.

Ms. Patchen made a motion to recommend approval of the plan and waivers requested except for #4 (§105-21.1) & #8 (§105-53.D.(1)), will be deferred to the BOS, subject to the applicant getting permission from the next door neighbor to do the grading and removal of the wall; seconded by Mr. Doran. Vote 6-0

- SLD#06-19: FYBM, Inc. – Scoogi’s Classic Italian, 738 Bethlehem Pike, Flourtown, PA; Minor Addition, Outdoor Patios & Associated Improvements; Sketch Plan Review. ***The applicant has requested to be postponed to a future meeting.***

6. Conditional Use Applications: None

7. Old Business: None

8. New Business: None

9. Public Comment:

- Frank Scarpello, Arlingham Road, thanked the Planning Commission who voted in favor of the two (2) resolutions that were passed; first to ask the Board of Supervisors to make an amendment retroactive to 10.24.2018, however he does not see anything regarding this in the upcoming Board of Supervisors meeting agenda; secondly the request for the Township Solicitor to explain how what happened happened and was there any movement on that. In response the Planning Commission has not been advised of any appearance by the Township Solicitor; at the last Planning Commission meeting there was no Board of Supervisors meeting scheduled until after this Planning Commission meeting so there wasn’t any anticipation of movement until the following Planning Commission meeting in two weeks. It was suggested that his questions on this topic are more suitably presented to the Board of Supervisors Thursday night. Mr. Scarpello feels this is not a Board of Supervisors issue only. He hopes the Planning Commission follows through on their resolution to have the Solicitor come and explain to the Commission and the public how this happened.
- Sydelle Zove, Harts Ridge Road, advised that in May she filed an appeal of the Townships denial for access to copies of the latest Hovnanian plan for the Abolition Hall site. Preliminary plans were filed in April, she filed a Right to Know seeking access to those plans to look at them, which was granted, but was denied to receive copies because copyright law was invoked. Decision of her appeal will be rendered this week. Secondly, it has come to the public’s attention on two occasions that there are conflicting provisions within the zoning code regarding front facade width, also known as massing, and one provision provides for a certain facade width maximum and the other has a contradictory figure in it. She is asking that the Planning Commission take whatever steps necessary to address this contradiction and encourages the Township to apply the most restrictive to the least restrictive; she is asking for a housekeeping amendment to tidy up the code. Lastly, she has two issues with the HARB agenda. The two properties on their upcoming agenda are historically significant and the agenda did not come out until late on the day before the meeting and that there is not enough information on what is going to be discussed. Would like the Planning Commission to suggest to the Township that adequate notice to the citizenry is in order.
- Eli Glick, 7 Whitefield Drive, stated he is a little troubled by the answer that Mr. Scarpello received. The Board of Supervisors has already responded to this issue. The Board of Supervisors met in a private executive meeting, a letter was crafted, there was no public notice that they were meeting in an executive session, so where is the outrage? To him, there should be more upset about what is going on. The Planning Commission has no powers to force the Township to do anything.

10. Adjournment:

- There being no further business, meeting was adjourned at 7:50 PM.

Respectfully submitted,

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Charles L. Guttenplan, AICP, Director of Planning & Zoning

The Planning Commission is appointed as an advisory group to the Board of Supervisors and the Zoning Hearing Board with respect to comprehensive land use planning, existing land use, and various land use and zoning applications in Whitmarsh Township. No formal decisions are rendered by the Planning Commission. Formal decisions are rendered by the Board of Supervisors or Zoning Hearing Board, as prescribed by law, based on the type of application.

All written or graphic material that is presented to the Planning Commission at a public meeting shall be kept in Township files and is subject to examination under the PA Right-to-know Law.