

**WHITEMARSH TOWNSHIP
PLANNING COMMISSION MEETING (IN-PERSON)
MEETING MINUTES
JANUARY 13, 2026
6:30 PM**

Attendees/Participants: Carmen Bushong, Sherri Glantz Patchen, Scott Quitel, Elizabeth Shaw-Fink, Dave Shula (Vice Chair), Aaron Kostyk (Chair), Donald Norbeck, Krista Heinrich (Township Engineer), Charlie Guttenplan, AICP (Director of Planning and Zoning), Dave Sander (Solicitor), Vince Manuele (BOS Liaison), Samantha Zarillo AICP (Planner)

1. CALL TO ORDER Mr. Kostyk called the meeting to order at 6:31 PM.

2. ELECTION OF CHAIR:

Mr. Shula made a motion to nominate Mr. Kostyk to continue as Chair. Ms. Glantz Patchen seconded. Motion carried 6-0-1. (Mr. Kostyk abstained.)

3. ELECTION OF VICE CHAIR:

Ms. Glantz Patchen made a motion to nominate Mr. Shula as Vice-Chair. Ms. Shaw-Fink seconded. Motion carried 6-0-1. (Mr. Shula abstained.)

4. ANNOUNCEMENTS & CORRESPONDENCE

- Mr. Guttenplan reminded everyone to speak directly into the microphone.
- Mr. Guttenplan noted that an amended agenda had been distributed the previous day, removing 612 Germantown Pike, LLC. at the request of the applicant, and that the item would not be discussed.
- The Commission was informed that the Board of Supervisors, at its reorganization meeting, reduced the public comment period from five minutes to three, and the question was raised whether the Planning Commission wished to follow suit. Commission members discussed the matter and expressed a preference to retain the existing policy, noting that extended public comment does not frequently occur and that flexibility could be applied on a case-by-case basis.
- Mr. Guttenplan also announced that two emails had been forwarded to the Commission earlier that day, one related to the evening's agenda and another concerning David's Bridal, which was not directly related to the current agenda item but may be more relevant upon submission of a final plan.

5. APPROVAL OF MINUTES

- November 19, 2025

A Commission member suggested to amend the meeting minutes revising the language on page two, second paragraph to state that the site was the community's last meaningful river access opportunity rather than that it was discussed as a possibility; removing bold formatting from the paragraph on page four beginning with Sherri Glantz Patchen; and correcting a typo error in her name. The Commission member also requested revisions to the public comment section to reflect that staff's recommendation to open Washington Street to Station Avenue deviated from the Spring Mill Study, undermined the public input process, and potentially undermined safety and planned pedestrian movements, with the order of those concerns adjusted accordingly.

Motion to accept the minutes as amended made by Mr. Norbeck, second Ms. Glantz Patchen, vote 6-0-1 (Mr. Shala abstained, not at that meeting).

- December 9, 2025
A Commission member raised an observation regarding language on the first page of the minutes referencing an outdoor café in connection with proximity between the courts, and Ridge Pike; stating that they did not recall any discussion about an outdoor café and noting that an existing structure is located between the tennis courts and Ridge Pike. A Commission member recommended striking the café and just mentioning it as an existing structure.

Mr. Shula made a motion to approve the minutes with the correction, with the second from Ms. Bushong. Vote of 5-0-2. (Mr. Norbeck and Ms. Glantz Patchen abstained, not at the meeting).

6. ZONING HEARING BOARD APPEALS (None)

7. CONDITIONAL USE APPLICATIONS (None)

8. SUBDIVISION &/OR LAND DEVELOPMENT APPLICATIONS

- SLD #08-25 608 Germantown Pike Associates LLC; Sketch Plan for 22 Dwelling Units; 604-608 Germantown Pike

Staff member Charlie Guttenplan introduced the item, explaining that as a sketch plan it was presented for discussion with no recommendation required.

Applicant Mr. J B Reibstein purchased 608 Germantown Pike approximately five years ago and received approval in 2021 for an addition to the 608 building. Plans were delayed due to the pandemic. Mr. Reibstein stated that they have struggled to develop a plan that complies with zoning, is physically buildable, financially viable, and improves the appearance and function of the site. Mr. Reibstein explained that the current sketch plan replaces a previously withdrawn townhouse plan and proposes renovation of the pre-existing pre-1940 buildings at 606 and 608 Germantown Pike with two rear additions totaling 22 apartment units, shared parking, and potential open space on the residential B-zoned portion of the site, with a likely mix of both one bedroom and two-bedroom units. Mr. Reibstein stated that access and driveway design may change, including a possible in-and-out driveway between 606 and 608, and that coordination with adjacent properties is being explored.

A Commission member commented that the compliance for the use of 604 Germantown Pike was not shown. They asked the applicant to clarify the use of 604 Germantown Pike.

Mr. Reibstein clarified that the current use of the single-family home will continue to be rented out as a single-family home. It is not part of the development plan except for the shared egress using the existing driveway on 604 Germantown Pike. The applicant further discussed their ownership of 604, 606 and 608 Germantown Pike and that the original idea was to develop all three. Mr. Reibstein notes that the use for 604 Germantown Pike may not be necessary. The applicant mentioned the driveway on 608 being very narrow, so to prevent cars from backing into Germantown Pike, having a two way driveway would work best and allow emergency vehicle access to make a wider turn.

A Commission member made a comment about an alignment for Westaway Drive, asking if that is being looked at.

Mr. Reibstein referenced the zoning code and needing a variance to tear down buildings built before 1940, also noting the need for highway occupancy permit. The applicant notes that the problem with the pre-1940 building is in the right exact spot needed to align the driveways. So, he notes that the building can either be torn down to align the driveways or keep the building. The applicant notes that the zoning codes are hard to comply with. A Commission member asked if the applicant had any communication with SEPTA. Mr. Reibstein noted that they have not, but it would be nice to have something covered for bus commuters.

A Commission member commented that the applicant is seeking twenty-two dwelling units, which means they are 17.9 dwelling units per acre with a maximum of eight are allowed. They note that scaling down this project would be the best and that it would comply with the zoning code. They agreed with the other Commission member about reworking the site and the driveway access. Mr. Guttenplan noted that area zoned B can only be used for single family houses; and because the applicant can't build apartments or townhouses in zone B, it's not a part of calculations; regardless of the matter, there's a density issue that would require a variance. The applicant notes that having nine dwelling units would make million-dollar homes due to the financial variables.

A Commission member talks about the benefit of attached structures instead of standalone structures. The applicant answers that due to zoning requirements for the demolition of pre 1940 structures, the work around for that is to keep the buildings and build additions to meet the requirements. But they note their preference to take down the buildings in their entirety. The plan is to renovate the existing buildings, which would be more expensive than starting over.

A Commission member notes that they would second the other Commission member to not support the variance specifically because of the number of units per acre. The Commission member proceeded to discuss the many limitations of the land, and remarks that selling the land might be the better option. Adding greenery to the area would also be beneficial.

A Commission member commented that since zoning relief would be required for either density or demolition, given the preference to take down the buildings, this may be the better path.

A Commission member asked about prior sketch plans on townhomes. The applicant answered noting the cost for townhouses and how much they would have to sell for. The Commission member asked if they would consider building two-bedroom dwellings to bring the unit number down and to invite families instead of one bedroom.

Public Comment: *Sydelle Zove, Tom Manley, Amy Baker, Andrew Monaghan, Matt Witteman,*

Tom Manley, 3065 Kerper road, spoke on behalf of residents from Mitchell Court, Lafayette Park, Westaway Drive, and Messiah United Methodist Church, raising concerns regarding density, traffic, stormwater management, loss of greenery, and lack of community benefit.

Sydelle Zove, Harts Ridge Road, asked Mr. Guttenplan how many dwelling units would be permitted if the three parcels were combined. Mr. Guttenplan responded that the zoning limit of eight dwelling units per acre would allow approximately ten units. She stated that she agreed with prior comments opposing the proposal and recommended that the applicant return to the drawing board, suggesting demolition of the middle structure at 606 Germantown Pike to allow for improved access, driveway alignment opposite Westaway Drive, and a more creative design that could provide broader community benefits.

Andrew Monaghan, 621 Wagner Road, echoed concerns regarding the condition of the area and encouraged greater creativity in redevelopment.

Amy Baker, 306 Kerper Road, noted longstanding concerns related to soil, stormwater, and maintenance predated the applicant's purchase of additional properties and stated that tree removal had occurred without subsequent site improvement.

Matt Wittemann, 3066 Kerper Road, expressed support for prior comments and encouraged consideration of open space or heavily landscaped community use.

Commission Chair Kostyk closed public comment and invited the applicant back to the podium. The Commission Chair also noted that the ingress-egress traffic would be an issue, and that stormwater would have to be made a priority. The Commission member also made a note about maintenance concerns on the property.

A Commission member commented that the applicant could go to HARB to gather information on the pre-1940- structures to see if there was any historical significance. If there is nothing special, then maybe knocking them down might be the better way to go for the applicant. They note that

having a supporting report from the HARB would help in the process of getting a variance to tear them down.

Sydelle Zove, Harts Ridge Road, commented the 604, 606 and 608 Germantown Pike properties do not fall in HARB's jurisdiction because they are not in the historic district.

Mr. Guttenplan noted that there was no magic about 1940; when the ordinance was created, 1940 ended up being the number everyone agreed on as an age limit for homes. Yet in the past there have been one or two variances where pre-1940 buildings have been removed. A Commission member asked the applicant if that would change their calculations, and the applicant said it would change. To scrap the buildings and start over would be the clean slate they needed. Another Commission member noted their concerns on density, hardscape, and talked about the increase of green space to keep the character of the commercial district.

9. OLD BUSINESS (none)

10. NEW BUSINESS

- Sewer Module Component 4A; SLD #07-23 Hightop Real Estate & Development, HT 1001 Washington LLC

Mr. Guttenplan explained that Component 4A of the sewer planning module is a DEP-required review for developments connecting to the sewer system and requires Planning Commission confirmation of responses regarding zoning, comprehensive plan consistency, and environmental impacts. Mr. Guttenplan explained that an additional comment was added to the planning module to reflect the Planning Commission's previously stated concerns with the development. Mr. Guttenplan added that the comment could be removed if the Commission preferred. A Commission member responded that the comment could be revised or omitted, stating that it did not appear relevant to the planning module document itself despite the Commission's earlier recommendation to the Board of Supervisors. However, because the project has already been approved, staff noted that the module must proceed. The Commission was asked to consider whether it concurred with the responses as provided and, if so, to take action by motion so the materials could be submitted back to the applicant and incorporated into the remaining components of the planning module. Mr. Guttenplan reported that reviews of historical, archaeological, and environmental resources found no impacts based on the SHPO review, and clearances from Pennsylvania's Fish and Boat Commission and DCNR. While the project is not fully consistent with the Township's sewer plan, staff noted that the existing and proposed connections rely on a pump station and force main, which has historically been the case for this site.

A Commission member asked whether the plan was consistent with the Township's comprehensive plan. Mr. Guttenplan highlighted that while some inconsistencies have been identified, the proposal was generally consistent with the adopted riverfront and land use plans, including the 2022 river plan and aligned with the zoning that permits development along the river. A Commission member questioned whether the proposal met the spirit of the river plan's intent to exceed minimum environmental and access standards. Mr. Guttenplan stated that this determination was a judgment call and that the response could be revised if the Commission felt it should reflect those concerns, while another Commission member added that the proposal did not appear to exceed EPA standards based on notes from prior discussions.

A Commission member expressed frustration that the Planning Commission's prior unanimous recommendation against the project was not followed by the Board of Supervisors and questioned the reasoning behind the decision. The Commission member stated that, in their view, the proposal was not consistent with the comprehensive plan, did not support the protection of water resources, and could potentially impact wetlands and ecological systems, and that several questions in the planning module could not reasonably be answered with a simple "yes" or "no". Mr. Guttenplan responded that completion of the planning module is a required step at this stage of the development process and is not discretionary, though the responses within it may be discussed and revised. A Commission member reiterated that multiple responses in the module did not accurately reflect the issues raised during review. A Commission member went on to ask if FEMA had come back with a decision and acknowledged that while the project is not ideal, it does provide some benefits such as river access and improvements along Washington street.

A Commission member expressed concern that the Planning Commission is being asked to approve a perfunctory yes-or-no planning module despite lacking sufficient expertise or independent verification regarding endangered species and environmental impacts. Also, it wasn't clear what the impact of the responses would be, given the 60 day review period had passed. They stated that several responses—particularly those related to water resources and threatened species—are inadequately supported and recommended not concurring with multiple items, emphasizing discomfort with being asked to endorse conclusions without thorough investigation. He also reiterated that the plan was not consistent with the comprehensive plan.

The Township Engineer suggested putting an asterisk at the bottom of some of the questions stating that the Planning Commission is not comfortable with answering them.

A Commission member also stated that question 3 should be answered “no”, asserting that the proposal is not consistent with the use, development, and protection of water resources given the site's location, setbacks and water-related constraints discussed. They noted that while the stormwater controls may be strong, the broader impacts on water resources make the project inconsistent with their protection. A Commission member made a rebuttal that the term water resources are broad, does not mean it is not protective of the river, despite it having strong water controls, so she announced she does not agree with the “no” for this question. A Commission member stated that it was “egregious” that the Planning Commission was being asked to do this with them not there and not having any proof of looking at endangered species, surrounding wetlands or if the water resources will be protected.

The chair opened the discussion to public comments. Tim Doll, Fairway Road agreed with much of what the Commission member said, mentioning that it was disgusting how the Board of Supervisors approved, despite the situation being explained in detail.

Sydelle Zove also agreed with the Commission member, saying that the project was “insane” for moving forward. She also said the answers to questions 6 and 9 were wrong, noting that specifically the number of variances shouldn't have been approved in the first place. She went back to question 6, and referenced minutes from 2 years ago, January 23rd, 2024, page 8, stating that a known historic resource—Moorhead Clayworks, dating to the mid-1800s—exists on the site and is documented in the PA-SHARE database and SHPO correspondence. She emphasized that the proposed demolition would destroy this historic structure and urged that Question 6 be marked “yes,” with the impact clearly stated as the loss of a significant historic resource, which she argued conflicts with the Township's comprehensive plan and goals for historic preservation.

The chair closed public comment. A Commission member noted that the comprehensive plan's Riverfront Objective 2B calls for more stringent floodplain management and standards exceeding FEMA requirements and stated that the plan for 1001 Washington street does not appear to meet or exceed those standards. A Commission member noted that the provision cited is directed at the Township actions rather than individual projects and does not render the proposal inconsistent with the comprehensive plan. They concluded that the project remains consistent with some aspects of the plan and not with others, and that this does not change the appropriate response. A Commission member asked if the prior Commission member could give a few concrete examples of how she thinks it was consistent.

Mr. Guttenplan mentioned that although the plan is not consistent in every aspect, it does allow more public access to the river. A Commission member noted that the ecological aspects are not consistent with the plan. Mr. Guttenplan explained that while the questions were discussed with the developer, the responses reflect staff input and stated that given the discussion, it would be more appropriate to indicate that the Planning Commission is not comfortable responding. They note uncertainty about the full range of impacts, acknowledged known negative impacts, and recommended deferring formal responses rather than answering the form as presented. A Commission member recommended submitting the form with changes rather than approving it as is: revising question 2: to state the proposal is consistent with some, but not all, aspects of the comprehensive plan; leaving question 3, 5, and 7 with a notation that the Planning Commission was not comfortable responding due to incomplete impact analysis; and changing question 6 to “yes” with a narrative noting the presence of the former Moorhead Clayworks industrial complex on the site. The Commission members noted that they would go with approval but would be flat out “no” for number three. The Commission members also agreed to take out the comment at the end.

Ms. Glantz Patchen made a motion as described above, which was seconded by Mr. Norbeck. The motion carried by a vote of 6-1, with Mr. Quitel stating disagreement specifically to question three, asserting it should be a definitive no to the protection of water resources.

- Initiation of MCPC 2026 Zoning Work Program—Tim Konetchy, AICP

Mr. Guttenplan introduced Tim Konetchy to discuss the implementation of the zoning decisions made in December 2025, and to outline zoning priorities for the coming year. Staff then referenced the 2026 work program memo included in the packet, noting plans to address several minor zoning amendments during the first half of 2026, consistent with items discussed previously.

Mr. Konetchy also outlined how zoning work will be divided, with Mr. Guttenplan reviewing permitted uses in the VC District and Tim Konetchy focusing on shared parking, off street parking, loading requirements, including correcting omissions and reducing unnecessary impervious coverage. Additional minor amendments include reviewing residential uses in the floodplain conservation district, making limited updates to the solar energy system provisions, and resolving conflicts between the Spring Mill Mixed-Use District and the Transit-Friendly Design Overlay. The discussion then shifted to the Conservation Design Overlay (CDO) District, adopted in 2006, with its intent to conserve open space and sensitive natural resources while allowing flexible neighborhood design, and its limited permitted uses. Staff explained how development yield is calculated through a site capacity analysis and noted that the CDO applies to certain residential districts when five or more dwelling units are proposed, with standards layered onto the underlying zoning districts. Mr. Konetchy further described three conservation design options available under the overlay district, ranging from very low-density development with large minimum lot sizes to higher-density options with increasing open space requirements based on the zoning district. He explained the various forms common open space may take, including conservation land, agricultural use, recreation, township dedication, or HOA ownership, noting past issues with counting private rear yards as community open space. The overarching goals are to retain flexibility while emphasizing meaningful, usable open space and ensuring the regulations function effectively across both small and large developments, as the current framework has not always worked as intended.

Mr. Guttenplan noted that the scale is a key concern, noting that the conservation design overlay has been applied to small infill projects where the resulting open space had little practical value. He observed that the district was originally intended for large tracts but has been applied broadly, leading to shortcomings on smaller parcels, and stated that addressing scale should be a central focus in developing a replacement district.

Mr. Konetchy outlined the plan to identify scale thresholds for applying different development standards, supported by extensive site plan testing using multiple design scenarios to see what works and what does not. Staff will research model ordinances, comparable projects in other municipalities, and review the 2022 OSCO draft, using testing results to refine standards before coordinating with Township staff and advancing a consolidated package to the Board of Supervisors later in the year.

A Commission member requested that Mr. Konetchy provide clear, real-world examples to show where the open space standards did not function as intended, particularly related to scale, and explain how and why they failed. They also asked for simple reference information showing the acreage thresholds and distinctions between zoning districts (such as 4A versus 3A) to make the standards more understandable and user-friendly for both the Commission and the public.

Mr. Konetchy agreed with the suggestion and committed to preparing a simple “cheat sheet” outlining underlying zoning standards to aid discussion and understanding. He also proposed reviewing built and approved subdivisions over the coming months to analyze where outcomes did not meet with intent, even when regulations were technically followed, and to use those examples to inform revisions.

Sydelle Zove expressed concern that all the extensive planning efforts are undermined when the Zoning Hearing Board grants numerous variances that conflict with adopted plans. She suggested holding a workshop for the Zoning Hearing Board to familiarize them with the comprehensive plan and related planning documents, so variance decisions better align with community goals.

11. PLANNING COMMISSION MEMBER COMMENTS (none)

12. PUBLIC COMMENT FOR NON-AGENDA ITEMS

Mr. Guttenplan noted that he should have include under 'Announcements' that the Board of Supervisors adopted the steep slope regulations at its first regular meeting last week, and that those regulations are now in effect. The chair asked if there were any more members' comments, and if there were any public comments for non-agenda items.

Resident Zove thanked Sherri Glantz Patchen for opposing a reduction in public comment time, noting appreciation for retaining the full five minutes to allow thoughtful and prepared public input.

13. ADJOURNMENT

Ms. Shaw-Fink made a motion to adjourn the meeting, seconded by Mr. Norbeck. Motion carried unanimously. Meeting adjourned at 8:38 PM.

Respectfully submitted,

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.