

**MINUTES
PLANNING COMMISSION
HYBRID MEETING
JANUARY 25, 2022**

Attendees/Participants:

In person: Dave Shula, Bob Dambman, Aaron Kostyk, Scott Quitel, Charlie Guttenplan, AICP, Director of Planning & Zoning

Virtual: Sherri Glantz Patchen, Patrick Doran, Elizabeth Shaw-Fink, Krista Heinrich (Township Engineer), Vince Manuele (BOS Liaison), Dave Sander (Township Solicitor's office)

1. CALL TO ORDER: 7:06 PM by Chair Kostyk

2. ANNOUNCEMENTS & CORRESPONDENCE:

- Mr. Kostyk announced there will be mix of in-person and zoom comments allowed due to COVID; Mr. Guttenplan will be administering that.
- There was also correspondence received relevant to SLD#10-21 Sabra Healthcare

3. APPROVAL OF MINUTES

- On a motion by Mr. Shula seconded by Mr. Dambman, the Planning Commission moved to approve the January 11, 2022 meeting minutes as drafted. Vote 7-0

4. ZONING HEARING BOARD APPEALS: None

5. CONDITIONAL USE APPLICATIONS: None

6. SUBDIVISION &/OR LAND DEVELOPMENT APPLICATIONS:

- Informal Discussion of SLD #02-22, Property Master Plan for Union League at Liberty Hill, Golf Club and Lodge/800 Ridge Pike, Lafayette Hill

Attendees (by Zoom): Sean Palmer, General Manager and Director from Liberty Hill; Michelle Christensen, Assistant General Manager from Liberty Hill .

Mr. Guttenplan gave a brief introduction: This property is formally known as the Chubb Hotel and Conference Center and the Ace Club (golf course). In early 2021, the Union League purchased the entirety of these properties and is now known as Liberty Hill. They are here to present a future master plan for information only, no action required tonight.

Mr. Palmer – They are part of the Union League of Philadelphia which this year will be 160 years old and stated they are in the neighborhood to stay. They are hoping to take what they inherited on the site and make it that much better; they are not looking to develop or subdivide. Mr. Palmer went through a PowerPoint presentation. They plan to continue the Golf Course use for the long term. Right now, they are starting to construct a gate house to monitor traffic flow and provide hospitality touch points; there will be new signage to assist the guests and members getting around the campus safely and clearly; they are renovating interior spaces (lobby and restaurant); and are making upgrades to the finishes of the property to update the look. They are a private club; they are not open to the public. Anything that happens on the property has to be member sponsored. They are also planning to take the existing space at the club where the tennis courts used to be and the pool and aquatics area used to be and bringing those amenities back to the club. The golf course is not planned to change, it is a beautiful campus they wish to continue.

Mr. Quitel – asked if something else proceeded the master plan. It kind of seems like changes are to the restaurant. He suggest the club does a natural resource inventory and take stock of what they have in terms of steep slopes, water features, wetlands, etc. to help inform what you might do in the future.

Sean Palmer – they plan to engage a Landscape Architect in the future and look into things such as Audubon Certifications and things potentially to take advantage of the green space they have and to make sure it's something that can be taken forward in future generations.

Mr. Quitel – commented they are a major holder of land that drains directly to the Schuylkill River. With what was just referenced, you might get an ecologist involved with the landscape architect, but getting somebody to really proactively see what you have there because the Schuylkill River is a major flyway for birds and fish. The more that you can do, it looks good, it's good PR and it's really good for the environment overall.

Mr. Palmer – they are currently looking into potentially the feasibility of solar roofing and green initiatives. They want to be good stewards to the environment not for only themselves but for the neighbors.

Ms. Christensen – wanted to note that they don't plan to disturb any land, they are looking now to improve the buildings and structures. There are no plans to disturb the existing nature and property, it is mostly to beautify the existing structures they inherited.

Mr. Quitel – commented that if we took a walk on the land, he is sure there are areas that birds and snakes make use of. He is not saying you even need to do anything, just survey to understand what you have.

Public Comment:

Steve Kaufman: Harts Ridge Road - wanted to say hello to the Union League people. He stated 20 years ago he was involved in negotiations with the owner as this development came into being and there is quite an environmental history and would like to stop by and debrief on that. He has two big concerns. One is that a lot of their boundaries are in need of attention particularly along Barren Hill Road; is a mess and overtime needs clearance and attention. Second is that when the golf course was expanded many trees were removed, and the Army Corps and Township got involved and he would like to discuss that with them. Also, with so much open land, more tree canopy would be beneficial.

Christopher Dezzi: 857 Hamilton Drive - is an adjacent neighbor and a member of the Union League. He wanted to say what a welcoming neighbor they have been and what a pleasure it has been to see the improvements on the property and has no doubt that they will continue to be good neighbors.

Mr. Kostyk thanked the applicant for their attendance and keeping them up to date with what is going on and sounds like some exciting stuff is coming in the future.

- Review SLD #10-21 Leo Brown Group, agent for Sabra Healthcare/251 Stenton Avenue, Plymouth Meeting; Zoning Text Amendment for Senior Living Community in the IN Institutional Overlay District

Attendees: Ameer Farrell, Esq., applicant's representative from Kaplin Stewart; Mike Wagner, President from the Leo Brown Group; Talya Nevo-Hacohen, Chief Investment Officer, Treasurer & Executive Vice President from Sabra Healthcare REIT; Cornelius Brown, Project Manager from Bohler Engineering.

Ms. Glantz Patchen – she is recusing herself because she works for the Department of Human Services and the definition of Senior Living Community is defined by reference to DHS licensing.

Mr. Guttenplan gave a brief introduction: the applicant is proposing a text amendment to the Institutional Overlay District. Right now the property is underlaid with AA-Residential and has an Institutional Overlay because it has a nursing facility on the property which is a permissible institutional use. The applicant is proposing a text amendment to allow a senior living community with certain dimensional standards as a special exception in that district. It should be noted that all uses in the Institutional Overlay are required to

go through the Special Exception process. As a text amendment, it is the Planning Commission's duty to determine if the amendment has merit, and if so, should the Board of Supervisors hear the proposal and make a decision because amendments to zoning code are discretionary legislative actions; it is ultimately up to the Board of Supervisors on whether or not they hold a hearing. Mr. Guttenplan reminded the members that included in their packet was a memo from him in which he suggested some factors to consider in evaluating the merits of the proposed text amendment; he also noted that we received some written comments from some neighbors, which are also in the packet.

Ms. Farrell – they are proposing a text amendment seeking an amendment to the existing Institutional Overlay to permit by Special Exception a senior living community in addition to the (currently) allowable special exception uses in the IN District. The property owners feel this site represents a unique opportunity to provide for a much needed senior congregate living use within a district in the Township that already permits similar uses. They met with Township staff in December 2020 to get feedback and guidance. The proposed use is very similar to a "Nursing Home" which is permitted in that district by special exception. When looking at the definition of nursing home as it currently exists in the ordinance, it is a bit more restricted. They felt that the definition should be amended to be broader and more consistent with nursing home standards. They held a community meeting via zoom in March 2021 and invited residents within 500 feet of the property. There were approximately 12 participants on that call, and they felt the discussion was very productive. They formally submitted the text amendment in September along with a concept plan. In October they received an initial review from the County Planning Commission indicating their general support of the proposed text amendment and additional comment relative to suggested modification to the language. In November, a 2nd meeting was held in person with the residents at the Township Building for additional community feedback. Again, it was a very productive discussion, and they took those comments back to the team and additional modifications were made to the concept plan. They are not asking for any action on the plans, they are here only for the text amendment; the land development process would come later.

Mr. Wagner: They are here to talk about the text amendment. Leo Brown Group is a privately held health care real estate developer and operator of senior living communities. They are not a group that builds and then sells; they will continue to run the facility through their management company, Traditions Management. Their services include day to day community operations, the startup and ongoing marketing of communities, community staff recruitment and retention, and compliance with state specific regulations and licensing. A significant portion of what they are proposing tonight would be licensed by the state of Pennsylvania. They currently operate 22 senior living communities in several states.

Ms. Farrell: The proposal before the Planning Commission is for the text amendment. The Institutional Overlay District allows similar uses as it exists currently by special exception. The text amendment would provide for a senior living community as a special exception the same way the other institutional uses are already allowed. If the text amendment is not passed, there are other options for the applicant to be able to develop on the site; they could pursue a variance alternatively. This use is not specifically permitted in any other district in the municipality, and by law it has to be permitted somewhere, so the argument is that it is a legal use that the municipality has to provide for and this is the most appropriate district for such a use. They are also suggesting an increased level of dimensional standards and some other requirements that would govern this use that do not currently exist in the institutional overlay. The text amendment would be more favorable instead of a variance since the dimensional standards would be more restrictive.

Ms. Nevo-Hacohen: Sabra Healthcare REIT is a publicly traded real estate company based in southern California. Their focus is on inpatient congregate care facilities. As a long time investor, Sabra is evaluating alternative uses for this property. This property was bought/closed in 2012. Around 2 years ago the current operator filed Chapter 11. They continued to operate the building as well as a sister building throughout the last 2 years.

Mr. Wagner: Should it move forward in the future, the redevelopment project will likely consist of a community containing a mix of independent living and assistant living residences. A portion of the assisted living residences would be in a dedicated memory care wing. The conceptual plan presented will include 69 units of assisted living, 32 units of memory care, and 88 units of independent living. Their market analysis

coupled with third party market feasibility data indicates a strong demand for senior living in this area. They strongly feel this planned project will be well supported by the demographics and growth projections that are evident in the primary market area.

Mr. Wagner briefly went over the components of senior living:

COMPONENTS OF “SENIOR LIVING”

- **Independent Living:** Living units that are restricted to those generally 65 and older that includes meals and services within the residents’ monthly fee. The inclusion of concierge services and available meals and health care assistance distinguishes independent living from senior apartments.
- **Assisted Living:** A senior living option that combines housing, support services and health care, as needed, and is licensed as a Personal Care Home (PCH) under the guidelines of the Pennsylvania Department of Human Services (DHS)
- **Memory Care:** A secure wing or building section within a licensed PCH that is devoted to providing care for those with Alzheimer’s, dementia or other forms of age-associated memory impairment.
- **Skilled Nursing:** Facilities that provide 24-hour continuous health care services as well as room and board. The health care services include basic and skilled nursing care, rehabilitation and a full range of other programs, treatments and therapies such as occupational therapy and physical therapy.
- The primary source of payment for independent living, assisted living and memory care services

Mr. Wagner shared the conceptual site plan: the access point via bridge over the creek will be the same; you will enter into the independent living portion of the building (3 stories); a drop off canopy & visitor entrance is located in the front; there are some detached garages for the independent living units; there will be a secondary access point for residents and visitors. They were considering an entry point for the assisted living component to the donut shaped portion of building (2 stories), but resident feedback did not want that. There will be a memory wing (1 story). The center of the building is called the core amenity area (dining, kitchen, activities, fitness, etc.). There are 2 additional independent living garages, a service entrance and dumpsters that are in an area that is tucked away and not visible to the surrounding residential area. The updated conceptual site plan shows the garages on the northern portion of the site have been shifted west to lessen impact on neighbor views and the 2-story assisted living section facing east has been changed to create a one and a half story roofline to lessen the scale for abutting neighbors reducing the unit count. Elevations of the proposed building were shown; this will be a premier Class A facility with quality materials and the idea at this point will be more of a Federalist architecture. The garage structures would mirror the building materials. They presented renderings and views from neighboring properties on Cannon Hill Road. The photos shown are taken in winter so not much canopy; they plan to plant significant buffering. With a Class A facility, it comes with many amenities; a full service restaurant, activities, chapel, lounges, etc.; the monthly rates and fees will be comparable to the existing senior living communities found in the area.

They feel the proposed density is appropriate for the site and for the area as this reflects the demands seen in the market for these services. They put together a table that compares the density per acre of the closest competitive senior living properties in the areas, and it shows the substantially less dense nature of what they are proposing.

As pointed out earlier in the presentation, the current Institutional Overlay District allows for a wide range of alternative uses for senior living and extended care options, including hospitals, clinics, or nursing homes which are product types that Sabra/Leo Brown owns/operates within its healthcare real estate portfolio. These facilities are by nature much more intensive healthcare operations with much higher volume of comings and goings throughout the day. While they feel the proposed is the best alternative plan and best use for this property, the alternative uses within the current zoning will have to be evaluated as a next step should the senior living community not move forward.

Amee Farrell presented a chart comparing the dimensional standards of Hospitals/Clinics/Nursing Homes (uses currently permitted by Special Exception in the Institutional Overlay District) vs the proposed Senior Living Community by Special Exception. Some significant changes start with the front/side/rear yard setbacks, minimum lot area, building height, parking, ancillary services, loading spaces, trash/recycling, accessory structures, buffering and architectural standards, as well as impervious coverage limits (which the IN Overlay does not currently have). They proposed a series of architectural requirements, and the elevations are consistent with those requirements. The County in its review had some comments about some additional requirements that it would suggest as part of the text amendment such as presentation of the time of the special exception of building materials, renderings and elevations that the community would be able to see and that will be implemented if construction proceeds.

Mr. Wagner wanted to address staffing & traffic: At full occupancy they anticipate a total of approximately 50 employees that will be spread out through 3 daily shifts with shift changes staggered to reduce in and out traffic. They typically see 10-15 visitors per weekday, and the majority come after work hours. They typically see 20-25 visitors each on Saturdays and Sundays and these visits are spread throughout the entire day. He also addressed some common neighbor concerns. Traffic & Congested Roadways: The occupants are not typically drivers; those that do are typically limited to one daily trip per day at non-peak times; the traffic generated by staff and visitors is minimal and usually not during peak traffic hours; and in the other senior living communities they operate, they never had a complaint about increased traffic or congestion. Increased Noise and Lighting: Once built, the senior residents will call this community their home and just like anyone else, they do not like noise and bright lights shining in their windows; they cannot successfully operate their community if they are creating noise and lighting issues themselves. Ambulance runs are typically minimal (average 4 runs per month) and it almost always arrives and leaves without sirens. Drainage and Sewer Concerns: They cannot bring about a situation that makes flooding or drainage to neighboring properties any worse than what currently exists. Many times, they alleviate any previous issues by the application of more modern stormwater and sewer solutions. That is why they would have to go through the Township and County's own engineers to review and approve the plans before they can move forward with construction. Those issues will be addressed at the appropriate time in the future once those systems have been designed and submitted for review. Impact on Surrounding Area: This is a private pay community being proposed; this is not subsidized senior apartments or a nursing home. The majority of the future residents will be long time residents of Whitmarsh who will patronize and support nearby stores, restaurants and other local businesses. This potential project will be a needed amenity and addition for the area's senior residents and their families over the coming decades. They feel this planned project will satisfy Whitmarsh Township's updated Comprehensive Plan, policy #2 within its Housing Vision and Policies that housing diversification should promote neighborhoods that allow a diverse mix of residents and housing types and respond to changing lifestyle preferences and marketing trends.

Planning Commission Comments:

Mr. Kostyk: There is a reference made in the County review to the Shade Tree Commission requirements. It seems that the draft ordinance would take the discretion out of the Shade Tree for the entire site and he does not think that is appropriate or correct.

Ms. Farrell: No, that is not their intent, they have language in there that would require Shade Tree review. She thinks the County is focused on the difference between the buffers and the non-buffer areas. They have no intention of removing any kind of community review relative to the non-buffer areas. They could certainly work through that to clarify.

Mr. Kostyk: Was there any consideration to any restoration of the Lorraine Run floodplain area on the project?

Ms. Farrell: They haven't gotten that far into design but that will be addressed. Township staff made us aware that is an issue, and we plan to address that during Land Development process.

Mr. Shula: What is different between this and the Continued Care Retirement Community.

Ms. Farrell: One of the significant differences is the difference in the ratio between the independent living units and the assistant and memory care units. CCRC requires most to be independent living; usually a very large down payment/entry fee and they are moving in younger to live there longer. Those people have what is called a life plan contract to eventually move from the independent living to assisted living and ultimately skilled care.

Mr. Shula: The text amendment does not make a provision for maximum number of units per acre density.

Ms. Farrell: They did not look specifically at dwelling unit density; they looked at controlling it based on consistency with the rest of the ordinance relative to building coverage and impervious coverage. As it is written right now, the combination of setbacks, height restrictions serve to limit density.

Mr. Dambman: What could be the number of residents potentially living here?

Mr. Wagner: He doesn't have the exact unit mixes within those product types; in the independent living there is a mix of 2 and 1 bedroom units; within the assisted living there is a mix of 2 and 1 bedrooms units and studios; and memory care all studios. There will probably be no more than 200 residents, assuming 100% occupancy (189 units).

Mr. Quitel: What is the existing impervious coverage of the footprint of the site and what is being proposed? It looks considerably larger than what is there now.

Ms. Farrell: The impervious coverage will increase, looking for exact number. Will provide that number.

Mr. Quitel: The chart did not include "The Hill at Whitemarsh". Was there a reason why?

Mr. Wagner: They specifically did not include that because it is not equivalent, it is a CCRC. It is a different operating model.

Mr. Quitel: The applicant spoke about the opportunity to modernize zoning. How has the conservation character area specifically referenced in the Comprehensive Plan reflect your modern zoning view upon what our Comprehensive Plan has.

Ms. Farrell: there are a couple of aspects of it, but generally you will see it further in the process relative to the Subdivision & Land Development. For example, the re-establishment of the riparian buffers; the increase in the site buffers along the entire perimeters of the property; the opportunity for walking pathways and other passive environmentally sensitive recreational opportunities that could tie in. They would be happy to entertain language that would address that as part of the zoning text amendment.

Mr. Quitel; any study will show that access to outdoors is beneficial to health. Adjacent to wooded area, parks, stream.

Amee- can take a look at adding these types of things to the text amendment. They are more typical in SALDO, but can look at incorporating into text amendment.

Mr. Doran: would like to echo Mr. Quitel's questions and comments. This was adopted as a conservation character area focusing on facilitating residential development that retains open space. He has not seen

that addressed in their plan. Doesn't see why they can't take exactly what they are proposing and say that is what currently exists under CCRC.

Ms. Farrell: agrees the CCRC and the senior living community definitionally sound similar. If you go to the CCRC provisions, that is where you will see the separations. For example, in the CCRC requirements, the majority of the units have to be independent living rather than memory care and assisted living. This is the exact opposite. This is a model where the majority of the units are not independent living with the focus on alternative assisted living and memory care. That is where you will see the initial distinction and then as you go through the CCRC provisions they break it up in more detail. Mr. Wagner: a huge missing piece of theirs that makes the CCRC is the skilled nursing component; this will not have a skilled nursing component.

Mr. Doran: your facility as proposed will not have skilled nursing at all. Is skilled nursing defined somewhere to mean something specific in our zoning code.

Mr. Wagner: no, skilled nursing is within the assisted living component.

Ms. Farrell: skilled nursing is not defined in the zoning code but nursing home is. The difference between the two is the Pennsylvania regulations and the way they are licensed.

Mr. Wagner: assisted living is more of support services and health care as needed whereas skilled nursing is 24 hour care.

Public Comment

Mr. Kostyk briefly stated public comment is limited to 5 minutes per person, please don't repeat comments that were already made. Please provide your name and address and address all comments to the Planning Commission. At the end of public comment, the applicant will have an opportunity to address the concerns raised.

John McGlynn: 320 Powderhorn Road – there hasn't been much discussion as to what institutional use means. He read the definition from a source on the website, Insider.com, which defines institutional use as those intended to be used for promotion of a public, religious, educational, charitable/philanthropic activities, etc. and normally operating on a non-profit basis. What is being proposed is a great big parking complex for people over 62 years of age. When considering all of this, consider what institutional means, schools, churches, not for profit. Sabra is a significant entity with significant resources. There was discussion that there is a need for this type of use; there is but it doesn't need to be on this property. What is being proposed is contrary to the comprehensive plan. Why was senior living chosen rather than some other use? His guess is it's more profitable.

John Sabo: 3068 Cannon Hill Road – the reason he came here was because he was looking for a good family neighborhood. He doesn't think this proposal will achieve this. He moved here for the character, and this will change the character. Now we have a new traffic light at this intersection and at Stenton/Joshua. What's the real reason this was done, was it for traffic or for future development. How will this affect the population increase in my neighborhood and the Township. How many of your properties have expanded from when they were first built. Would love to know that information. What's more important, the 251 property or the residents of Whitemarsh.

Kathleen Mancini: 6010 Cannon Hill Road – the existing uses are community centers and day care centers, the proposed is a senior living community. Permitted uses would not need much parking compared to the proposed use. The proposed use adds 6 accessory parking structures. Proposed use does not propose a beneficial use to community. What happens to the residents when they do require critical care? The proposed use would increase impervious ground cover. It removes nearly all green space backing the State Park. This is on a lot that is on and adjacent to the steep slopes of Lorraine Run. The Developer will say they will size the stormwater system appropriately, but we had Ida which exceeded the 100-year storm. Setbacks should be greater than what is being proposed.

Fred Mancini: 6010 Cannon Hill Road - his issue of part of the zoning is the water issue. He knows that becomes the issue later, but that is kicking it down the road and that is what bothers him.

Joe Corcoran: 341 Militia Hill Road - he had the privilege of serving on the Planning Commission and the Board of Supervisors in the past. That tenure gives him a little bit of perspective. He never once entertained a text amendment sponsored by the applicant. Developers are bound by the regulations; they are trying to change this to be able to build what they want instead of building what can fit on the site. It is true that if the amendment doesn't go forward, that they can seek a variance. But that goes before the Zoning Hearing Board and they are required to listen to the Audience. If this thing goes forward, you are giving them the control, and taking it away from the Township.

Lori Henry: 6012 Cannon Hill Road - there are times we can't get into our neighborhood because of the flooding. To go to this level of impervious ground coverage it will make it worse for them.

John Link: 327 Powderhorn Road – he staunchly opposes the plan. A lot of things that were said tonight resonated with him. The character of the neighborhood is what brought him and his family here. What concerns him the most is the infrastructure impacts to the environment and traffic generation. The area has been greatly impacted by road issues. Saw estimates of traffic generation. No talk of deliveries, trash collection. Environmental issues. This is in the middle of a state park. The wildlife in the area is stressed. What is the impact to property values. This is an apartment complex hidden as a senior living community. The only way they can move forward is if you let them, and they have no right.

Rory Heenan: 6005 Cannon Hill Road – it was mentioned multiple times of the comprehensive plan. In the proposed text amendment it stated that project was consistent with the Township comprehensive plan. Upon review, he observed several features that conflicted with the plan. Example: Land use policy #1 action item 2: ensure existing codes are enforced. It is noted in the text amendment that the building is higher than 40 feet. Policy 3 viewsheds, preserve ridgelines. CDR - conservation district residential land, the intent of this character area is to facilitate residential development that retains open space and larger lot sizes to prevent parcels from being overdeveloped. These areas balance residential with open space preservation. Privately owned open space is encouraged to be preserved.

Deb Shreero: 6015 Cannon Hill Road – the proposal is for a general zoning change for a specific parcel. What is the bigger effect to Township with a general code change? Does proposal take into account stormwater and value of neighboring properties. Environmental issues: steep slope disturbance, stream and riparian buffer, tree removal proposed. It will take years before the benefits can be replaced. Additional impervious will add stormwater, pollutants to Lorraine run, which will affect climate changes. This is a significant stormwater impact site. Low area, collects Turnpike flow. Where will the additional stormwater go? Flooding in this area is already pronounced. May affect access to the site which is a safety issue. Would advocate removing riparian buffer area from impervious area calculations, naturalization remediation of the riparian buffer including ongoing maintenance, a full stormwater balance considering off site contribution with a requirement from a minimum holding time in stormwater basin (natural), no large tree removal native only, EV charging stations LEED platinum certification.

Sydelle Zove: Harts Ridge Road - she applauds Deb Shreero, agrees with all she said. Appreciates the team has paid some attention to the comprehensive plan update, in particular the Housing diversity. Believes it is disingenuous to cherry pick the comprehensive plan update. They should put more emphasis on the environmental policies. The garages that are proposed that are being built into hillside, what could be more environmentally dangerous and have a more negative impact to steep slopes. Totally echo the comments by John Link and Rory Heenan – thank you for those comments. Mr. Doran and Mr. Quitel are right on the money with their concerns. She would advocate that the development team rather than pursue a text amendment, in fact pursue a variance. Go to the Zoning Hearing Board with a plan that is responsible, that exceeds the minimum requirements, and see what the Zoning Hearing Board says about their zoning requests.

Seth Staples: 5281 Rogers Circle: his front door looks directly at the site. He shares many concerns mentioned before especially those related to the flooding risk and the nature of the Township. The scale of the project gives him pause. Wants to know if a traffic study was completed. Would any modifications be required to the intersection of Stenton Avenue and Militia Hill Road for the traffic coming out of this larger scale facility? Can other intersections in the area, particularly Butler Pk/Militia Hill Rd, absorb the increased traffic without disruption to the neighborhood. He heard the service area would be tucked away – can we get more detail; what are the sight lines. Everyone in the neighborhood would agree construction sites are loud places. This is already a neighborhood impacted by noise from other activities. What is the plan to address noise and traffic impact during construction? What would development timeline look like. Urge developer to take the community's comments into consideration.

Marielle Link: 327 Powderhorn Road – she is appreciative of what others have shared. She is opposed to text amendment and the building. She is not really sure the Leo Brown Group has taken into account for what is already available in the community that are currently understaffed and empty. If this does not succeed, what then becomes of this large facility. Is this just a way to get an apartment complex in the community. She has an intimate knowledge of what Sabra Healthcare has done in other facilities. It's not going to happen in our back yard. She urges the Township to look into the other Sabra facilities and how they are performing.

Lisa Casiello Obermeier: 425 Militia Hill Road – she agrees with the other resident comments. This is a glorified apartment complex that is way too large for the site. It does not take into account the steep slope and floodplain issues. Concerned about the precedent setting with text amendment in the community. They need to look at big picture for allowing something like this. If the Township does not have requirements for accessory structures, it's time to put those in place. The Conservation residential character would be completely ignored if this project is allowed.

Kate Shields: 6007 Cannon Hill Road – Thanked her fellow neighbors for reminding about endless road construction shutdowns. They have been consistently inconvenienced with the road widening projects, Valley Green Road bridge, etc. and the Creekside development quarry fill. We understand that these were improvements, but it has been brutal to live in the area. Flooding, truck travel to the quarry, deer collisions, and power problems; what would the impact from this development be on the already significant problems in the neighborhood. The project will exacerbate these problems.

Lou McCormick: 6008 Cannon Hill Road - agrees with the neighbors, against text amendment

Tom Gordan: 6006 Cannon Hill Road - agrees with the neighbors, against text amendment

Daniel Davis: 424 Militia Hill Road – he is concerned about the density of this project. This is very much like CCRC, so why do we need a text amendment when there is a place for this use. He doesn't believe this is a good location because there are no walkable places to go, there are better locations.

John Sabo: concerned about the population increase with folks from outside the area. They had a robber in our neighborhood last week. We have an excellent police force, but we will have to increase our force if we keep adding people to our community.

Mr. Kostyk summarized what he heard: number of units, impervious coverage, building access, trash, noise buffering, improvements to the intersection.

Applicant's Response to public comments:

Ms. Farrell: there is no entrance around the rear that would be for the independent living units, that was eliminated. Trash enclosure areas would be entirely screened from any direction as well as the loading area. They are hearing a lot about the Conservation Residential District and the environmental concerns, they are not trying to minimize those, they understand they are significant concerns for the Township. This property is subject to an institutional overlay and under that overlay there are currently a series of institutional uses that are already permitted in this district (Hospital etc.) we think this is a better option. All

of these issues can be addressed as we move this forward (Land Development process). All are currently addressed in the Township SALDO that's why they're not addressed in the text amendment, but there is an opportunity to add some of these things into the text amendment. The Township could add language to the text amendment to address some of these things. I think we've been a good neighbor in trying to work with the community. We want a plan where the community can buy in.

Planning Commission Discussion:

Mr. Dambman: he would like to see what is "age restricted", what age do you have to be to come to this facility; 2nd entrance for emergency vehicle access he assumes will be determined by our Fire Marshal; would like to see nothing closer than a limit of 125 feet from the nearest residential property line; accessory buildings right now are 50 feet from the State Park. He sees there is already an existing accessory building, what is preventing additional accessory uses from being put close to property line. The noise ordinance does limit hours during construction.

Mr. Quitel: his view overall is one of connection but in this case disconnect. The applicant coming to the Township requesting a legislative change, is a big ask. The text amendment doesn't connect with what was presented. If public meetings were held before, hadn't you heard these comments before. It doesn't seem consistent with the comprehensive plan. Any time a plan presented especially when it is a legislative change, you have to do a regional context analysis in terms of topography, state forest, let alone a tributary. He doesn't see the connection, why not just go the variance route instead of asking for a legislative change.

Mr. Shula: he agrees the biggest hurdle is CDR (Conservation District Residential). Redevelopment like this is not what we were looking for in the comp plan.

Motion:

Mr. Doran made a motion that the Planning Commission does not recommend passing the text amendment; seconded by Mr. Quitel. Vote 6-0-1 (Ms. Glantz Patchen abstained since she recused herself.)

7. OLD BUSINESS: None

8. NEW BUSINESS: None

9. PLANNING COMMISSION MEMBERS COMMENTS:

10. PUBLIC COMMENT FOR NON AGENDA ITEMS:

11. ADJOURNMENT

- On a motion made by Mr. Doran; seconded by Ms. Glantz Patchen, the meeting was adjourned at 10:18 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 Whitemarsh 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.

