

**MINUTES  
PLANNING COMMISSION  
ZOOM MEETING  
OCTOBER 27, 2020**

**Attendees/Participants:** Sherri Glantz Patchen, Patrick Doran, Bob Dambman, Aaron Kostyk, Elizabeth Shaw Fink, Scott Quitel, Charlie Guttenplan, AICP, Director of Planning and Zoning, Krista Heinrich (Township Engineer's office), Vince Manuele (BOS Liaison), and Dave Sander, Esq. (Township Solicitor's office)

**1. CALL TO ORDER:** 6:00 PM by Chair Dambman

**2. ANNOUNCEMENTS & CORRESPONDENCE**

**Announcements:**

- In accordance with PA Act 15, meeting via Zoom was advertised in the Times Herald on October 22, 2020.
- The Board of Supervisors Public Hearing for the Selective Comprehensive Plan Update will take place at their November 12, 2020 meeting.
- The next scheduled Planning Commission meeting will be held on Tuesday, November 10, 2020; we are anticipating cancelling the Tuesday, November 24, 2020 meeting in lieu of Thanksgiving.

**3. APPROVAL OF MINUTES**

- On a motion by Mr. Doran seconded by Ms. Shaw-Fink, the Planning Commission moved to approve the October 13, 2020 meeting minutes. Vote 6-0

**4. ZONING HEARING BOARD APPEALS:** None

**5. CONDITIONAL USE APPLICATIONS:**

- Review CU#03-20 Laurel Holdings Group, LLC, 633 Germantown Pike, Lafayette Hill, PA  
Conditional Uses for Apartment, Medical/Dental & Retail Use in VC-1 District

Attendees: Ed Hughes, Esquire, attorney for the applicants; Scott Mayer and Jon Mayer, owners of the property/building

Mr. Guttenplan briefly introduced the application stating this is a conditional use for three different conditional uses all of which are permitted in the VC-1 District. The building was constructed anticipating that both floors would be leased to office users. However, given the current market, tenants have not been found. The applicant is therefore requesting approval to convert the second floor into four apartments of varying sizes and for the first floor to be devoted approximately half to a medical/dental office and half to retail use. Each floor of the building is approximately 3200 square feet.

Mr. Hughes stated they have all the approvals necessary for the building, now they need to talk about what the building will be used for. Mr. Scott Mayer stated originally when they started the project it was pre Covid and they were very optimistic they would have a single user in the building. He had many discussions with potential users but Covid crushed them. They feel that having the flexibility to put apartments on the second floor and lease the first floor in halves would be the right mix for a successful project. There is no plan to change the outside of the building or the parking. All appearances from the outside of the building will stay the same. Parking is more than sufficient for the requested uses. Mr. Mayer mentioned he has had as much demand from residential use apartments as he had for office use.

## Planning Commission Comments

Mr. Dambman asked if there is a basement; in response there is a crawl space and the elevator goes to the crawl space. He also asked if the retail use will be on the right or left side of the building; in response probably the left, closest to the shopping center. Ms. Shaw-Fink asked how the apartments be divided up square footage; in response unit #1 will be 818 sq.ft, unit #2 - 851 sq.ft, unit #3 - 463 sq.ft and unit #4 - 561 sq.ft. (dimensions on floor plan).

## Motion

Mr. Kostyk moved to recommend to the BOS approval for the modified uses for the referenced property for retail, medical/dental and residential on the second floor; seconded by Mr. Doran. Vote 6-0

## 6. SUBDIVISION &/OR LAND DEVELOPMENT APPLICATIONS:

- Review (continued) SLD #05-14; 901 Washington Partners, LP/901 Washington Street Revised Preliminary Plan; 62 Townhomes

Attendees: Sarah Peck, developer/partner from Progressive New Homes and her associate Justin Moodie, Jim Vesey, one of the owners of the property at 901 Washington Street Partners; his partner Gary Toll; Jim Bannon, Civil Engineer from Nave Newell; and Alyson Fritzges, attorney for the applicant

Ms. Peck stated they have redesigned the plan rather extensively to address concerns raised by the Planning Commission throughout the course of their meetings and they are down to a final grouping of waivers and in addition looking for an approval this evening. Her plan is to discuss the remaining waivers and for the Commission to be able to vote on them in batches (Technical Engineering Waivers, Shade Tree Commission Waivers & Planning Related Waivers).

Technical Engineering Waivers: Mr. Sander stated the Technical Engineering Waivers are all technical with regards to what is required to be shown on the plan. The Planning Commission has had time to review them prior to the meeting and did not have any specific questions or issues with those waivers; they are all supported by the Engineer and the Planner.

Shade Tree Commission Waivers: Mr. Sander stated a revised landscape plan was submitted around October 19, 2020 and the five waivers listed under this section were all recommended by the Shade Tree Commission. The Planning Commission did not have any specific questions or issues with those waivers.

Planning Related Waivers: Mr. Sander suggested looking at the three remaining waivers separately and commenting on each.

The first waiver has to do with perpendicular parking not being permitted along public or private streets; this was considered previously but no recommendation was made. Ms. Peck explained the extent of this waiver. It relates primarily to all of the parking on Driveway 'A'; the Planning Commission wanted to see public parking for the trail provided at the lower section of Driveway 'A' and it also provides additional parking in various places throughout the development. Ms. Patchen commented that if these spots were not included would they still have enough spots; in response, yes, but they thought it would be more convenient for deliveries, guests and occasional visitors.

The next waiver has to do with 50' buffer yard requirements between land developments; the Planning Commission originally denied this waiver request, but it was revised to create a 50' buffer with continuous landscaping on the east side at David's Bridal property. Mr. Sander stated he is not sure if there is full agreement that what was provided on either side is actually 50'. Ms. Peck

explained there is 77' shown of buffer between the property line and the face of the buildings on the west side and there is 50' minimum on the east side; they have provided 50' and provided the nature of the screening that is prescribed in the ordinance. It all boils down to the interpretation or language in the ordinance on whether vehicles are allowed within the buffer and they felt they met the letter and spirit of the ordinance in terms of what the buffer is there for. Mr. Guttenplan's opinion is that based on how it's been interpreted in the past and waivers that have been granted in the past, this should be considered for a waiver by the Planning Commission, and he has no issues with it. Ms. Heinrich agrees with Mr. Guttenplan; it is a waiver they typically see, the Boat Club has 20' buffers. Mr. Dambman is ok with it, there needs to be a road for fire department access. Is there any consideration for a berm on the Boat Club side to deflect to water to the river; in response Ms. Peck stated they would do everything in conjunction with FEMA's approval and would abide on what FEMA requires; they are showing a berm. Mr. Quitel stated with a site like this, the more areas of vegetation the better, it is still a densely packed site with buildings; are we as much vegetated width as we reasonably can. In response, Ms. Heinrich stated from an engineering perspective, she has no issues; from a planning perspective, Mr. Guttenplan stated that from looking at this plan you're not seeing a lot of vegetation because a lot already exists (and isn't shown here) and given the goals of the property and all the Planning Commission has asked for and the changes made, he thinks these buffers are adequate. Mr. Kostyk asked in regards to the Boat Club was the waiver for the buffer granted as part of the Land Development that they didn't follow through on or is that an existing waiver that they have for the property; in response they didn't ever do the land development due to financing. Mr. Manuel asked how wide is the landscaped portion of the buffer on both sides of the property; in response it is about 14' worth of trees on the west side and about the same maybe a little larger on the east side. Down by the open space they are trying to keep it open and greener for the residents to use. Mr. Quitel believes it should be 50' wide of vegetation; buffers with drive-through capability don't strike him as a true buffer. Mr. Sander stated a buffer is provided as a visual and noise screen and a separation between two land developments

The last waiver is for public perpendicular riverfront access points no more than 500' apart; this is a new waiver request required by the Township Engineer review letter from 9/16/2020. The applicant is asking to have one access to the riverfront (on the west side of the property) since they are not able to provide perpendicular access of 500' apart; also the material used is not the red shale macadam per the code, also requiring a waiver.

Motion:

Mr. Doran made a motion to approve the proposed waivers and set aside the issue of the 50' buffer for separate action tonight, immediately after this motion should it pass; seconded by Mr. Kostyk. Vote (taken after all comments): 6-0

Public Comment:

Steve Kaufman, Harts Ridge Road, wanted clarification that the fee in lieu issue was not part of this motion (that is correct)

Sydelle Zove, Harts Ridge Road, had a question about the perpendicular access from Washington Street to the riverfront; what is the length of the property along the riverfront (600+ ft.); so if that is correct then the code would require 2 access points (Ms. Heinrich stated not necessarily if they put one right in the middle of the site they would not have any distance greater than 500 ft.); but given the existing location, the code would require a second perpendicular access (that is the waiver they are requesting).

Linda Doll, Fairway Road, wanted to thank Mr. Quitel for continuing to mention using mature plants. She wants to stop hearing "they did it before, so we should do it again"; they are some questionable things here and it doesn't necessarily mean they have to approve it. It is very frustrating to the public to keep hearing that.

Motion:

Mr. Doran made a motion to approve the waiver request for the 50 ft. buffer yard requirement as proposed; seconded by Mr. Kostyk. Vote (taken after all comments) 3-3 (Motion Fails)

Public Comment:

Steve Kaufman, Harts Ridge Road, feels the development is too dense particularly if the 50 ft. buffer is not enforced; and the real problem with this development is it that is still crowds the riverfront too much and he would suggest the Planning Commission send this back to the drawing board and do that by recommending to the Supervisors that there be a dedication of land or an easement imposed and the rejection of the buffer request.

Sydelle Zove, Harts Ridge Road, stated it is her understanding the reason applicants are requesting waivers of the buffer width is so they can do something other than landscaping with that 50 ft. requirement; so what we have is an applicant asking for a reduction in the width of the buffer from 50 ft. to 14 ft. which she thinks is extraordinarily low. She agrees with Mr. Quitel's comments that 14 ft. is inadequate and as regards the required roadway that the applicant committed to providing access for emergency services to get to the river, this could be moved. The 50 ft. buffer could be all landscape if the roadway were to move to the east which would require a less dense development, and that would be better all around.

Planning Commission Comment

Mr. Quitel stated that in light of the document that everyone got excited about with the new outlook with the Comprehensive Plan, the willingness to go from 50 ft. to 14 ft. just shocks him that they would rush to approve that waiver. Mr. Doran doesn't feel it is inconsistent; he doesn't think the language of the ordinance or the definition of buffer is where we can hang our hats. The ordinance doesn't require 50 straight feet of vegetated area. Ms. Peck added that they have another 20 ft. or so of landscaped front yards for those homes that can be added to the 14 ft. so it is really about 33 ft. in total it is just broken up by a drive aisle.

Ms. Fritzges stated they don't agree that they need the waiver, they are doing it because the Township asked them to. Number one, it strictly speaks to visual impact, number two there is no definition of buffer that says you can't put a drive aisle through that vegetation; there are plantings straight up and down both the east and the west and they really did work to meet the intent of the ordinance of that section. Mr. Vesey also stated the road gives you access to the emergency boat ramp which was asked for by the Township and the road also gives the public access to the trail which everybody is pretty happy about.

Motion

Mr. Doran made a motion to recommend approval of the overall plan with the exception of the 50ft. buffer which has not been approved; seconded by Ms. Shaw-Fink. Vote (taken after all comments): 5-1

- Review SLD#07-18 Whitemarsh Hotel Associates, LP/432 Pennsylvania Avenue  
Minor Land Development Plan; Starbucks Drive-thru Restaurant

Attendees: Ameer Farrell, Esquire, attorney for the applicant; Charlie Houder, Developer/Applicant; and Michael Bowker, Applicant's Engineer.

Mr. Guttenplan briefly introduced the application. This is a Minor Land Development Plan for the addition of a Starbucks Drive-thru Restaurant. The Planning Commission last saw this as a Zoning Hearing Board application on May 26, 2020; approval for the relief necessary was granted. The

Planning Commission previously reviewed and approved larger restaurants for the site but not this particular one other than making recommendations in favor of the variances for the Zoning Hearing Board which they followed through on and now they are here to get minor land development approval.

Ms. Farrell gave a brief history of the property stating the Planning Commission has seen various iterations of this land development previously. The applicant is proposing a freestanding 2600-square foot drive-thru restaurant (Starbucks) with outdoor seating adjacent to the Holiday Inn on Pennsylvania Avenue. They are in now for a minor land development, this is minor in the sense that this plan on a much larger scale with a much more dense development was originally approved back in 2014 and all of the stormwater improvements, the traffic improvements, the vast majority of landscaping and buffering improvements, were all done as part of that 2014 approval when the hotel was renovated. This is almost an amendment to that approval to reflect the elimination of the 8,000 square foot restaurant in favor of the 2,600 square foot Starbucks. They have review letters from Township staff; there's a list of waivers and general comments, they are 'will comply' as to the vast majority of those comments with a couple that they would like feedback on from the Planning Commission.

Mr. Guttenplan wanted to add that the one major difference to recall between the 8,000 and the 6,000+ square foot restaurant is those did not have drive-thru's, however, drive-thru's are not restricted in this district so that was nothing they had to get approval for from the Zoning Hearing Board. The Special Exception they received was to have the restaurant in that district and they had to get a variance for outdoor dining.

The requested waivers are consistent with relief previously granted in association with earlier restaurant pad applications.

Planning Commission Comments:

Mr. Dambman asked if the applicant had any comments regarding the MCPC review letter pg. 2 - comment on the integration with the hotel complex statement; the site needs greater integration with the existing hotel complex, the appearance is as though each is independent of each other when in fact they should be knitted together as a unit. In response to that, they added a crosswalk adjacent to the hotel porte-cochere and signage was added near the drive-thru for pedestrian crossing.

Motions:

Ms. Patchen moved to recommend approval of the requested waivers; seconded by Mr. Kostyk. Vote 6-0

Ms. Farrell wanted to bring to the attention of the Planning Commission that an additional waiver may be needed for Section 105-40(A) – required off street loading facilities. The ordinance requires 50' of length, the plan shows 40' of length which they feel is sufficient for the size of the delivery trucks. They can meet the required 50' in length if they cut into the landscape area but would like to leave as is.

Mr. Quitel moved to recommend approval of an additional waiver to allow a 40' off street loading zone where a 50' one is required; seconded by Ms. Patchen. Vote 6-0

Ms. Patchen moved to recommend approval of the preliminary/final minor Land Development plan; seconded by Ms. Shaw-Fink. Vote 6-0

- Review SLD#04-20 Academy in Manayunk (AIM)/1200 River Road  
Land Development Waiver; Bike Repair Shop

Attendees: Jim Bannon, Civil Engineer from Nave Newell; Pat Roberts, Executive Director/Co-founder of AIM; Jennifer Crawford and Darrin Jellison, Architects from Blackney Hayes Architects; and Mindi Maslin and Sid Ozer, Samuel Ozer's parents

Ms. Roberts introduced the concept of what they are proposing. The shop will be known as 'Sam's Place' and it is proposed as a memorial to a recent 2020 graduate who was a bicycle enthusiast who died in an unfortunate bike accident last Father's Day. Sam's Place will be a hub where students, especially those with learning differences, will develop a passion for cycling and equip themselves with the attitudes and skills needed to go forth into the world.

Mr. Bannon briefly gave the general concept of what they are proposing. The work area will be in the southern corner; the building (640 square feet; shipping container construction) will take the place of several parking spaces and with a few spaces removed for a flower bed; the site's total impervious coverage will be very slightly reduced. Parking will remain compliant; there is an agreement with SEPTA that 20 of the parking spaces that AIM current leases to them, will be returned to AIM.

Planning Commission Comments:

Mr. Dambman and several members commented this is a very admirable project to honor Sam and hopes this brings healing to Sam's parents. Mr. Dambman wanted to know if there is a risk for flooding in those parking spots; in response, they are outside the 100 year floodplain. Mr. Doran believes that area is at a higher elevation; Mr. Bannon confirmed. Ms. Patchen wanted to know in the long term, Septa isn't going to need those 20 spaces; in response, AIM discussed with Septa and they are happy to get a reprieve on those 20 spaces, since they are not being used. These spaces are the furthest from the train station, they are the least desirable.

Motion:

Ms. Patchen moved to recommend to the Board of Supervisors to waive Land Development; seconded by Mr. Quitel. Vote 6-0

**7. OLD BUSINESS:** None

**8. NEW BUSINESS:** None

**9. PLANNING COMMISSION MEMBERS COMMENTS:** None

**10. PUBLIC COMMENT FOR NON AGENDA ITEMS:** None

**11. ADJOURNMENT**

- On a motion by Mr. Doran seconded by Ms. Patchen, the meeting was adjourned at 8:28 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 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.