

**MINUTES**  
**PLANNING COMMISSION MEETING JANUARY 26, 2016**

Attendees: Peter Cornog, James Hoban, Dave Shula, Sherri Patchen, Scott Quitel, Terry Lefco, Charles L. Guttenplan, AICP, Director of Planning & Zoning, Amy Grossman (BOS Liaison), Jim Sullivan, T&M Associates, Township Engineer

1. Call to order: 7:00 PM by Chair Patchen

2. Announcements & Correspondence

- Two separate pieces of correspondence were handed out tonight. The first was a County review letter received today for SLD#13-15 Eduardo Gonzalez and the second was an excerpt from the Zoning Ordinance §116-136 through §116-143 that is pertinent to ZHB#2015-35 Bryon Anstine.

3. Approval of Minutes:

- Mr. Shula moved to approve the meeting minutes from January 12, 2106, seconded by Mr. Cornog. Vote 5-0 (Mr. Quitel was not present for the vote.)

4. Zoning Hearing Board Appeals:

- ZHB#2015-35 Byron Anstine; 101 Barren Hill Road, Conshohocken, PA; Special Exception/Use Variance to allow the property to be used for interior self storage. Mr. Guttenplan briefly explained the Applicant would like to use the existing vacant warehouse at this location for interior self storage. This use is not specifically permitted in the LIM Limited Industrial District. He is therefore requesting a Special Exception under Section 116-144.A.(21); this section allows an industrial use in the LIM District by special exception if the use is not specifically excluded and if it meets certain specified requirements in the District. Alternatively, the Applicant is requesting a Use Variance on the basis that the proposed use is similar to certain uses permitted in the District and less intensive than many by-right uses. The Applicant is also requesting a Special Exception under Section 116-184.D.(8) to permit less parking spaces than the number that would be required. A Public Hearing is scheduled at the Zoning Hearing Board's meeting on February 10, 2016. Byron Anstine, the applicant, was present and continued to explain that the property, which contains a 1,300 sq.ft. vacant warehouse, is currently under contract. Mr. Anstine would like to take the existing vacant building and repurpose it into interior self storage. A series of existing and proposed photographs were displayed. Planning Commission Members' questions resulted in the following additional information: Access to the units will be from the interior only; there will be 100-105 units at 100 sq.ft. per unit average; Arthur Works (cabinet maker) was the previous business that occupied the building; storage of hazardous materials will be excluded as will any outside storage of cars and boats; no asbestos issues for renovation anticipated; the office will not generally be manned but there will be a part time manager; there are no parking requirements for this use but under the code they are required to have 14 spaces (for warehouse) which Mr. Anstine would like reduced to 11 spaces; traffic access issues will be discussed with PennDot due to the change in use of property and for the driveway that exits on Barren Hill Road (state road); signage for the property will be handled with building and zoning permits and will require review by the Planning Commission; and the fence and gate (currently not motorized) that are currently on the property will remain to give it a more secure feeling. No public comment. Mr. Shula moved to recommend granting the special exception or in the alternative variances as they see fit for both use and reduced parking; seconded by Mr. Lefco. Vote 6-0

## 5. Subdivision & Land Development Applications:

- SLD#13-15 Eduardo Gonzalez; 5020 Butler Pike; Lot Line Change Plan. Mr. Guttenplan briefly explained the Applicant proposes a simple lot line change to allow an existing driveway to be placed on the property it serves. Both lots currently contain non-conforming lot widths. In order to be able to proceed with the lot line change, the Applicant received the necessary variances for the nonconforming lot widths from the Zoning Hearing Board on October 7, 2015. Ed Hughes, Esquire, the applicant's representative, was present and stated they are here to finalize the subdivision to create the lot line change. The applicant is in receipt of the Engineer's Review letter and waivers are being requested for the physical improvements and the comments pertaining to the plan revisions are all "will comply". Mr. Hughes also stated the 15' wide area is also a stormwater easement for Paone's (Cold Point Farm) project. The Montgomery County review letter recommends that the sewer easement be transferred to the property of 5020 Butler Pike. Mr. Hughes will work with the Township Solicitor on this. Planning Commission Members questions resulted in the following information: The reason for the lot line change is so that the entire driveway will be on the applicant's property which will also give him a larger conforming side yard; and Mr. Sullivan stated that he has no objections to waivers for the physical improvements but would like to see the minor plan changes made. Mr. Hoban moved to recommend approving the lot line change plan and granting the requested waivers with the understanding the soil types and the easement information be remedied with the County and Township Solicitor as they see fit; seconded by Mr. Shula; Vote 6-0
- SLD#11-15 Corson Estate; 4006 Butler Pike; 48 new townhouses (Sketch Plan). Mr. Guttenplan explained this is a sketch plan so it is only here at this point just for comments. Julie Von Spreckelsen, Esquire with Eastburn and Gray, P.C., representing K. Hovnanian Homes, who is the equitable owner of 4006 Butler Pike, was present. Ms. Von Spreckelsen gave a very brief overview stating this lot is 9.3 acres, with the majority of the property vacant, located in the VC-2 Village Commercial Sub-District 2. The property will be divided into two lots. The first lot will be about 1 acre which will be subdivided off from the larger tract and conveyed separately to include Abolition Hall and another historic building and 8.5 acres will be used for 48 townhouses. All townhouses will be 3-bedroom and contain 2,270 square feet, each with a 2-car garage and two spaces in the driveway; there are 48 additional spaces for anyone to use. The loop road will be a private road and be maintained by a Homeowners Association and they will also maintain the 1.5 acres of open space and the stormwater facilities. There will be an emergency access only down to Marple Lane, this will not be a regular access (it was noted that the Fire Marshal has requested that this be widened from 15 to 20 feet). As part of the proposal, the Applicant is showing a proposed right-of-way for the realignment of Butler Pike. If this realignment is implemented, it would eliminate the awkward, jogged intersection with Germantown Pike and allow a standard four-way intersection to be created. This proposal will require Conditional Use, HARB, Shade Tree and Subdivision & Land Development approvals. They received a number of review letters with comments that need to be addressed but will do that as they move forward. Anthony Marris, Area President for K. Hovnanian, explained the factors that go into the layout and overall density of a plan and this project is well under the allowable density (5.5 proposed vs. 8 per acre permitted). Mr. Marris also spoke about the realignment of Butler Pike explaining it was the applicant's intent to offer this area for dedication but not to construct the road. Planning Commission Members Topics of Discussion: Geotechnical and stormwater studies; changes in the aesthetics; consideration to increasing the vegetated open space; realignment of Butler Pike; Abolition Hall and the other historic buildings on the property including the change to the 'setting'; orientation of the townhouses, specifically those closest to Butler Pike; 'business plan' and how applicant arrived at 48 units; and the emergency access. Public Comment was received from the following individuals: Jerry Ey (10 & 12 Marple Lane); Anita Thallmayer (16 Marple Lane); Linda Dahl (4017 Fairway Road); David Miller (address not provided); Sydelle Zove (64 Harts Ridge Road); Steven Steinruck (18 Marple Lane); Mark Jenkinson (20 Marple Lane); Anthony Mazzochetti (21 Marple Lane). Issues raised: Marple Lane is a private road and they do not want to see it used as a shortcut; adequacy of

parking requirements/parking provided; flooding issues and stormwater management are major concerns; handling of the emergency access and road improvements, including how the emergency access would be controlled and constructed; traffic issues on Butler Pike; keeping the historic aesthetics and setting/keeping the historic buildings together given their historic relationships; buildings being on the National Registry; the realignment of Butler Pike; and a preference for keeping the property open space. All comments were noted; Mr. Marris addressed a number of the concerns; it was noted that a number of changes suggested were difficult due to the tract's unusual geometry, the topography of the site and soil conditions, and need to reserve certain areas for necessary stormwater management. It was also pointed out that some of these issues would be addressed more fully at the land development stage. Luke Teller from Langan Engineering also responded to some of the technical issues. Question was raised as to any Township attempts to purchase this property for open space; Ms. Grossman and Mr. Guttenplan explained recent amendment to Open Space Plan, followed by property appraisal and offer to purchase which was not accepted; by law, Township restricted to offer no more than "fair market value" based on appraisal.

6. Conditional Use Applications: None

7. Old Business: None

8. New Business: None

9. Public Comment: None

10. Adjournment:

- There being no further business, meeting was adjourned at 9:26 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.