

**MINUTES**  
**PLANNING COMMISSION MEETING APRIL 23, 2019**

Attendees: Sherri Glantz Patchen, Vince Manuele, Peter Cornog, Bob Dambman, Scott Quitel, Charles L. Guttenplan, AICP, Director of Planning & Zoning, Krista Heinrich, Township Engineer, T&M Associates

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

**Announcements:**

- At the end of the regular business, Mr. Guttenplan announced that the Comprehensive Plan Update is on the Township's website for review. It is requested that any questions or comments be e-mailed to him.
- Also at this time, Mr. Cornog announced the County's Ridge Pike Public Meeting on Tuesday, April 30, 2019 from 6-9 PM at Barren Hill Fire Company to discuss Section 'C' (Harmon Rd. in Plymouth to Crescent Avenue in Whitemarsh).

**Correspondence:**

- Letter dated April 22, 2019, to the County Planning Commission from the Township Manager endorsing the nomination for the land development award for the Audi Dealership (being compiled by Bohler Engineering).

3. Approval of Minutes:

- Mr. Dambman moved to approve the minutes from the April 9, 2019 meeting; seconded by Mr. Cornog. Vote 4-0 (Ms. Patchen abstained, was not present at that meeting)

4. Zoning Hearing Board Appeals: None

5. Subdivision & Land Development Applications:

- SLD#03-19 Sunnybrook Golf Club, 398 Stenton Avenue, Plymouth Meeting, PA; Minor Subdivision; Lot Line Adjustment. Jamie Jun, Esquire, was present on behalf of the applicant along with William Garbacz, General Manager of Sunnybrook Golf Club and Jared Lowman, Engineer, Nave Newell. Ms. Jun gave a brief overview of the project. The applicant is proposing a slight lot line change with the adjacent lot at 352 Stenton Avenue to accommodate some improvements the landowner constructed on the Club's land. The applicant is also proposing to create 2 flag lots off Stenton Avenue to create value to the golf club. The applicant was in front of the Zoning Hearing Board on April 10, 2019 where they received Zoning Hearing Board approval to create the two flag lots. The applicant received the Zoning Compliance review letter as well as the Township Engineer's review letter. Revised plans were submitted addressing all of the comments. Mr. Lowman reviewed the waiver requests; on the submitted waiver request letter, there is one waiver that is being withdrawn (#5 on the letter) because the revised plan now shows the floodplain and the floodplain soils. Questions and comments from the Planning Commission consisted of the location of the access to the two new rear lots (off Stenton Ave. adjacent to the existing golf club entrance); Zoning for the proposed two new lots (AA-Residential with Recreational Overlay; the Overlay would not have any bearing if developed as residences); what are the current conditions of the lots (wide open green space with trees and tall fescue); and subsequent sale of houses could be to anyone (the club is not looking to put in any restrictions though the condition imposed by the Zoning Hearing Board as to priority for sale to members first, offering the lots for conservation easements, or lastly, open public sale, was discussed); are there plans for any additional future development (no other plans). Public comment: Linda Doll, Fairway Road; and Eli Glick, 7 Whitefield Drive both spoke. Their comments and concerns consisted of wanting the applicant to be more specific on who can buy the proposed properties; finds it a conflict of interest that Mr. Garbacz was a member of the Comprehensive Plan Steering Committee and that Sunnybrook Golf Club is part of that plan; and that the area of Lots 3 and 4 used to be totally woodland until about 2 years ago when they were cleared and planted with fescue. Ms. Jun stated that the disposition of the lots was talked about during the

Zoning Hearing Board meeting and that was one of the items or requirements that need to be met in order to get the variances. The applicants' thought was the Comprehensive Plan talks about doing development that is consistent with the area and also preserving open space and in their opinion this does both. Mr. Manuele pointed out that this was already ruled on by the Zoning Hearing Board and that it is an issue that cannot be revisited at this point. Ms. Patchen made a motion to recommend approval of the preliminary/final lot line adjustment and waivers subject to noting that waiver #5 is withdrawn and waiver #12 is one that the Planning Commission does not take a position on (waiver of park/rec land dedication or fee in lieu of); seconded by Mr. Dambman. Vote 3-2

6. Conditional Use Applications:

- CU#01-19 David Wijaya, 551 Germantown Pike, Lafayette Hill, PA; Tobacco Retail Business. David and Angela Wijaya were present. Mr. Guttenplan briefly stated the applicants are proposing a tobacco shop (retail use) in the 'Shopper's World' shopping center in the former delicatessen space. A 'retail' use is a listed conditional use in §116-290.C.(1) in the VC-1 District. The required public hearing for this application will be scheduled at the Board of Supervisors meeting on May 9, 2019. Ms. Wijaya explained the floor plan and the tobacco products and accessories that will be sold (Cigars, Cigarettes, Vapes, Electronic Cigar & Cigarettes, Hookah, etc.). The applicants are also planning to apply to sell lottery tickets. Hours of operation will be Monday through Saturday 9:00 am to 7:00 pm; there will be security cameras on site; and I.D.'s will be scanned for age determination (must be at least 18). Questions and comments from the Planning Commission consisted of the option of selling the products in-store and on-line (focusing on retail first); requested description of store based on floor plan (explained where sales would be made from, where display counters, etc. would be located); will smoking be allowed in the store (not proposing a smoking area and it's a state law not permitting); where are the nearest similar stores (Plymouth Meeting near the Outback, also one in East Norriton and King of Prussia mall); what are the demographics (age characteristics) of their customer base (generally young adults and some older adults); other experience in this type of store (first one; David has been a distributor for 6 years for one of the companies whose products they will sell); how much of the business will be dedicated to tobacco (40% Vapes, 60% Tobacco Products); is what they are offering not available at Wawa (will carry more varieties of brands and accessories from different manufacturers); and you can't segregate these uses to other areas and keep Whitemarsh "dry". Public comment: Lauren Gordon, 4102 Fields Drive; Linda Doll, Fairway Road; Maureen O'Connell, Kerper Road; Heidi Meiers, 3017 Crescent Avenue; Jennifer Olsen, 4119 Fields Drive; and Kristyn Sirhal, 3051 Kerper Road all spoke. Their comments and concerns consisted of explaining what vaping really is; it is a rising epidemic with teens; do we want our teenagers having easier access to one of the most harmful things in the teenage community; residents support small businesses but this is a family Township; was traffic and the type of traffic considered; would like the School District involved since vaping is a big problem in the schools; statistics on tobacco and vaping use by teens was read; the store doesn't fit into the community; and if marijuana would become legal in Pennsylvania would they sell it and in response yes if it becomes legal. Mr. Manuele stated he has a negative visceral reaction to this but that the Planning Commission has no authority to outlaw the use but cited Section 116-37.F.(2) of the Zoning Ordinance which basically says the use must be compatible with the character of the neighborhood; this is one of the criteria that must be proven to the Board of Supervisors' satisfaction for any conditional use. Mr. Quitel moved to recommend that the Board of Supervisors not approve (reject) the Conditional Use; seconded by Ms. Patchen. Vote 4-1

7. Old Business:

- None

8. New Business:

- Mr. Cornog would like the Planning Commission to consider reworking the Conditional Use criteria in the Village Commercial Ordinance. Specifically, tonight illustrated how the language needs to be more specific. Also mentioned that future of golf courses was an issue in the last comp plan; Mr. Guttenplan mentioned that this issue is dealt with in the draft update and suggested a review of those recommendations.

9. Public Comment:

- Eli Glick feels the conflict of interest is that the members on the Steering Committee are now coming in front of the Township asking for something. The Comprehensive Plan announcement on the website is at the bottom of the page. There is no information on the process, what the schedule is and which boards are involved. Mr. Guttenplan stated it will not go in front of the Planning Commission until all the reviews are in and then it will be discussed how to proceed. At the end of the process by law, there will be an advertised public meeting when the Planning Commission is ready to pass on a recommendation to the Board of Supervisors. There has to be at least one public hearing by the Board for it to be considered for adoption.
- Linda Doll mentioned that Valley Green Golf Course serves a huge purpose for her as it helps with the stormwater. Doesn't feel every golf course is created equal, that some are there for stormwater help and to keep that in mind while doing the comprehensive plan.
- Maureen O'Connell asked that if the code is going to be refined, to perhaps consider (minimum) distances between businesses and homes.

10. Adjournment:

- There being no further business, meeting was adjourned at 8:58 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.

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