

**MINUTES
PLANNING COMMISSION
ZOOM MEETING
AUGUST 25, 2020**

Attendees/Participants: Dave Shula, Sherri Glantz Patchen, Patrick Doran, Bob Dambman, Peter Cornog, 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: 6:04 PM by Chair Dambman

2. ANNOUNCEMENTS & CORRESPONDENCE

Announcements:

- Act 15 requires advertising Zoom meetings 5 days in advance. This meeting was published in the Times Herald on August 20, 2020.
- The September 8, 2020 meeting is cancelled. The next scheduled meeting will be September 22, 2020.
- Chair Dambman stated the 5 minute maximum for each individual to offer public comment will be enforced.

3. APPROVAL OF MINUTES

- On a motion by Mr. Shula seconded by Ms. Patchen, the Planning Commission moved to approve the August 11, 2020 meeting minutes as amended. Vote 5-0-1 (Mr. Cornog abstained, not present at that meeting)

4. ZONING HEARING BOARD APPEALS: None

5. CONDITIONAL USE APPLICATIONS:

- Review CU#02-20 Dhaval Shah, 505 ½ Germantown Pike, Lafayette Hill, PA
Dental Office Use in VC-1 District

Attendees: Ed Hughes, Esquire, the applicant's representative and Dhaval Shah, the applicant.

This site is within the VC-1, Village Commercial Sub-district 1. A dental office is a conditional use allowed pursuant to Section 116-290.C.(3) of the Zoning Ordinance. All Conditional Uses in the Village Commercial District have to comply with Section 116-292 and all Conditional Uses throughout the Township have to comply with Section 116-37 and specifically with Section 116-37.F. which details the determinations that the BOS is required to make in order to be able to approve a Conditional Use. Mr. Hughes explained that the dental office is specifically authorized as a conditional use; it is compatible with the neighborhood; there is no harmful impact on pedestrian or vehicular traffic due to bulk size, peak use, location and design; it is consistent with the Comprehensive Plan; and there are no objectionable noises associated with the use. Shared driveway and parking are shown as set forth in the community association declaration for the previously approved 'Knolls' subdivision/land development plan; buffers and landscaping were approved in the subdivision/land development last year; the landscape package was addressed during that approval.

Planning Commission Comments: How many dentists will be practicing in the office at any given time (1 dentist and 1 hygienist; they are not planning for any additional dentists at this time); what are the hours of operation (9AM to 5PM Monday through Friday); there is adequate parking per the

Township code (parking is calculated on gross square footage of both floors; as long as there is no change to the size of the building, the parking requirements remain the same; the code requires 18 spaces, 23 are provided); there are 2 stories being devoted to this use, will patients be treated on the second floor or is that dedicated for storage or office use (the second floor will be used as office space only); how will patients enter the office (patients will be directed by signage to enter the office through the rear entrance only; a separate permit application will be submitted for signage later on); what is the status of the new construction on the adjacent homes (they are under construction); are any of the construction vehicles related to the construction of the new development coming in and out of the driveway that would be used for access for patients (yes, the same entrance will be used); what is the projected date for the start of the practice (hoping for February 1, 2021; by that time most of the work on the new construction should be done, they are trying to close on the singles in December); will all homeowners use the same access road that will be used for the dental office (yes, there is an enter only next to the dental office and a two way entrance/exit on Germantown Pike further east for the townhomes; there is a separate access on Westaway Drive for the single houses).

Public Comment: Steve Kaufman, Harts Ridge Road, asked if the improvements here have any effect on the bad stormwater situation down the hill where this property is located (they are not constructing any site improvements as associated with this dental use; there is no increase in impervious surfaces, it is an existing building the only renovations will be interior; parking is existing and all addressed at the time of the overall subdivision/land development approval).

Motion: Ms. Patchen made a motion to recommend approval of the conditional use for a dental office; seconded by Mr. Cornog. Vote 7-0

6. SUBDIVISION &/OR LAND DEVELOPMENT APPLICATIONS: None

7. OLD BUSINESS:

- Comprehensive Plan Selective Update
Discussion of Reviews; Next Steps

New reviews received from the State Office of Historic Preservation (previous comments all addressed), from Plymouth Township (wishing us success in the adoption of the Plan), and Montgomery County Planning Commission (MCPC) with some recommendations including references back to their prior 2019 review (and attached said review to new one). Also provided Township Open Space Committee e-mail comments from June 2020, with their comments having been addressed. After considerable discussion, final direction provided by the Commission:

- adding the two specific recommendations from the MCPC's July 9, 2020 letter (in 'Implementation Strategy', A. Policy #1, Land Use and Zoning-Land Use, adding "...and discourage the extension of public utilities into areas identified as conservation areas"; and in the 'Action Plan', B. Sustainable Design and Environmental Stewardship, Action #1.3.5., adding a reference to the County's natural heritage inventory conducted by the Morris Arboretum in 2008 and providing the applicable website reference);
- make modifications to the Riverfront character area to be more specific about potential uses as described more fully in the 2016 Riverfront Plan and to make sure the Plan Update reflects the serious flooding that occurs in this area and its impact on development and to add some pictures of the flooding to be included in the Plan;
- modify the first sentence of the section entitled, "Premise of the Comprehensive Plan Update" on page 2, as follows: "Whitemarsh Township recognizes that because we are experiencing profound climate change that is impacting every facet of our fragile natural ecosystem, our framework of codes and ordinances related to zoning and land development must reflect, **or be updated to reflect**, our commitment to **protecting natural habitat and otherwise** combating the underlying causes and the effects of this change."

- on page 25, under Policy 1, under 'Quality of Life', add at the end, "...Open Space Plan dated 2006 **as amended**."

Public Comment:

Steve Kaufman, Harts Ridge Road, made two comments: that environmental underpinnings be considered as the Township goes through the process of rewriting the Zoning and Land Development codes; and due to global warming we are in an environmental crisis with rapidly changing conditions.

Sydelle Zove, Harts Ridge Road, commented how the County is against front loaded garages in townhome developments, and wants to make sure the Planning Commission and the Board of Supervisors pay attention to that detail (Mr. Guttenplan commented that this belongs in design standards and ordinances, not specifically in the Comprehensive Plan); and the concern raised by the County about altering the integrity of residential areas within Mixed Use Corridors. She is surprised to see that a piece of Ridge Pike west of Harts Lane is retained as a mixed use corridor. She thought the entirety of Ridge Pike from Joshua Road to Harts Lane was removed as a mixed corridor and asked if this was an error or did the Planning Commission decide to specifically retain that part of Ridge Pike. (Mr. Guttenplan remembers specifically that the Commission changed it back to residential from Church Road to Joshua Road.) She is very disappointed that that the remaining segment remains in Mixed Use Corridor and doesn't think it belongs. She referred to page 25 of the Comprehensive Plan, Policy 1 - Open Space Network, and commented that recently in the last couple of years that a developer has consistently and repeatedly referenced the comprehensive plan and its designation with regard to the development of a specific area in the Township and the developer failed to take in consideration amendments to the Open Space Plan which is a component of the Comprehensive Plan and suggested some wording changes to Policy 1, Quality of Life for the Planning Commission to consider. On page 58 and 59, Policy 2 – Complete Streets, bullet 2 – upgrade existing sidewalks for ADA compliance where possible, she commented that the Planning Commission needs to immediately embrace the notion of ADA compliant sidewalks when reviewing development plans that are in fact before them currently and stated that the Planning Commission recommended approval of a waiver that would have allowed 4' sidewalks which is not ADA compliant nor is it consistent with a complete streets policy; and that a minimum of 5' is needed to allow for a wheelchair and provide a turning area for the wheelchair and where 2 people can walk side by side. She urges the Planning Commission to immediately embrace this aspect of the plan of which they are about to endorse as they are evaluating development projects that are before them now and will come before them even before there is a formal adoption of this plan. (Ms. Heinrich stated the minimum required width per ADA standards is 4'.)

Motion: Ms. Patchen made a motion to recommend that the May 22nd draft with the changes discussed tonight be advertised for a (Planning Commission) Public Meeting; seconded by Mr. Cornog. Vote 7-0

8. NEW BUSINESS:

- Mr. Cornog announced this will be his last meeting, he is moving out of the Township; he stated it has been a joyous experience working with everybody including the Township administration and that we have a great team and expects to hear great things about them in the future. The Planning Commission members, Mr. Manuele, and staff thanked him for his support, commitment to the Township, guidance, wisdom and many years of service and wished him well.

9. PLANNING COMMISSION MEMBERS COMMENTS:

- Mr. Quitel commented that he thinks it would be good of them as a commission to talk about in a future meeting what opportunity there might be to possibly acquire the Abolition Hall Tract.

10. PUBLIC COMMENT FOR NON AGENDA ITEMS

- Steve Kaufman commented on the history behind Mr. Cornog and his accomplishments in the Township and how he was responsible for getting open space started and wished him luck.
- Sydelle Zove commented that Mr. Cornog is a force of inspiration and spoke of how he was responsible for helping with the amount of public funds from Whitemarsh that has supported the William Jeanes Library. Also wanted to make everyone aware that K. Hovnanian has walked away from the Abolition Hall Project and hopes the Township can prevail.

11. ADJOURNMENT

- On a motion by Mr. Cornog seconded by Mr. Shula, the meeting was adjourned at 8:51 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.

