

**MINUTES  
PLANNING COMMISSION  
APRIL 12, 2022**

**Attendees/Participants:** Dave Shula, Sherri Glantz Patchen, Elizabeth Shaw-Fink, Scott Quitel, Charlie Guttenplan, AICP, Director of Planning & Zoning, Krista Heinrich (Township Engineer), Vince Manuele (BOS Liaison), Dave Sander (Township Solicitor's office)

**1. CALL TO ORDER:** 7:00 PM by Dave Shula chairing in place of chair/vice-chair

**2. ANNOUNCEMENTS & CORRESPONDENCE:**

- It was requested that people talk directly into the microphone so that we can easily hear the recording. The upgraded microphones are on back order but will be arriving soon.

**3. APPROVAL OF MINUTES:**

- Ms. Patchen – has a change on the March 8, 2022 minutes, page 2 – the paragraph that starts with Mr. Shapiro: for clarification - at the end of the paragraph it says a rendering was shown of a more modern building, she thinks it should just say a rendering was shown.
- On a motion by Ms. Glantz Patchen seconded by Ms. Shaw-Fink, the Planning Commission moved to approve the March 8, 2022 & March 22, 2022 meeting minutes with the edit to the March 8, 2022 minutes as discussed. Vote 4-0.

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

**5. CONDITIONAL USE APPLICATIONS:** None

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

- Review SLD #02-21 DP Spring Mill Developers, LLC/561 Spring Mill Avenue, Conshohocken Final Plan; 19 Townhouses ('The Transition at Spring Mill')

Attendees: Daniel P. McKenna, P.E., Senior Engineer with D.L. Howell & Associates, Inc.

Mr. Gutenplan gave a brief introduction: The Planning Commission last saw this application at their October 12, 2021 meeting at which time they recommended approval of the applicant's waivers and of the preliminary plan. The applicant is here for final plan approval.

Mr. McKenna: They are in receipt of review letters for the final plan from the Township Engineer and Township Staff; all comments are "will comply". No waivers are being requested; all were obtained at preliminary approval. Mr. McKenna gave a quick overview of the project. There is an existing automotive garage and a vacant restaurant; those two parcels will be consolidated and subdivided into the 19 townhouses. 11 townhouses will front on 10<sup>th</sup> Avenue and 8 will front on Spring Mill; there will be two points of access to the site off 10<sup>th</sup> Avenue; all parking is in the rear of the units. Renderings were shown. Stormwater management will be handled by 2 underground infiltration beds.

Planning Commission Comments:

Are there going to be green roofs (no, they are proposing flat roofs); will there be roof top decks (they will have access to the roof top, yes).

Motion:

Ms. Glantz Patchen made a motion to recommend approval of the final plan; seconded by Ms. Shaw-Fink. Vote: 4-0.

- Review SLD #04-22 Ashford Consulting, LLC & Ashford Wealth Advisors, LLC/5 & 15 Germantown Pike, Plymouth Meeting; Preliminary/Final LD; Renovation of an Existing Parking Lot & an Addition to an Existing Building

Attendees: James Bannon, P.E., Civil Department Manager at Nave Newell, Inc.; Rosie Soto, Business Manager at Ashford Wealth; John McDonald, Principal at KSM Architects

Mr. Bannon gave a brief background: They were in front of the Planning Commission in March 2019 seeking a waiver of land development, this was not granted. They came back a couple months ago with preliminary/final plans, received township review letters and are here to seek a recommendation of approval.

Site background: 5 E. Germantown Pike is essentially the building on left side and the parking area. That is the existing Ashford Wealth Advisor building and their parking lot. The building on the right is 15 E. Germantown Pike. The existing building additions are to be removed. The Township Code Official deemed they should come down; they are already down. All that remains is the main structure. The building was purchased by Ashford Wealth to improve the building, add an addition, and expand their services. The building has been vacant for about 20 years and pretty much dilapidated; they think this will be a nice improvement to the area.

Building Additions & Parking Lot Improvements: The parking lot off Germantown Pike is essentially what is there now. They are expanding the parking lot to add 7 additional spaces for a total of 24 spaces. Zoning relief was granted to have 24 spaces. They are adding 1 ADA parking space, an ADA accessible route between the 2 buildings, and adding 2 electrical vehicle charging stations.

Stormwater: Currently there is no stormwater management on the site. Everything basically flows down Germantown Pike through the parking lot and to the site behind them (Abolition Hall). They are going to improve the gutter on Germantown Pike so the runoff on Germantown Pike stays on Germantown Pike and stormwater on site will go to an underground detention basin. This system is designed to hold every storm up to and including the 100-year storm. There is no existing stormwater on Germantown Pike in this area. So, they are going to take all the runoff and hold it until it infiltrates in the ground rather than discharging; this should help with any existing issues with the property behind them.

Mr. Quitel: What is the specific geology you are dealing with in the area of infiltration (there were no red flags on the soil tests, the rates were not great. Could be underlain by Limestone; not sure). He then asked the Township Engineer her opinion if she knew enough yet on how this was going to perform (there were some technical comments about where the topo grates were set, which can be addressed; the geotechnical component needs to be looked into a little more because we know the area is underlain by limestone, but they saw 2 properties down, 27 Germantown Pike, they were able to make something work. Ms. Heinrich thinks there is a way they can make it work here, they just have to be sensitive to Limestone). Mr. Shula asked if that means they can infiltrate if it is underlain by limestone (if their geotechnical

investigation shows that this area isn't underlain, perhaps there are other options that they could take). Mr. Bannon commented that they reviewed the geotechnical report for the property behind them and that showed some sinkhole prone areas on the site which seem to be all towards the north end of the site. Mr. Quitel asked what the existing impervious coverage is and what are they proposing (they are increasing impervious to 50%-56% on one site, and 30.9%-36.6% on the other. They are curbing the driveway and the parking area so it will capture that runoff to the adjacent property). Mr. Quitel asked if there are any ecosystem-oriented improvements (no, there is nowhere to discharge).

Mr. Bannon: they received review letters from the Township Planner, Engineer, and Fire Marshal. They are setting up a site meeting with the Fire Marshal to review his comments. They "will comply" with all staff review comments besides the 4 comments that he discussed (below) not related to the waivers and the ones they are requesting waivers from.

Comment #22 on the Township Engineers letter – Section 1106.7 of the International Building Code (IBC) requires that accessible parking spaces must be located on the shortest accessible route to an accessible entrance. The plans must be revised to provide an accessible space adjacent the building entrance to 15 E. Germantown Pike. They are considering this 1 parking facility, and there are 24 spaces, so only 1 ADA space is required; so an extra space isn't needed. They received zoning relief to do less parking. He believes they needed 28 spaces, and they got relief to do 24. There are currently 12 employees and will be expecting 17 after building addition plus occasional client/visitors, 3 at most at one time. Mr. Quitel commented they would prefer less parking, it's less impervious. Ms. Shaw-Fink asked if the 2 EV and ADA spaces are included in the 24 total spaces (yes).

Comment #23 on the Township Engineers letter - The plans should be revised to provide a sidewalk connection between the internal walks and the sidewalk along Germantown Pike. The only issue the applicant has is that there is an existing fence that prohibits sidewalk connections, not sure if HARB will want it to stay. If not, they can take a section out for a sidewalk connection.

Comment #27 on the Township Engineers letter - Outdoor collection stations shall be provided for garbage and trash removal when indoor collection is not provided. Collection stations shall be screened from view and landscaped. The applicant is not proposing any outdoor trash enclosures. Their current business functions with just internal, so they are going to keep it the same; trash collection will be curbside pickup.

Comment #59 on the Township Engineer Letter - The plans show features (shed and fencing) which appear to be located outside of the boundary lines of the subject property. The plans cannot be approved until all structures and/or uses for the lot(s) are located entirely within the property boundaries or easements or some other agreement is established to permit the encroachments. They are not proposing any improvements in that area. Mr. Bannon doesn't think this should be tied to this land development approval; it is an existing condition that they are not proposing to touch. Ms. Soto commented when they renovated 5 E. Germantown Pike part of the issue was, they put a hump in the driveway and that fence wasn't even a fence, it's like a tarp to help control the water from going on the neighbor's property; they are willing to take that down. Part of the shed is over the property line; they will either move it or get rid of it. Mr. Shula commented that either one would take care of it. So that's a 'will comply'.

Ms. Glantz Patchen asked if everything is ok with the ADA parking space or is a waiver required. Mr. Guttenplan commented that based on the number of spaces there is not another ADA space required. Ms. Heinrich commented they only need one space per the ADA guidelines, but the building code requires a space closest to the building entrance; they will set up a meeting with the Director of Building & Codes to discuss further.

Requested Waivers:

Submission

1. Ch. 105 12(D) of SALDO to allow the plans to be reviewed and approved simultaneously as both preliminary and final plans, rather than requiring separate preliminary and final plan submissions.

Street Standards

2. 105-30 / 105-56.1(J)(5): We request a waiver from having a 4'-wide planting strip between the edge of cartway and the sidewalk. The proposed sidewalk matches the existing sidewalk, which does not have an existing planting strip. The proposed street trees will be planted on the property side of the sidewalk.

Off-Street Parking Facilities

3. 105-38 (C) – Curves/turns in entrance and exit drives and internal parking lot aisles shall have a minimum inside turning radius of 25' and outside turning radius of 50': We request a waiver from this requirement due to the size and configuration of the lot. The proposed driveway will have a similar layout and location to the existing driveway. The drive aisles have been designed to the required width, but these minimum turning radii are infeasible. They will coordinate with the Township Fire Marshal to ensure the parking layout is satisfactory.
4. 105-38 (H) - all parking areas shall be set back from the right-of-way line and all property lines at least 15 feet: We request a waiver from this requirement due to the size and configuration of the lot. The proposed parking spaces are located further from Germantown Pike than the existing and zoning relief has already been granted to have the rear parking +/- 3.8 feet from the property line, which matches the existing.
5. 105-38(V) - lighting used to illuminate parking space shall not direct rays upon any neighboring property or streets: They are requesting a waiver from this requirement due to the size and configuration of the lot. They are minimizing light trespass to the extent practical but, in order to adequately light the parking configuration that has already received the necessary zoning relief, some light trespass is unavoidable.

Street Trees

6. 105-48: they are requesting a waiver from this section to allow the number and location of street trees as shown on the Landscape Plan due to the two existing buildings which limit the viable area for street trees. The proposed street tree plantings are subject to Shade Tree Commission approval.

Buffer Yards

7. 105-52 (B)(2) – buffers shall have a minimum width of 50 feet: they are requesting a waiver from this requirement due to the size and configuration of the lot. The existing buildings prevent buffers along the side yards and zoning relief has already been granted to have the rear parking +/- 3.8 feet from the property line. The existing hedgerow buffer along the rear property line will remain.

Mr. Quitel asked if they have a sketch /rendering showing what the site will look like (yes, there are elevations prepared by the architect); street trees are important, the area is historic, just trying to get a sense of what that looks like (they haven't prepared a 3d rendering, such a small project doesn't warrant that); what is the street view going to look like with the parking and the buildings (there is a landscape plan that shows the proposed plantings and calls out the species); when you take a walk down the street when the project is done what is it's character going to feel like, what is it literally going to look like, is it going to look like it fits in the Historic District (they are sure it will because it is subject to HARB approval); what is

your vision (Mr. McDonald understands the request but doesn't think the elevations adequately represent what he is seeking. These plans focused on the sketch plans of the massing of the building addition on 15 E. Germantown Pike. He thinks the trees that are being provided are almost maximized based on the physical space available on the site; there will be dense foliage on the site. They do not have a colored elevation rendering of the overall site in combination of the two buildings and what the streetscape would look like); anyone who's proposing construction or rehab in a historic district should be proactive and show the vision. Mr. Quitel wants to see what Germantown Pike is going to look like when it's done as a whole. Mr. McDonald showed two photographs. What is shown at 5 E. Germantown Pike is going to remain., not much change here. There is no room for trees in front of buildings. The street trees will be between the buildings. The photo of 15 E. Germantown Pike is historic. The tree in the photo was removed, it was a hazard; from a historic perspective, it will be an improvement.

Mr. Quitel's issue is that they are asking the Planning Commission to visualize something based on what they are telling them, much of which sounds logical, but they are asking for a recommendation for final approval on something they can't visualize what the site is going to look like. He is not in a position to make a recommendation if he can't picture it. If it was behind the metroplex, fine, but look where it is. They are just trying to make an informed decision. Mr. McDonald asked if it would be possible to say we will comply contingent upon your acceptance. Ms. Glantz Patchen asked if the issue is what is the building is going to look like when they renovate it. Mr. Quitel commented it's a small site, bits and pieces and then a 24-space parking lot. He just wants to see a drawing of the whole thing. Ms. Glantz Patchen questioned, with the parking with the renovated building? (yes). Mr. Bannon commented all those things are shown on the plans, just not in the form of a rendering. Mr. Shula stated you want to see a more detailed view (Yes). Mr. Bannon stated it's very unusual to submit a rendering for a land development. Mr. Quitel stated it would take a landscape architect a little bit of time to draw that up. You could say it's the most important intersection historically. Mr. Shula asked if it was correct that they have not gone to HARB or Shade Tree Commission (not yet. Preliminary discussions were held but no public meeting).

Waiver continuation:

Additional Design Standards for VC-1 and VC-2 Village Commercial District

8. 105-56.1(E)(2)(a) - surface parking lots shall not occupy more than 1/4 of the parcel's frontage: They are requesting a waiver to allow parking to occupy approximately 50% of the frontage due to the existing lot configuration and shallowness of the property; 230 feet of frontage, existing ±60 feet, proposing 107 feet total, about 47%.
9. 105-56.1(I) – VC subdistricts shall have street lighting: They are requesting a waiver from this requirement. The location of the existing buildings limit the ability to install street lighting. There are no other streetlights in this area and the nearest sidewalk to the east is over 300' away, so street lighting would serve no purpose along this frontage.
10. 105-56.1 (J)(2) – solid six-foot-tall fence and evergreens in buffers: they are requesting a waiver from this requirement due to the size and configuration of the lot. Zoning relief has already been granted to have the rear parking +/- 3.8 feet from the property line which allows no room for the installation of a fence and evergreens in this area. The existing fence and hedgerow buffer along the rear property line will remain.

Resolution 2004-8: Grading, Erosion Control, Stormwater Management, and Best Management Practices

11. II(D)(2) – the top of any slope shall be located a minimum of five (5) feet from property line: We

request

a waiver from this requirement because we received zoning relief that permits parking less than five feet away from the property line. The existing building on the east of the property is also less than five feet away from the property line.

- waiver
12. II(E)(2)(g)(iv) - storm drainage pipes shall be at least 18 inches and RCP: They are requesting a waiver from this requirement to use a twelve-inch HDPE pipe The largest pipe size the proposed stormwater system can accommodate is a twelve inch pipe.
  13. II(F)(3)(d)[4][e][7] Infiltration rates shall not be used in computing the storage volume of the infiltration system: They are requesting a waiver from this requirement to include infiltration in our design. Since they are proposing a no-release system, the BMP is designed to hold t100-year storm. The size of the system provides additional volume and modeling infiltration will help minimize the size of the BMP, which is already designed to hold the 100-year storm.
  14. II(F)(3)(d)[4][g] - infiltration BMPs shall be capable of completely infiltrating the impounded water within 96 hours: They are requesting a waiver from this requirement because we are using a subsurface system that is designed to hold up to and including the 100-year storm. This subsurface system does not present the same concerns that still water does in above ground BMP facilities. The subsurface system will dewater in 7 days, which is within DEP standards. The design will utilize an emergency overflow inlet in the case of back-to-back storm events.
  15. II(F)(3)(d)(4)[e][7] Infiltration Rates shall not be used in computing the storage volume of the infiltration system: They are requesting a waiver from this because we will be utilizing a no-release system. The rates were modeled in the routing of the system to cut down on the size of the proposed system.

Ms. Heinrich has no issues with the waivers requested, but the one about infiltration used to compute storage volume, she would like some sort of narrative in their report addressing what happens during a back-to-back storm.

Mr. Quitel asked what the linear feet of parking lot frontage is on Germantown Pike (the closest area to road is 65 feet wide, proposing 107 feet of frontage (47%) from curb to curb. The hardship is due to the lot configuration). Mr. Shula asked if you would see the parking lot from Germantown Pike (there will be heavy buffering between the parking lot and Germantown Pike. It will not be entirely opaque, but it is meant to be a screen). Mr. Quitel commented you are only going to not see it if they buffer it entirely; he thinks people will know there is a parking lot behind it.

Ms. Soto commented she has a more vested idea of what this is. She has been in that building more than 25 years. That building has been dilapidated for 20 years and no one did anything about it. They already have to park across the street. They are just trying to make this place nicer. They are not the enemy; all they want to do is build a business and improve the area.

Mr. Shula: wishes they had the input of the Shade Tree Commission and HARB. He would personally like to see them come back with some more information. Ms. Soto commented they will go to HARB and the Shade Tree Commission and then come back and share the plans again and provide them with a better view of the improvements.

Mr. Manuele: suggested that when they go back to the Shade Tree Commission, they might want to discuss using a more dense, taller evergreen vegetation to better screen the parking lot.

Mr. McDonald commented that given the feedback that they've gotten, they will come back with something that matches the scale and character.

Mr. Quitel asked if the parking lot as proposed now is not porous (that is correct, it is impervious). He suggested that Dansko has a grass parking lot. If they had pavers that had grass, a green parking lot might look a lot nicer than asphalt and soften the parking lot; and maybe some steppingstones in it or something.

Public Comment:

Sydelle Zove: Harts Ridge Road. At no point did she hear any reference to the square footage of the addition (2,011 sq.ft. addition); the Zoning Hearing Board decision refers to a 792sq.ft. addition.

The existing parking configuration, we were led to believe that there was existing parking along the rear property line, is there? She is concerned about the proximity of any parking spaces to the property line with Abolition Hall.

The space to the rear of the proposed addition, how will that be used, is there space for a rain garden? At 27 E. Germantown Pike, there is a rain garden. The impact of COVID on the number of employees and visitors; are the proposed 24 parking spaces needed.

She is pleased that this project is moving forward. 15 E. Germantown Pike has been an eyesore for many years. However, the Planning Commission when they reviewed a previous iteration, they expressed a concern about the nature of architectural improvements given its location in the Historic District. At that time the Planning Commission did not make the recommendation to combine preliminary/final.

The current plans while presented as both preliminary/final include few details on design, context, or finishes. For example, will the stucco at 15 E. Germantown Pike remain? What will serve as the basis for design of the front porch?

The plans as submitted failed to identify the historically significant adjacent property. The Township has a vested interest in this site because we will have a stake as we will soon own that property. She believes that the plans should acknowledge the existence of those historic resources.

The most critical issues at this time are stormwater management: She is confused, if it does infiltrate, where will water go. What impact will that have to the foundation at Abolition Hall. Ms. Soto said we cannot infiltrate when they were at the Zoning Hearing Board.

The second most critical issue is the landscaping plan, there are far too many non-native species and other ill-suited choices. Plans should be reviewed by the Shade Tree Commission before being acted upon by the Planning Commission. The buffering along frontage and rear is insufficient. They need to look at the buffering to rear. What property is the existing hedge located on? She is not in favor of tall buffering along rear property line because this is one of the only views of Abolition Hall from off-site.

What will be the impact of heavy equipment and excavation have on the Abolition Hall structures?

Given the location of this project in the heart of the historic district, the proposed plans should be more fully developed before approval. The current plans are not ripe, and they do not demonstrate adequate concern for code compliance or the pivotal location of the parcels.

Mr. Bannon addressed Ms. Zove's questions. He will have to double check the square footage of the proposed addition; there may be a discrepancy from what was submitted to the Zoning Hearing Board and what was sent to Montgomery County Planning Commission. He will confirm that number at the next meeting. He showed the existing parking area and stated there is no paved area behind the existing building. The parking is along the two sides going back, there are no parking spaces along the back parking lot. They are not proposing a rain garden, they are keeping stormwater underground. Ms. Soto stated they need the parking proposed. With the businesses growing, they need the extra spaces. COVID notwithstanding, they would prefer to have all employees on site.

Planning Commission

Mr. Quitel: suggested maybe having an open meeting in the parking lot to hear some ideas from the public. You have a viewshed into the abolition hall property. We have to think creatively, is there the ability to have a perimeter walkway around the parking lot (No, its private property made for the company and their customers. It's not a place for a trail, it could be a liability).

Public Comment

Ms. Zove: she believes what Mr. Quitel is talking about is called a design charette. She thinks that given the important nature of the district., it's a great idea.

Mr. Shula: thanked the applicant for being open to coming back.

**7. OLD BUSINESS:** None

**8. NEW BUSINESS:**

- Mr. Quitel: could we ever put together a recommendation for an incentive to reward developers for doing something special on their property. For example: green roofs; stacked parking; vertical parking, etc.

Waivers

are our only tool to try and get something better.

**9. PLANNING COMMISSION MEMBERS COMMENTS:** There was a brief discussion about the difficulty in navigating the Planning Commission packet given its size. We need to have further discussion about having a listing of documents or some way to help locate documents within the packet.

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

**11. ADJOURNMENT**

- On a motion made by Ms. Glantz Patchen; seconded by Ms. Shaw-Fink, the meeting was adjourned at 9:32 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.

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