

**MINUTES
PLANNING COMMISSION
JUNE 22, 2021**

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

1. CALL TO ORDER: 7:07 PM by Vice-Chair Shula

2. ANNOUNCEMENTS & CORRESPONDENCE (None)

3. APPROVAL OF MINUTES

- On a motion by Ms. Patchen seconded by Ms. Shaw-Fink, the Planning Commission moved to approve the May 11, 2021 meeting minutes. Vote 5-0

4. ZONING HEARING BOARD APPEALS:

- Review ZHB#2021-30 Federal Realty Investment Trust/1842 Bethlehem Pike (Flourtown Shopping Ctr) Special Exception & Variances for Bank Development impacting Floodplain and Riparian Corridor

Attendees: Rob Lewis, Esquire, Kaplin Stewart, Legal Representative for the Applicant (Andy Bottaro, Federal Realty, was also present)

Mr. Lewis explained this was last discussed by the Planning Commission about 6 months ago (at the January 12, 2021 meeting). He reminded the Commission that this is a 127,000 sf shopping center split between Whitmarsh and Springfield Townships. The original plan for an addition was for a larger pad site including the bank and a restaurant (4,500-square feet), the subject of ZHB #2020-36, was heard at their January 19, 2021 meeting. The relief requested at that time was all parking-related and was granted with conditions to add some green space; parking relief was also granted in Springfield where the majority of parking is located. Before going through land development, they revised the pad site plan to increase the green space. During the land development review, it was determined the FEMA 100 yr. floodplain line that was on the plan was no longer accurate and had to be moved. When it was moved on the plan, it went right through the proposed building. The plan was revised to reduce the size of the addition so that it is outside of the 100 yr. floodplain. They are now proposing the bank with drive-through only (2,450-square feet). The revised plan will need additional relief from the Zoning Hearing Board. If this relief is granted, they will be back in front of the Planning Commission for land development review and review of the conditional use (for the bank drive-through).

The relief currently requested is the following:

1. Confirmation that the relief granted by Decision (ZHB #2020-36), dated 1/29/2021 is valid for the modified proposal.
2. Special Exception under Section 116-166.B. to permit utilities within the floodway fringe.
3. Variance from Section 116-165. to permit removal of existing pavement and construction of landscape islands within the floodway fringe.
4. Variance from Section 116-259.A. to permit the proposed bank within the side yard of the Riparian Corridor Conservation Overlay District.
5. Variance from Sections 116-260.C. and 116-260.E. to permit improvements (roads, driveways, parking lots) otherwise prohibited within the Riparian Corridor Conservation Overlay District

In response to some questions about the possibility of further pedestrian improvements, Mr. Lewis explained what some of the constraints are for this area of the shopping center, but also explained some significant changes planned for pedestrian accommodations along the main entry drive (in Springfield Township), including narrowing, full sidewalk and bump-outs to facilitate pedestrian crossings and also to provide place for the Post Office trucks. In response to questions about plans for the new green space, he explained that if the current relief is granted, that area will have detailed

designs done as part of land development. Some of the striped macadam needs to remain for truck turning. There was also a question about allowing stands selling fireworks in this area; Mr. Guttenplan explained that the Township will not issue permits for these in this location. There was also a question raised about why a bank is being proposed when there are already so many; the attorney explained there is demand and it is under contract.

Motion: Ms. Patchen made a motion to recommend that the Zoning Hearing Board grant the relief requested; seconded by Mr. Kostyk. Vote 5-0 (taken after public comment on this project)

Public Comment: Richard Abraham, 670 Bethlehem Pike, reiterated the question about why a bank, indicating the number and location of existing banks; he also raised questions about the need for a traffic study and believes there should be one and it is required by Township regulation; he discussed in some detail, what the circulation issues are within the shopping center, which in some ways, in his opinion, will be worsened by the proposed plan. He demonstrated his points using two photographs he had taken on June 16, 2021. He also raised some pedestrian issues. It was explained that most of the issues he raised are land development and conditional use issues that will be addressed at that time. Mr. Quitel stated that it was useful to hear these comments and asked Ms. Heinrich if anything she heard made her think differently about the proposal; she stated that nothing seems insurmountable but they are land development issues.

5. CONDITIONAL USE APPLICATIONS: None

6. SUBDIVISION &/OR LAND DEVELOPMENT APPLICATIONS:

7. OLD BUSINESS: None

8. NEW BUSINESS: None

9. PLANNING COMMISSION MEMBERS COMMENTS:

Ms. Patchen had a question about sidewalks and what ADA requires; Ms. Heinrich explained 5 feet is the base requirement, but in certain circumstances 4 feet may be permitted and in other circumstances could be even 3 feet (i.e.—in the event of a historic structure restricting the width). A lot of it has to do with the site and structure on it. 3 feet is the minimum turning radii for a wheelchair. There is a publication called ADA AG (ADA Accessibility Guidelines); these are Federal Guidelines that the state can choose to adopt or not.

Mr. Quitel asked what is the game plan for the area next to the Township building; Ms. Heinrich stated they are in the process of preparing a grant application for a rain garden to take up the whole area. Looking to break ground sometime next year. Mr. Quitel suggested in the meantime that maybe regular mowing could stopped.

10. PUBLIC COMMENT FOR NON AGENDA ITEMS: (None)

11. ADJOURNMENT

- On a motion made by Mr. Kostyk; seconded by Ms. Patchen, the meeting was adjourned at 8:04 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.

