

A public meeting of the Planning Environment and Commerce Committee (formerly the Commerce and Interior Committee) of Upper Dublin Township was held on Tuesday, January 22, 2001, in the Township Building; Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Thornburg-Weiss. Also in attendance were Paul Leonard, Township Manager; Jeff Wert, Township Engineer; Gilbert High, Township Solicitor; Israel Milner, Environmental Protection Advisory Board; Charles Haering, Planning Agency Advisory Board; and Matthew Schelly, Montgomery County Planning Commission.

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

Move to Accept the Minutes of the November 2001 Meeting Without Reading:

Ms. Weiss motioned, with Mr. Mermelstein seconding, to accept the Minutes of the November 2001 meeting without reading.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Report of the Environmental Protection Advisory Board (EPAB):

Israel Milner informed that the EPAB website is up and running. The site contains information about the EPAB and provides the public with an opportunity to submit questions. To access the site, key in www.upperdublin.net; Boards; EPAB.

As a result of the current recession and the events of September 11, 2001, Governor Schweiker has frozen \$148,000,000 allocated for state spending. However, Upper Dublin Township intends to apply for two water quality plans under this year's budget.

The EPAB supports creative stormwater management at the Hilton Garden Hotel site as well as the LA Fitness site..

The EPAB is currently reviewing the preliminary plans for 1100 Virginia Drive and Twin Springs Farms.

There are no environmental concerns with regard to Golf View Estates.

Since new letterhead must be ordered for the Township, Mr. Mermelstein asked Jonathan Bleemer to determine the difference in costs between using recycled paper and bond paper.

PUBLIC COMMENTS:

Marc Jonas, Esquire, represented Peak Media regarding off-premises signs along limited access highways in an "EC" District. It is a permitted use provided specific criteria is specified. The Committee was asked to consider an additional amendment to the "EC" District.

Mr. Jonas submitted a document containing suggested amendments and a draft proposed ordinance that addresses off premises signs along limited access highways. Mr. Mermelstein asked that the Environmental Protection Advisory Board and the Planning Agency Advisory Board be provided with copies.

The following area descriptions were discussed:

AREA DESCRIPTION	QUANTITY
Parcels within the District	110
Parcels available to lease (situated adjacent to a limited access highway)	27
Parcels where billboards are permitted (parcels on which a billboard may be constructed)	16
Total number of billboards possible (maximum number of billboards that may be built within the Township after taking into account minimum spacing from other billboards as well as ramps, per PennDOT Regulations (67 PA Code Section 445.4(b)(2)(i), as well as which property owners sign a lease to erect a billboard structure.)	13-14
Back-to-back display structures	8-9
Single display structures	5

Concerns raised:

- How do you place a sign so it can serve its function and also can be seen?
- Freestanding off-premises signs shall be located not less than 25 ft. from the ultimate right-of-way and 100 ft. from any property line.
- The 25 ft. setback may be reduced to not less than 10 ft. to preserve existing trees or to ensure viable lines of sight to drivers on the bordering limited access highway.
- No portion of the supporting structure shall be visible above any advertising display area.
- No more than three freestanding off-premises signs shall be permitted on one property.

Jerry Healy represented Peak Media, and informed that a freestanding off-premise sign may be double-faced with two advertising surfaces. However, both surfaces shall be the same size and shape, and the total length of the sign structure shall not exceed 50 ft., and the sign height shall not exceed 35 ft, with a total copy area not exceeding 675 sq. ft. The 35 ft. height limitation may be increased to 50 ft. to ensure viable lines of sign to drivers on the bordering limited access highway. The industry is leaning toward increased visibility by building structures in a "V" shape and angling them away from residential areas.

Mr. Jonas said the Board of Commissioners can be provided with specific lighting standards.

When Mr. Leonard asked if the standards apply to PennDOT property, Mr. Jonas said that PennDOT controls advertising along the Turnpike.

Mr. Leonard asked the gentlemen for their judgement of "parcels available to lease?" Mr. Healy answered that judgement should be something that represents a reason to amend the ordinance. The ordinance only addressed billboards that would be placed on expressway arterials and the Turnpike.

DISCUSSION ITEMS:

Twin Spring Farm – Minor Land Development Plan:

The applicant is proposing to construct a one-story classroom addition, remove existing bathhouses, and combine all of the six parcels of the Twin Spring Farm located at 1632 Butler Pike. The lots are located within the "A" Residential District on a 16.33 acre tract. Butler Pike and Norristown Road border the site which is accessed from Butler Pike by a common shared driveway. The ninety day review requirement has been waived.

Tim Woodrow, architect; and Christen Gilmore Pionzio, Esquire; represented the applicant and indicated their client hopes that the scope of this project would not require any off-site public improvements.

It has been determined that the special exception use applies to the entire property. It is the applicant's wish to combine all six parcels into one parcel. Consolidation of the lots will prevent the non-conformities.

Charles Haering requested that the applicant clearly identify the two parcels that are being consolidated.

The applicants submitted a chart showing Buildings A through P and whether they are designated for school use, camp use, or combined use.

Under the heading "Subdivision Regulation," of Metz Engineers' review letter dated January 18, 2002, Item 2 states: List any deed restrictions, variances, special exceptions and/or waivers being requested or previously granted by the Board of Commissioners or the Zoning Hearing Board. Mr. Woodrow indicated that they will comply.

Mr. Leonard noted this is a compound of small buildings. The next time the representatives appear before the Committee, Mr. Hood, the owner of the school and camp, will be present to shed light on outstanding issues.

Mr. Wert indicated he wishes to look at Butler Pike regarding site distances and traffic improvements at the entrance of the property. He suggested a gated entrance for emergency vehicle use, upgrading Butler Pike, improving Norristown Road to accommodate traffic, and drop-offs and pick-ups of students.

The applicants have not yet spoken with the Montgomery County Planning Commission.

The Township staff has indicated that it would be wise to indicate what their future goals and needs will be. Mr. Woodrow was not sure the applicant will be able to project 20 years out. The applicant has been unsuccessful in devising a master plan as of this point in time.

Hilton Garden Hotel – Preliminary Land Development Plan:

The applicant proposes to construct a four-story, 115 room hotel on a 4.025 acre site located in the "EC" Employment Center Zoning District along Virginia Drive adjacent to the newly constructed Pennsylvania Turnpike slip ramp. Public water and sewer are proposed to serve the site. A new culvert crossing the Pine Run is proposed to provide access to the hotel. An emergency access is planned to connect to the slip ramps. The application, as submitted, will require waivers, variances, and conditional use approvals.

The applicant was represented by Michael Yanoff, Esquire, who stated that:

- A Zoning Hearing Board decision is awaited on the variance request.
- Structural issues need to be completed.
- A number of matters set forth in Carroll Engineering's report must be addressed.
- Issues with the Turnpike Commission are exactly the same but in the other direction as LA Fitness.

Golf View Estates – Revised Preliminary Subdivision Plan:

The plan was withdrawn from the agenda of this meeting. A 60 day extension of time will be submitted in writing by the applicant.

Consortium Recycling Center – Preliminary/Final Land Development Plan:

The plan was withdrawn from the agenda of this meeting.

Joanne Wright of Clemens Avenue opposed the recycling center being located on Fitzwatertown Road in Abington Township. She made the following comments:

- If the Consortium goes through with plans for a recycling center on Fitzwatertown Road, it will be necessary to make sure that everything related therewith is considered.
- Contaminated run-off has not been addressed.
- The traffic impact must be addressed. Mr. Leonard said he would be happy to raise the issue at a meeting of the Consortium scheduled for February 19th

Mr. Wert countered:

- The Abington Wastewater Treatment Plant operates on a permit that clearly sets forth how water is discharged in terms of effluent.
- After processing, the water is almost close to drinking water quality..
- Plants have been added to the bottom of the basin itself.
- If there is a spill, Treatment Plant personnel will be obligated to clean it up immediately.

Mr. Leonard suggested setting up a meeting with the Consortium convenient to Mrs. Wright and her neighbors.

Mr. Wert advised that stormwater management is required. He stated that the Sandy Run Creek will be better off during a flood situation if the recycling center is constructed.

Mr. Leonard said a third-party engineer who does not have a connection with this project has been chosen as an expert.

The report from Orth-Rodgers speaks for itself.

Mrs. Weiss suggested that the issue be properly controlled via agreement. The Board of Commissioners must be sure that it has good communications with the neighbors who live on Clemens Avenue.

Mr. Leonard said that the Department of Environmental Protection has direct control over the operation of the recycling center and the Abington Sewer Treatment Plant. It can impose changes in processing in the event of odors, etc. The neighbors were asked to register complaints with the Police Department and then be willing to come to court to testify, after which the plant can be cited. Mr. Leonard will work with the neighbors on enforcement. He will also provide Mrs. Wright with a copy of the ordinance.

John Tauber, another resident of Clemens Avenue, stated that odors have been on-going for years to the point that even when windows are closed, odors permeate the houses. Mr. Leonard again urged the neighbors to continue their protests because there are ways to treat sewage without odor. When complaints are received from five individual residents, the DEP will respond and give notices of violation to the plant operator.

When Mrs. Wright suggested berms to alleviate noise pollution, Mr. Wert informed that the trees to be planted along the Woodside Village side will be different types of evergreens to achieve varying effects on berms.

Mrs. Wright reiterated the desire of the neighborhood residents not to have the recycling center in their area. They want to have the same quality of life as other residents of Upper Dublin Township. Mr. Mermelstein requested that the staff obtain costs of other alternative sites.

Mr. Leonard stated:

- The Consortium has been asked to address the financial situation head-on.
- Interested residents are invited to attend a scheduled meeting of the Consortium on February 19th.
- Responding to Mr. Mermelstein, Mr. Leonard will set up a meeting between Consortium representatives and residents of the three communities that will be affected by the recycling center.

Upper Dublin High School – Sketch Land Development Plan:

Discussion was tabled at the request of the School Board.

Mr. Haering said the application was received today, and the PAAB will review it the third Tuesday in February. Representatives from the School Board will attend to present their information at that meeting. Any interested parties are invited to attend.

Mr. Wert has been in communication with the design engineers, PennDOT, and Rick Collier.

Zoning Amendment Ordinance – Accessory Dwellings:

A hearing on this housekeeping matter has been set for February 19th at 6:45 p.m.

Shade Tree Commission Ordinance and Regulations:

The Shade Tree Commission, together with assistance from the Solicitor, worked for eleven months to draft the proposed ordinance and regulations. Said draft was submitted to PennDOT at the end of 2001 for review, and the Township is still awaiting their comments.

A meeting was held with PECO three weeks ago. Their comments are awaited. PECO will also be asked to attend the February Meeting of the Planning, Environment and Commerce Committee. The Shade Tree Commission will also be asked to attend the meeting.

Zoning Map Changes:

Mr. Wert submitted the draft map and suggested changes. It will be much easier to import zoning into the map in the future, and the Overlay District can be added easily when completed.

A meeting was held with the Code Enforcement Director in terms of how the properties on the map have been used.

Mr. Mermelstein suggested that future sites not be shown unless they have been approved.

One small parcel on Fitzwatertown Road is in question, and Mr. Wert wishes to consult with the Solicitor about it.

The next step is to send the map out with the Township's changes to internal personnel as well as the Montgomery County Planning Commission. A formal hearing will be scheduled in April or May after all comments and suggestions are received.

Because "EC" District changes are contemplated, Mr. Wert suggested waiting a few months before including them.

Permitted Uses in "EC" Employment Center District Ordinance:

Mr. Leonard stated:

- Over the past 14 months, the former Commerce and Interior Committee struggled with this ordinance.
- The impetus was the Supreme Court decision for Upper Salford Township.
- Nine properties on Virginia Drive along Camphill Road are involved.

Mr. High said the ordinance is "catch-all" in nature to help the Township defend against claims of exclusionary zoning. It will apply to four properties within the "EC" District, and a public hearing must be scheduled.

ACTION ITEMS:

1100 Virginia Drive – Preliminary Land Development Plan – DeVry Institute:

The applicant, 1100 Virginia Drive Associates, is currently proposing development of this 67.098 (gross) acre tract that includes construction of a 100,000 sq. ft., two-story, Office/Education Center and realignment of the existing Expo Center space into office, warehouse, manufacturing and other commercial space centers. The applicant is proposing to increase the "office" and "warehouse" use, decrease the "other commercial" use and completely eliminate the "Expo" and "open area commercial" use. The Engineering Report estimates 2,599 required parking spaces after the proposed changes to include elimination of an area of existing parking, realignment of some areas of existing parking, and changes in the rate of parking required due to the proposed future uses of the existing building. Public water, sewer and gas currently serve this "EC" Employment Center District site.

Michael Mandelbaum, owner of the property, agreed to extend the deadline for this application to February 13, 2002.

Change of use approval was obtained for DeVry Institute (DeVry). A new building will be built on the site, and if the applicant can obtain approvals, DeVry would occupy the new building. If DeVry goes into the new building there will not be enough parking. Mr. Mandelbaum has agreed to go forward with this plan and obtain approval. If approval is a problem, DeVry will be housed in the existing building according to the original plan.

Mr. Mandelbaum is willing to put in a traffic signal at his expense if required by the Township.

A new water line will be run from Camphill Road. Mr. Mandelbaum believes there is no legal obligation to increase stormwater management. Because of rock that has been encountered, Mr. Mandelbaum feels it will not be cost efficient to provide additional stormwater management on the property.

Because outstanding items must be addressed, Ms. Weiss motioned, with Mr. Mermelstein seconding, to recommend rejection of the DeVry Institute – 1100 Virginia Drive Preliminary Land Development Plan (Upper Dublin Reference No. 01.012)) until the Stated Meeting on February 12, 2002.

VOTE ON MOTION

ALL YES

MOTION CARRIED

LA Fitness – Final Land Development Plan:

The applicant is currently proposing development of this parcel that includes construction of a 41,405 sq. ft. Fitness Center on a 6.91 acre tract located within the “EC” Employment Center District. The site is located on Virginia Drive opposite Office Center Drive. Public sewer and public water will serve the site. Parking spaces required total 166, which 291 spaces are proposed. The subdivision to split (fee simple) this parcel, the slip ramp area, and the Hilton Hotel site was previously approved by the Board of Commissioners.

Michael Yanoff, Esquire, represented the applicant, and stated the following.

- The issue of providing an emergency access-way on to the Turnpike slip ramps remains open.
 - Virginia Drive is a major flooding point in the Township.
 - The Turnpike Commission has been convinced that in the event of flooding, the occupants of LA Fitness will make a left turn onto the slip ramp and ultimately the Turnpike.
 - The applicant has entered into a license agreement with the Turnpike, and the document has been submitted to the Solicitor’s Office for review.
 - A mechanism will be devised whereby the Turnpike Commission will be paid by evacuees without having to go through the toll booth (i.e., perhaps a token system).
 - The access has been agreed upon.
 - All payment plans are acceptable to LA Fitness.
- There is a note on the plan regarding a license agreement.
- A note will be placed on the plan stating that the applicant is aware of the flooding conditions.
 - Permission has been granted to do grading on Turnpike property.
 - The proposed emergency access will be paved with pervious material.
 - The applicant will comply with all conditional use and Zoning Hearing Board requirements.

Mr. Leonard suggested the installation of some type of high water alarm. Mr. Yanoff agreed, and said a reference thereto will be put into the emergency procedures manual.

The EPAB has asked the Hilton Garden Hotel to submit a stormwater plan, and prefers that LA Fitness do the same. Mr. Yanoff said his client was willing to participate in the stormwater plan and pledged a contribution of \$100,000 therefor. He offered two options:

1. Find another storage location with the storm watershed.
2. Design an on-site system. Township staff agreed to this today.

A bus stop facility exists on the site.

Mr. Wert indicated he would like to see a reduction in the proposed parking spaces. Mr. Yanoff will confer with his client.



Four hundred replacement trees are required. Because it will be impossible to plant all replacement trees on the property, a contribution to the Township in lieu thereof is suggested. LA Fitness agreed. Mr. Mermelstein suggested finding locations in the Fort Washington Office Park where the addition of trees will be an asset.

Mr. Wert recommended approval of the following waivers:

- To allow an alternate method of slope stabilization. Crown vetch is proposed for the slopes up to 3:1.
- To permit grading within 3 ft. of a property line. As-built topography provided with this submission indicates grading within 3 ft. of a property line in additional areas compared to prior submissions.
- Continuous parking spaces in excess of 120 ft. without providing a landscape island (occurs in only one location).
- The requirement to provide a sketch plan.

Documentation regarding the sign to be replaced on the property should be submitted to the PAAB.

Mrs. Weiss motioned, with Mr. Mermelstein seconding, to recommend approval to the Board of Commissioners of the Final Land Development Plan of LA Fitness Center (Upper Dublin Reference No. 99.018) subject to Metz Engineers' revise letter dated January 18, 2002 and recommending the granting of four waivers requested in said letter.

VOTE ON MOTION

ALL YES

MOTION CARRIED

ADJOURNMENT:

There being no further business to discuss, the meeting was adjourned by a motion of Ms. Weiss, seconded by Mr. Mermelstein.

VOTE ON MOTION

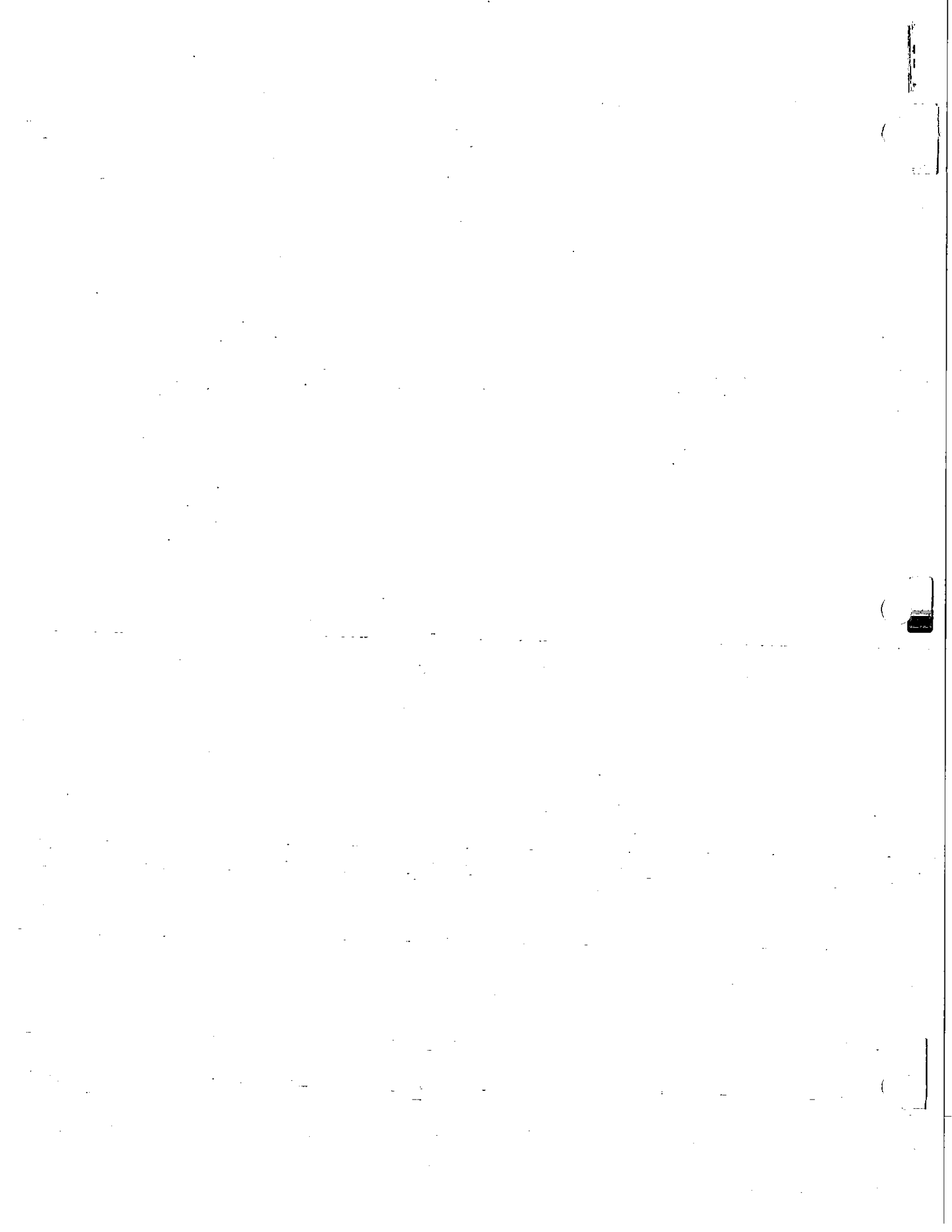
ALL YES

MOTION CARRIED

Louise S. Birett
Louise S. Birett, Recording Secretary

Attest:

Jules Mermelstein
Jules Mermelstein, Chairperson



A public meeting of the Planning Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, February 26, 2002, in the Township Building; Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold. Also in attendance were Paul Leonard, Township Manager; Jeff Wert, Township Engineer; Gilbert High, Township Solicitor; Israel Milner, Environmental Protection Advisory Board; Charles Haering, Planning Agency Advisory Board; and Matthew Schelly, Montgomery County Planning Commission.

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

Move to Accept the Minutes of the January 2002 Meeting Without Reading:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the January 2002 meeting without reading.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Report of the Environmental Protection Advisory Board (EPAB):

Israel Milner informed that the EPAB website is up and running. There has been one citizen inquiry thus far that was handled by one of the members.

Mr. Milner expressed appreciation to Mr. Mermelstein for his visit to the February meeting of the EPAB during which he explained his vision for the EPAB's future efforts, in particular tackling environmental issues on a proactive basis with special concern for stormwater management.

Regarding stormwater management, the Public Works Director attended the February meeting to bring the EPAB up-to-date on a number of projects to be undertaken in Upper Dublin Township. The Stormwater Infrastructure Study uses GIS technology to help pinpoint and prioritize problem areas that will aid the EPAB in its recommendations to the Board of Commissioners and reviews of future development plans.

The EPAB was briefed on the Upper Dublin High School project by Rick Collier of LandConcepts, Inc. and who is also a member of the Planning Agency Advisory Board (PAAB). It was agreed that this type of inter-board communication can be helpful on various issues such as stormwater management. As an example, the EPAB would be pleased to participate in future discussions on a potentially upgraded detention basin adjacent to the 309 Expressway. The EPAB will strongly support the suggestion to use the basin as an environmental learning tool. Mr. Milner envisions the possibility of its additional use as a natural bird habitat.

DISCUSSION ITEMS:

Upper Dublin High School – Sketch Land Development Plan:

Rick Collier of LandConcepts, Inc., two members of the School Board and the Director of Facilities for the Upper Dublin School District attended the meeting to discuss the Sketch Land Development Plan for the Upper Dublin High School.

Mr. Collier informed of the following:

- Upper Dublin High School is engaged in the process of preparing a Long-Term Master Plan.

- They have dealt with important and critical short-term issues and will deal with issues that have not been appropriately dealt with in the past.
- The School District is also in the process of preparing a Land Development Plan.
- A Sketch Plan for Phase I was displayed.
- The School Board has obtained comments from the EPAB and the PAAB.
- Present population: 1,440.
- Population by year 2005: 1,650.
- More parking spaces are needed.
 - Parking on Loch Alsh Avenue is not safe.
 - The proposal makes changes to the parking scheme over time.
 - Need safer conditions for drop-off and pick-up.
 - A new drive will be created with parking on both sides (adding approximately 50 parking spaces to that area).
 - Reconfigurations of the left rear side of the property will permit additional parking.
 - Parking will be increased in the area of the cafeteria.
 - Gravel parking spaces will be provided to the rear of the stadium.
 - The goal is to separate regular vehicular traffic from bus traffic.
- Proposing a wing to be added with 10-12 classrooms. Need at least 6 classrooms by fall of 2002. Will be located along the front of the High School.
 - The school administration is very aware that there could be aesthetic issues, and plans to do as much as possible within the limits of the physical and financial parameters.
 - Primary reason for the location selected is that there is a real problem with congestion, and the location provides better movement of students.
 - Connected to the high school without students needing to go outside.
- Stormwater issues must be addressed.
 - The stormwater basin is under-utilized at the present time.
 - Stormwater for the small addition will be handled by stormwater measures in the front of the building.
 - The School District is looking for places to handle additional stormwater management as a result of the widening of Route 309.
 - Numerous meetings were held on site as well as with PennDOT and Jeff Wert. The School District wants to partner with PennDOT.
 - The aim is to naturalize the stormwater basin for better water quality and aesthetics. This will reduce maintenance.
- Modular classrooms in the rear of the High School property are scheduled for removal on February 27th.
- The double modular building on the Fort Washington Avenue side of the high school will be used until the end of the summer.
- Proposed landscaping improvements will accompany the master plan.

Mrs. Herold would like to see the School District develop a policy requiring students to use buses instead of driving to school.

Mrs. Herold asked why buses are presently going through the former Bub Farm property? Mr. Leonard replied that a portion of the Bub Farm is owned by Fort Washington Estates which is in dire need of access to their building. It is believed that the three properties could be accessed by a single driveway.

Mrs. Herold suggested a written agreement between the Township and School Board attesting to the fact that the driveway is only a "drive" and not a road. She also favored the use of gravel over paving.

Mr. Leonard said a recent "land swap" between the High School property and the Township property will provide an additional 51 parking spaces. Timing is subject to additional discussion. Both entities can use the land interchangeably. Said land swap should make the intersection of Loch Alsh Avenue and Susquehanna Road a safer place. He is confident that the sketch represents a long-range plan where Township dollars would be used to serve the entire area.

Mr. Leonard informed that both former Commission Gift and present Commissioner Pesavento have expressed concerns that the landscaping requirements have not been met at the Maple Glen Elementary School. The School Board is required to obtain recommendations from the various Township committees for landscaping at the Maple Glen site.

Susquehanna Road – Brandenburger and Sheridan Change of Zoning:

Marc Jonas, Esquire, appeared on behalf of James Brandenburger and James Sheridan, who are requesting a map change to amend the zoning of properties located on Susquehanna Road from "A" Residential to "DO" Dresher Overlay District and to cover a 3 acre parcel.

- Two separate office buildings not to exceed 25,000 sq. ft. are planned.
- Conditional use approval is required.
- Golden Circle will not go through to Susquehanna Road due to concerns of the residents (even though the Montgomery County Planning Commission was in favor thereof).
- Provision will be made for berms, fencing, landscaping, and lighting.
- No zoning relief is required.
- An aerial photograph showed limits of the Dresher Overlay District and the outline of this tract immediately adjacent thereto.
- The concept plan provides a sense of what a "buy right" plan would look like.

The Board of Commissioners will be asked to set a hearing date at their March 12th Stated Meeting.

Mark Kucor, in the audience, asked that the zoning change be limited to the type of deed restriction that Mr. Jonas talked about. Mr. Leonard suggested he confer with his neighbors before the hearing takes place.

Marty Graff, another neighbor, said the residents would like to maintain the residential character and have Golden Circle remain a cul-de-sac.

When Mr. High was asked if an owner of a public property can connect to a private street, the answer was affirmative.

Mr. Mermelstein advised that the neighbors could ask the Board of Commissioners to keep the road private, but to do so will require the homeowners to be responsible for maintenance and snow plowing.

500 Bethlehem Pike – Preliminary Subdivision Plan:

The proposed land development involves the subdivision of two existing parcels of land totaling 1.22 acres into four single-family residential lots under "B" Residential Zoning. One existing dwelling will remain. Bethlehem Pike, Ellerslie Avenue and Stuart Lane bound the site. Public sewer and water supply the site.

Mark Capucio, Esquire, and Tim Woodrow, P.E. represented the applicant.

Mr. Woodrow said:

- The applicant will comply with all engineering concerns in Metz Engineers' review letter dated February 22nd.
- Bethlehem Pike is 60 ft. wide, and a waiver is being sought.
 - Mr. Wert said that the Township would like to expand Bethlehem Pike to 100 ft. to fit its master plan, but in this particular case, it would be worth the consideration of the Board of Commissioners to look at the possibility of a waiver.
 - Mr. Leonard commented that if PennDOT chooses to widen Bethlehem Pike, PennDOT should condemn the land.
- Ellersley Avenue has a 40 ft. right-of-way.
- The existing stone wall, located mid-way on the property on Bethlehem Pike and extending in a southerly direction toward Ellersley Avenue, is in good condition.
- The steps on the north side of the 100 year wall are in disrepair.
- The owner is willing to repoint the wall.
 - While the Public Works Department prefers removal of the wall, Mr. Wert felt it could be trimmed down to provide better site distance on the left side.
 - Mrs. Herold opined that if the wall does not interfere with the line of site, it should remain.
 - Mr. Wert suggested the erection of fencing at the wall to protect against the 9 ft. drop to the busy roadway below.
- The applicant may seek a partial waiver from showing the existing features within 100 ft. of the tract boundary (i.e., existing curb, cartway widths, striping, road pavement material, sizes of all utilities including ownership, inverts, depth and type of pipe).
 - Mr. Wert said a partial waiver would be in order.
 - Mrs. Herold favored curbs because they will support the roadbed.
- Runoff from downspouts will be contained in underground seepage beds.
 - Mr. Haering suggested a seepage bed for the existing Lot 1.
- The existing cesspool will be removed.
- The perimeter rail fence will be shown on the drawings.

Regarding a waiver concerning corner lots being a minimum of 1 ½ times the minimum width of the interior lots of the same block, the Montgomery County Planning Commission stated in a review letter dated February 7, 2002 that the granting of this waiver would have several impacts on this development proposal as well as the entire Township. If this waiver is not granted, it would allow the applicant to place driveways away further from the intersection and will allow for more flexibility with building placement.

Mr. Mermelstein indicated he would like to see the driveways as far from the intersection as possible. To do so, Mr. Woodrow said the lots would be much narrower and deeper.

Mr. Wert prefers the current arrangement as shown. Turn-around areas on the driveways will be shown so that vehicles can exit from a forward position.

Pennsylvania Avenue Streetscape Planning and Design:

The Townships of Upper Dublin and Springfield have combined resources to cooperate with residents and neighborhood groups to seek proposals from consultants to provide streetscape planning and design services in the area of Pennsylvania Avenue between Lynn Avenue and the Abington Township line. Pennsylvania Avenue also represents the border between these two municipalities.

Mr. Leonard informed that the second draft of the RFP was sent to various interested individuals and groups, and will be forwarded to boards and commissions for comments. It is hoped a meeting can take place in early March to finalize the request for proposals. All interested parties are invited to call the Manager's office to obtain a copy of the RFP.

ACTION ITEMS:

Golf View Estates – Revised Preliminary Subdivision Plan:

The applicant is proposing 18 twin homes on a 3.03 acre tract zoned "C" Residential and "B" Residential. All dwellings are proposed within the "C" Residential District. The Zoning Hearing Board granted a Special Exception on May 22, 2000 to permit the twin units. The project is located on Girard Avenue between Walnut Street and Summit Avenue.

Messrs. Capuzio and Woodrow represented this applicant.

- The applicant has requested that a portion of Jackson Avenue fronting this tract be vacated.
- The applicant has been working with Lu Lu Temple Country Club and the Township to install a new sanitary sewer system to service the proposed community and address storm sewer management issues on the existing properties.
- Landscaping is proposed in conjunction with the golf course.
- A waiver is asked to permit photocell lampposts on each driveway in lieu of street lighting. Mr. Leonard informed of the availability of municipal grade fixtures which will hold up better. They can be provided by the developer and dedicated to the Township.
- Softening buffers have been provided along the left side and rear yard areas by means of existing trees and supplemental plantings. None have been shown along Summit Avenue (a paper street) and the vacant lands to the northeast. A waiver would be required to implement the plan.
 - Mr. Wert was in agreement.
- Sidewalks and curbing will be installed.
- Street trees are spaced at 60 ft. intervals (in lieu of 50 ft.) to accommodate the parking space grouping and utilities. Trees should be shifted to a minimum of 5 ft. behind the right-of-way line.
 - The applicant is awaiting a response from the Shade Tree Commission.
 - When Mrs. Herold expressed concern about trees next to sidewalks, Mr. Wert said there will be no problem moving them back.
 - "No Parking" signs will be installed by the Developer.
- A proposed walkway will be 6 ft. from the bed of Summit Avenue to Girard.
 - Messrs. Leonard and Mermelstein suggested fencing to protect the adjacent property owners and keep children from cutting through properties.

Mr. Mermelstein asked if any consideration has been given to the erection of netting to protect the twin homes from the golf course? For aesthetic and practical purposes, Mr. Wert said a slight reorientation of the driving range toward Valley Road would eliminate the homes from being stuck by golf balls.

A declaration of covenants will be added to each deed and also noted on the plan.

Mr. Leonard informed that public improvements will be installed from Walnut Street to Summit Avenue.

The Fire Marshal has asked for five hydrants to be installed on Summit at Girard, and Jackson at Walnut.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of Golfview Estates Final Subdivision Plan to the Board of Commissioners (Upper Dublin Reference No. 00.014) subject to (1) the comments in Metz Engineers' review letter dated February 22, 2002; (2) placement of appropriate fence to prevent trespassing through properties; (3) placement of a removable bollard to prevent vehicles from using the walkway; (4) denying the waiver for street lights; (5) an agreement regarding hydrant placement as per the Fire Marshal's request; and (6) that the developer will get in touch with the Shade Tree Commission regarding landscaping.

Steve Stone, a member of the Shade Tree Commission, invited the applicant and his representatives to attend their next meeting slated for March 14th.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Fort Washington Village Zoning:

Township staff has been working with the Montgomery County Planning Commission (MCPC) to review the existing zoning and classification maps. MCPC is working in concert with residents in the area (i.e., the Fort Washington Rescape Group).

Matt Shelly said MCPC looked at all possibilities including tweaking current zoning. Once the work is initiated with Upper Dublin, a presentation will be made to Whitemarsh Township. He would like to determine from the Board of Commissioners if they are satisfied with the way MCPC's work has been developed at the present time.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to bring the issue of the Fort Washington Village zoning before the Board of Commissioners.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Mr. Shelly was asked to prepare a single page summary on this issue for discussion with the Board of Commissioners at the March Stated Meeting.

Shade Tree Commission Ordinance and Regulations:

A 17-page response to the draft Shade Tree Commission Ordinance and Regulations was received from PECO Energy Company (PECO). Mr. High gave a brief synopsis of that which is contained in their response:

- It is PECO's position that the Township does not have power to impose an ordinance and regulations on a public utility.
- Trimming specifications that require PECO to come back every three years are not healthy for trees
- The regulations are contrary to good arboreal purposes.
- Trimming every three years would be prohibitively expensive.
- PECO would have to gear up much more frequently for Upper Dublin than other municipalities.

- PECO is concerned that other municipalities will do the same thing and a plethora of different regulations will present a tremendous problem for them.
- The Shade Tree Ordinance and Regulations should impose the requirement that trees not be planted in such a way as to interfere with power lines.
- PECO takes issue with the blanket permit fee of \$500 to take down as many trees as specified.
- Cases PECO cited are efforts by municipalities to control the manner in which PECO trims trees on private property. The draft regulations only apply to Township-owned trees in a Township right-of-way.
- There are two conflicting policies state-wide.
- PECO does not want the Township joining with other municipalities in an ordinance.
- Upper Dublin owns the trees and would like to control how they are maintained.

Mr. Stone said that PECO trims trees on a cycle set by the state. The Shade Tree Commission's cycle calls for trimming every four years.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend advertisement of this ordinance and send it on to the Board of Commissioners for further discussion. The regulations remain subject to additional recommendations from the Shade Tree Commission.

VOTE ON MOTION ALL YES MOTION CARRIED

Zoning Map Changes:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to send the Zoning Map Changes to the Full Board and schedule a hearing at that time.

VOTE ON MOTION ALL YES MOTION CARRIED

Institutional Parking Requirements Ordinance Draft:

Mr. High's office added the following to the draft ordinance:

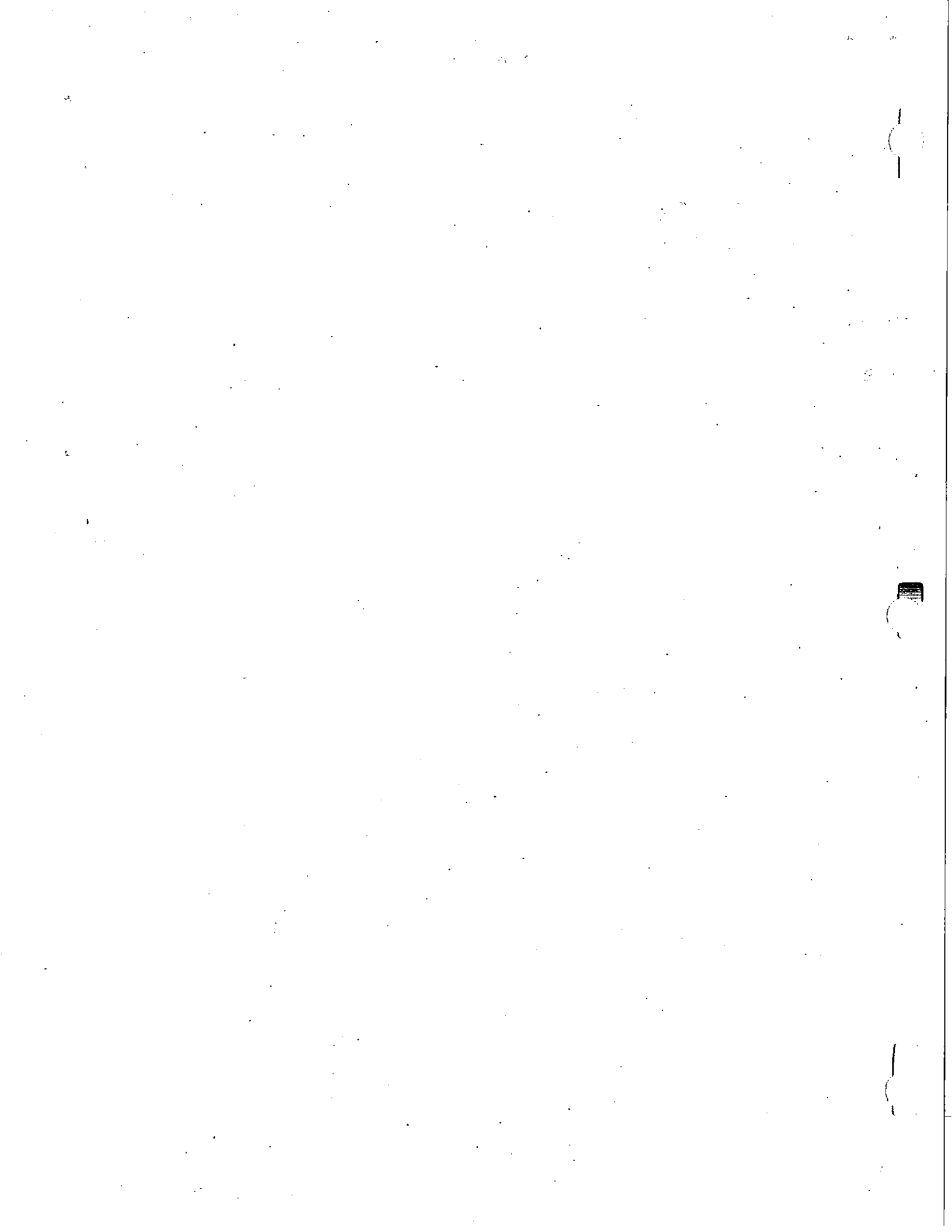
- Provision for reserve parking using language recommended by the PAAB.
- Language giving general standards to the Township Engineer to approve a parking plan with respect to circulation.
- Added "nursing home" to the parking requirements for hospitals and convalescent homes.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to advertise this draft ordinance and discuss same at the March Stated Meeting.

VOTE ON MOTION ALL YES MOTION CARRIED

Outdoor Lighting Ordinance:

In a letter from the Solicitor dated February 20, 2002, it was stated that "this ordinance will provide for "full cutoff" lighting fixtures on street lights. Full cutoff lights are designed to direct lighting down at a very slight angle to the fixture. It is felt that the Board should review as a matter of policy whether this is desirable for streetlights. It has the advantage of preventing glare and extraneous light, but it has the disadvantage of preventing light from spreading out across a street to the area flooded by the next street lights. Thus, going down the street, you would have areas of bright light, then darkness, then bright light, then darkness, etc. The issue for the Board of Commissioners is whether the nuisance created by street lighting escaping onto neighboring residential parcels of ground is more of a concern than the public safety concerns that arise from the



spotty lighting described above. Scott Berry of Exelon has advised Chuck Oyler that he believes full cutoff lighting on all streets is inadvisable."

Mrs. Herold asked, "How can you go on private property and tell owners the light is too bright?" Mr. Leonard answered that if someone has light providing glare, it would be seen across properties. The context of the entire ordinance must be looked at.

Section G (1) (b) states: "Noncompliant lighting fixtures and lighting installations shall be made to conform with the requirements of this Section or removed within two years after the effective date of this Section."

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the Outdoor Lighting Ordinance to the Board of Commissioners.

VOTE ON MOTION ALL YES MOTION CARRIED

ADJOURNMENT:

There being no further business to discuss, the meeting was adjourned at 10:00 p.m. by a motion made by Mrs. Herold and seconded by Mr. Mermelstein.

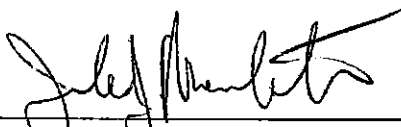
VOTE ON MOTION ALL YES MOTION CARRIED

Respectfully submitted,

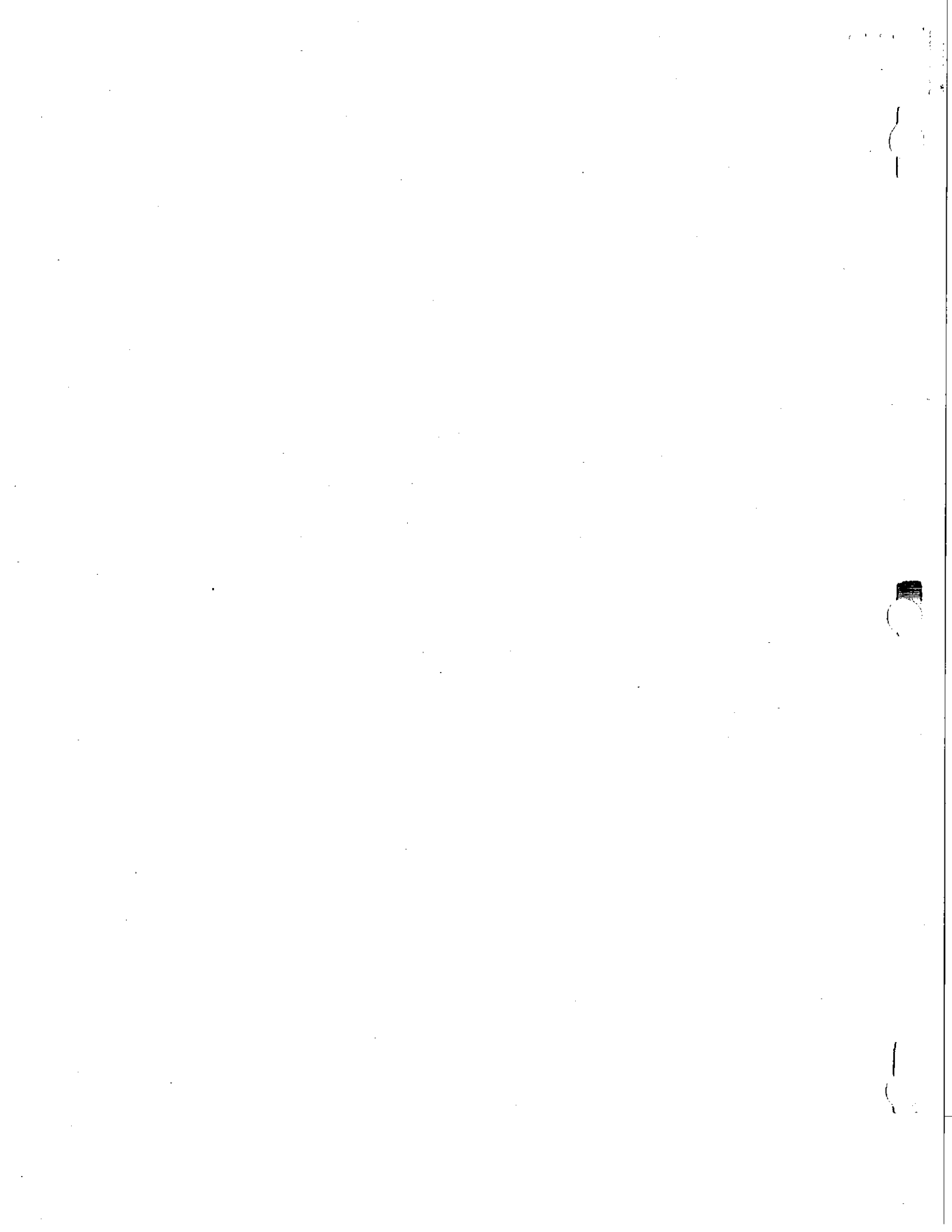


Louise S. Birett, Recording Secretary

Attest:



Jules Mermelstein, President *Chair*



A public meeting of the Planning Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, March 26, 2002, in the Township Building; Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold. Also in attendance were Jonathan Bleemer, Assistant Township Manager; Paul Erfle, Township Engineer; Gilbert High, Township Solicitor; Stanley Ropski, Environmental Protection Advisory Board; Charles Haering, Planning Agency Advisory Board; and Matthew Schelly, Montgomery County Planning Commission.

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

Move to Accept the Minutes of the February 2002 Meeting Without Reading:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the February 2002 meeting without reading.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Report of the Environmental Protection Advisory Board (EPAB):

Stanley Ropski expressed concern about the Peak Media, Zoning Text Amendment. The EPAB is concerned about further proliferation of billboards in the Township. The board views this as a type of pollution. They also believe it would lead to further light in the Township and would not be of benefit to Township residents. The Blue Route is an example of what they believe a limited access highway should look like in the Township, without visual pollution. They are against amending the sign ordinance.

Mr. Ropski discussed 33 Morris Road. Neighbors attended the EPAB meeting who were against this development because of existing flooding conditions in this area. The Prophecy Creek is in this area and according to Mr. Froelich this creek is a best quality/clean contributor to the Wissahickon Creek and addition of impervious surface would contribute runoff water to the creek.

Rick Collier of LandConcepts, Inc briefed the EPAB on the Upper Dublin High School project. He reported to the board that the plan has not yet addressed stormwater issues and that they would be addressed at a later date.

The EPAB is pleased to find that the LA Fitness property will have on-site stormwater controls.

The EPAB is concerned about the Suriano property flooding in certain areas of this subdivision and recommends that the applicant investigate the flooding situation.

Earth Day is Monday, April 22. To commemorate this day on Saturday, May 4, EPAB along with the Wissahickon Valley Watershed Association will undertake a stream clean up on Pine Run located in the Industrial Park. Clean up locations and meeting times will be set at their April 2 meeting. This will be advertised on channel 16 and on the township website. EPAB encourages township residents to participate in this event. Location and times will be announced at the Stated Meeting.

DISCUSSION ITEMS:

500 Bethlehem Pike – Preliminary Subdivision Plan:

Marc Jonas, Esquire, appeared on behalf of the applicant asking that it be removed from the agenda as they have more work to do to present to the Township Engineer. It is not ready for committee action. He agreed to sign an extension because it would not make it to the stated meeting in time for the stated review period.

Mrs. Herold asked him to please sign that extension tonight at the meeting. Mr. Jonas agreed.

Twin Spring Farm – Minor Land Development Plan:

Not ready to go before the committee. Postponed.

425 Delaware Avenue – Change of Use Plan:

Ed Ozcowski, owner, asked to change the existing use of a lab to change to an office and warehouse use. It is an existing 20,000-sq. ft. building and they wish to reduce it to a 12,000-sq. ft. building by removing a section and in its place build more parking lot. It does meet the code of parking requirements for office and warehouse use.

Mr. Mermelstein asked if he received Metz Engineer's review letter of March 21, 2002 and if he had any problems with it. Mr. Ozcowski stated that he did receive the letter and he does not have any issues with the letter. He wants to move forward and is looking to do full land development plans as this is sketch review.

Mr. Mermelstein asked if Mr. Erfle had any questions for Mr. Ozcowski. Mr. Erfle stated that they did have some issues with this property. The Delaware Drive Bridge is under redesign. The bridge is being lengthened by thirty feet and there are channel improvements. The existing parking lot is very close to these improvements. Metz would like to review these issues with Mr. Ozcowski. In addition, he is concerned about the floodway, six feet of water that may or may not be there on the property and that has to be resolved. Also, there is a question about whether the fire marshal would request a 360-degree around the property.

Mr. Ozcowski stated that they planned to do that. The tenant is looking for a parking lot that goes all the way around the property. They could access the far side parking lot by going through the back of the building instead of the front. They are hiring Barry Ozzett to do the land development drawings.

Mr. Erfle asked that they meet with Metz to discuss the Delaware Drive redesign and its impact. Mr. Ozcowski agreed.

New Life Presbyterian Church – Preliminary Land Development Plan:

No one present. Postponed.

33 Morris Road – Sketch Plan:

Tim Woodrow, engineer representing Pat Sparango, was present. The property is located at the intersection of Morris Road and Butler Pike just south of Ambler Borough. There are a fair number of environmental features around the property. Just NE of Morris Road is the Prophecy Creek that feeds into the Wissahickon Creek. The floodplain for this encumbers much of the property. There are a number concerns expressed by Metz Engineers, the EPAB and the PAAB.

Mrs. Herold commented that there were also concerns expressed by some of the neighbors.

Mr. Woodrow stated that they were sensitive to those concerns and believed that they can develop a number of lots without having an adverse impact on the floodplain, waterway and wetlands. Also, they hope that there is some way they can cooperate to dedicate some land to open space and walking trails. The property is just over 7.3 acres and is bisected on the far NW corner by Whitpain Township. The plan is to preserve the existing home and create four additional building lots. Greater details will need to be provided on subsequent applications with regards to wetlands, floodplain buffers and elevations. They would like to talk about possible improvements to Morris Road and Butler Pike. There are very few improvements, such as, curbing and sidewalks or widening. They are hoping that the low impact of what they are proposing would mitigate any need for additional improvements along either frontage.

Mr. Mermelstein asked if he received the letter from Metz dated March 22, 2002. Mr. Woodrow replied that he had, but he had not seen the Montgomery County Planning Commission letter.

Mr. Erfle stated that Metz had some concerns about the floodplain. The plans need to show the calculated floodplain shown related to the elevations rather than the graphic mapping. Also, how would the storm water management be accomplished? Mr. Woodrow replied that they had several options. The first would be underground seepage pits. The driveways would drain with downspouts to the seepage pits to help recharge the groundwater table and improve the water quality. They also thought about creating a low berm along the back of the properties. They are trying to minimize the grading and earth disturbance to preserve as much of the woodlands as possible and for that reason they were shying away from the berm.

Mr. Erfle stated that lot #4 has an existing non-conforming location for the house. He also recommended that there should be a deed restriction concerning the floodplain, wetlands and any grading activity planned by the future homeowners.

Mr. Haering asked how they are addressing the Metz letter of February 20, 2002 the first item under calculation of site capacity and the acreage. This is also referred to in the PAAB letter of March 21, 2002 item 4. After subtracting out the floodplain areas is there sufficient acreage? Mr. Woodrow replied that at this point they had not performed those detailed calculations. He agreed to complete this before developing the plans. He asked the board for their recommendations on improvements to Morris Road and Butler Pike.

Mr. Mermelstein recommended that there be a deferral for future in case of road widening or other future improvements.

Mrs. Herold reminded that down the road there is a bridge that crosses the Wissahickon and that it has been replaced several times. Every year it was flooding and the entire area is very wet.

Mr. Mermelstein stated again that the board is very concerned about flooding. Mr. Woodrow hoped that they could improve the situation.

Hilton Garden Hotel – Preliminary Land Development Plan:

Mr. Yanoff reported that they have a revised plan that addresses issues raised at the last zoning hearing, but it has not been submitted yet to the Township.

Mr. Mermelstein asked about the time deadline. Mr. Yanoff believes that it has been extended and they will return next month with the plan.

Mr. Erfle asked about the appeal pending before the zoning hearing board. Will the plans change if that decision is reversed? Mr. Yanoff replied that they hoped that the revised plan would resolve the issues before the zoning hearing board. It specifically addresses the parking and setback issue.

St. Alphonsus Church – Preliminary Land Development Plan:

Michael Yanoff and Dan Updyke were representing the applicants. Mr. Yanoff stated that they already went to the zoning hearing board for approval for expansion. The gymnasium expansion was approved in concept in 1995 during the last expansion. The gymnasium is now being expanded to a greater degree that was presented before the zoning hearing board and they are also including classroom space in the 2nd floor of the gymnasium area. There is also a plan to expand on each side of the chapel area. There is an expansion of the parking area to satisfy the requirements of this particular use.

Paul Erfle stated that Metz would like to see the sanitary sewer that is under the building moved so that it will not run under the gym. There was also a question about additional buffers along one of the boundaries. Dan Updyke represented St. Alphonsus responded that the sanitary sewer line was installed in 1996 and was relocated for the gym area. It is a straight line 8" and very easy to maintain. Metz still wants it moved.

Mr. Yanoff responded that they would discuss it with the school although he does not believe that there is an ordinance requiring it to be moved. Also, there are some waivers that are not listed on the Metz letter of March 22, 2002. There is no room on the site for topsoil. They would like to move it to the parks again as they did during the last construction. That requires a waiver.

Mr. Yanoff also requested a waiver on item #5, that existing features within 100 feet of the tract boundary have not been shown. Mr. Erfle agreed.

Mr. Yanoff also requested a waiver on curbing within the new parking lot. Mr. Erfle agreed as long as it was not needed for storm water management.

Mr. Haering asked that not all parking spaces be put in at this time. Mr. Yanoff believes that the number of spaces is required as there is not adequate parking now and people park where they are not permitted. Mr. Erfle asked about using porous paving instead of impervious surface. The engineer for St. Alphonsus stated that they have an infiltration trench instead of porous paving.

Mr. Haering still was requesting that they only add the number of parking spaces as required by ordinance. Mr. Mermelstein agreed with the applicant to add the parking spaces.

Tolson DeSa of the Montgomery County Planning Commission requested that the storm water basin be naturalized. Mr. Yanoff stated that it would present a hazard to children.

Mrs. Herold asked about mosquitoes and the vegetation in the basin.

Mr. Yanoff stated that they are going before the zoning hearing board in April and that they would be back before the PEC Committee next month to address any of these issues that were raised tonight.

Pennsylvania Avenue Streetscape Planning & Design:

No one was present to discuss this.

1100 Virginia Drive -- Discuss Revised Land Development Plan:

Ross Weiss, Michael Mandelbaum and Ted Kochen were present for 1100 Virginia Drive.

Mr. Mandelbaum stated that DeVry Institute is taking a retrofit on the west side of the Expo Center. They would like a traffic light installed.

Mr. Mermelstein asked for Township staff to get recommendations to the board concerning a traffic light.

Ross Weiss stated that their main concern was to get approval of the grading permit and move forward separately on the land development plan. He reviewed Metz Engineers letter of March 22, 2002 and stated that they will comply with all requests except for two. Item #1 under subdivision & land development ordinance, they asked that they not have another seal added to the plan and asked for a waiver. Mr. Erfle agreed.

Mr. Weiss asked about item #1 under general comments regarding calculations for retaining walls near the patio area. He requested that instead a note be added to the plan that the building permit will not be issued until calculations are provided and approved by the township engineer. Mr. Erfle agreed.

Mr. Weiss asked that they be put on the April agenda if the plan were submitted quickly with all the agreed upon changes. If that could not be done, could the grading permit be issued? Mr. Erfle stated that the township engineer does not have all the required documentation and approved plans and that they need them.

Mr. Mandelbaum wants to start demolition under the previous approval. Mr. Erfle will work with them to get demolition started as soon as possible.

Ted Kochen wants to put in reserve an 1100 sq. ft. of additional parking for future use. Less impervious surface than planned was approved. There will be a net increase in green area.

Mr. Mandelbaum stated that DeVry Institute is moving into temporary space on August 1, 2002. They will move into the other section when the work is completed. They want to move by January 2003 before the second semester starts.

Mr. Erfle suggested that the reserve parking be pervious block. Mr. Weiss stated it will be green and in reserve. It is a deferral.

Mr. Erfle wanted an overall master plan of the site with all of these notations. Mr. Mandelbaum agreed.

Matt Schelly of the Montgomery County Planning Commission wanted a note added to the plan that when the parking lot is built that it will be pervious surface. He also wanted storm water

BMPs added to the land development plan. He also asked that the cross county trail be shown on the plan.

Mr. Mandelbaum is still waiting for the county to provide him with a new cross county trail plan taking into account preserving large trees. Mr. Schelly suggested adding a bike/pedestrian trail to the back of the lot connecting to Camp Hill Road. Mr. Mandelbaum agreed to take up that idea with DeVry Institute. They would like to grant it as an easement for future use.

Mr. Schelly also requested that the buffer planting be something other than white pine.

Mr. Mandelbaum stated that Mr. Schelly's comments were all relating to the development plan of a new building that is not going forward, not the current plan.

ACTION ITEMS:

Upper Dublin High School – Sketch Land Development Plan:

Rick Collier of LandConcepts, Inc., Mr. Garrity, School District Council, and Wade Coleman, the Director of Facilities for the Upper Dublin School District attended the meeting to discuss the Sketch Land Development Plan for the Upper Dublin High School.

Mr. Collier informed of the following:

- They have received review letters from the Township Engineer, Metz, traffic consultant, Orth Rodgers, Montgomery County Planning Commission and Carroll Engineering. All of the comments are reasonable and can be addressed in some cases with very minor modifications to the plan by adding notes and clarification.
- There have been a few minor changes to the proposed facility.
 - It has been resolved that there will be 10 classrooms.
 - After doing a detailed inventory of the existing rest room facilities that there is no need by code to add additional rest rooms for this wing. That allows them to reduce the size of the modular addition and gain classrooms, instead of providing bathrooms.
 - They have worked out the connections with the architect so that there is a permanent corridor that connects to the high school near Mrs. Staller's office.
 - They have been working with the architect on the aesthetics so that the façade will blend with the remainder of the high school.
- There is urgency to move this project forward so that the school district can go to bid and secure these units and have them installed in the summer so they can be operational in the fall.

Mr. Mermelstein asked if the School District had any problems with any of the recommendations in the review letters referred to by Mr. Collier. Mr. Collier responded that he could only respond to the technical issues dealing with engineering and they are prepared to deal with them. They feel they can easily be addressed. He could not speak to the policy issues.

Mrs. Herold commented that it was refreshing to hear that aesthetics would be addressed by using the modular approach, because these are not portable or temporary. She approves of the modular approach of building off-site and moving in finished product. Mr. Collier commented that it is very similar to the additions at Jarrettown Elementary, Thomas Fitzwater Elementary and Fort Washington Elementary.

Mr. Mermelstein referred to the Metz letter of March 22, 2002, page 2. He asked if the School District was requesting waivers listed. Item one, not all proposed curbs are indicated on the plan.

Is the School District requesting a waiver? Mr. Collier responded that they will finalize the responses to these waivers, but in this case the intent was to provide the curbs. A note will be added to the plan adding curbing and in some cases removing and relocating other curbing. No waiver will be sought.

Mr. Mermelstein asked about item 2 on that same letter referring to size of the parking lot spaces and would a waiver be sought. Mr. Collier responded that he understood that Main lot and the Cafeteria lot are a matter of re-striping, which would be a continuation of a non-conformity. If they are creating a new parking lot that must conform to code, they will have to get a resolution that issue. The new Pool lot is being reconfigured and the new spaces will all meet the ordinance requirement for size. The resolution of this issue will be prior to the next stated meeting.

Mr. Mermelstein asked about item 3 on that same letter referring to a waiver for more than 36 cars in a lot. Mr. Collier must reserve statement on that, but the Pool lot is configured for 39 spaces so a waiver might be needed for that lot. The other lots are existing and are already greater than 36. This will be clarified prior to the next stated meeting.

Mr. Mermelstein asked about item 4 on that same letter referring to two waivers. One for parking lot tree requirements for lots H, I, and J and a deferral for an overall landscaping plan for the high school. Mr. Collier stated that the parking lots are existing painted islands not raised islands. They may be repaved and restriped, but they would not be reconfigured. There is little opportunity to put trees behind the pool lot because it would block the view of the drive. They do need a waiver for the parking lot trees. On the overall landscaping plan, they do have a landscaping plan for the modular area and it exceeds the requirement of one tree per 5,000 square feet of new space. They do want to defer the overall landscape plan to tie in all landscaping plans.

Mr. Mermelstein asked that the date be identified as to when an overall landscape plan would be prepared. Mr. Collier agreed.

Mr. Mermelstein asked about item 5 in the same letter. Mr. Collier stated that he needed to refer to the School District for both item 5 and 6 for their comments and if they are agreeable to this.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to bring the issue of the Upper Dublin High School Modular Classroom Addition before the Board of Commissioners for Preliminary Approval conditioned on the letter from Metz Engineers dated March 22, 2002. It will be presented at the next stated meeting on April 9, 2002.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Miller/Apel Avenue – Reverse Subdivision Plan:

Ed Vollberg of Stout Tacconelli & Associates was present, as was Mr. Kenneth Miller, the property owner. Mr. Vollberg stated that there are currently two parcels of land and they want to remove the parcel line and reverse the subdivision making one conforming lot. They revised the plan in response to the Metz letter of March 21, 2002. In reference to the comment on the garage, it is an existing non-conforming condition already on that lot. They have added dimensions from the property line to that building. It is intended for that garage to stay.

Mr. Mermelstein stated that the Metz letter defers to the Township Zoning Officer for further review of this non-conformity. Has there been any review of that? Mr. Vollberg has not heard

anything from Rick Barton in this regard. The location map was revised and the existing monumentation has been added to the plan. The potential purchaser of the lot has told him, that a surveyor put in the one missing pin. Item 3, showing existing utility locations, would have to be shown on the grading plan so they are asking for a deferral until a grading plan is required. All these items really relate to the development of the property and should be applied to the purchaser once they are proceeding forward with building plans.

Mr. Erfle asked that a comment be added to the plans that state that this is solely for conveyances purposes and a building permit plan must be provided. Mr. Vollberg agreed. In response to other comments on the Metz letter he also stated that there was never an existing dwelling on this part of the property. As far as disposition of the existing drive on Apel Avenue, he states that would rest with the purchasers and would be on their grading plan. Property line being removed has been added to plan. Garage and shed measurements have been added to the plan. New address for the site will be requested. They assume it will be 215 Apel Avenue. They will provide a legal description for review of the revised property boundary. Items 11, 12 & 13 have been completed as requested. The only other comment is on PA DEP planning module, which does not apply as this is only one EDU and is not required for 2 or less EDUs.

Mr. Miller commented on the trees and flowers on the property rivaling the Flower Show.

Mrs. Herold commented on the abundance of trees on the property and hoped they would remain. Mr. Vollberg read from the letter written by the purchasers where they stated that only a few small trees would be removed for placement of their home. They intend to keep as much of the landscaping as possible.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to present the Miller/Apel Avenue Reverse Subdivision Plan for consideration before the Board of Commissioners for approval conditioned on the letter from Metz Engineers dated March 21, 2002 and approval of the Township Zoning Officer of the non-conforming condition. It will be presented at the next stated meeting on April 9, 2002.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Suriano-Limekiln Pike – Preliminary Subdivision Plan:

Mr. Yanoff and Ed Vollberg were representing Suriano.

Mr. Yanoff stated that this is a minor subdivision plan and before he became involved the applicant sought and obtained a conditional use approval. In the Metz letter dated March 22, 2002 there is zoning review section, but the conditional use was approved at the last stated meeting. There are a couple of waivers referred to in this letter. They do have two issues to talk about. They are items 3 and 5 on page two, which Mr. Vollberg will address.

Mr. Vollberg stated that in item 3 referring to drainage easements, a study was performed by Nova Consultants that identified that there were no wetlands, floodplain soils or water of the Commonwealth across this lot. They refer to this as a broad depressional feature that allows the water to drain from one side to the other. The grading plan would have to provide a route for the water to drain through, but it does not have to be through the middle as it is now. It could come through the side to a pipe. They could use the area where there are no trees, but they do not want to designate an easement through the center restricting it at this time, until a grading plan and determine where the house and driveway would go. Mr. Erfle had no issue with that.

Mr. Vollberg commented on the Metz letter item 5 referring to providing a sanitary sewer profile for lot 1 and lot 2. He stated that they are providing an easement through lot 2 for the benefit of lot 1 should they need to go that way for the sanitary sewer. The owner of lot 1 is Mary Winslow, the sister of the owner of lot 2. They are looking at three options for lot 2, the current septic system appears to be working. The first option is to bring a line along Limekiln Pike to the manhole that exists at Broad Street. The second option would be to go through Mr. Geppart's property to the existing manhole. The third option would be to put in a new manhole with a lateral to connect it. It is not clear yet which option would be the most cost efficient. There is a note on the plan that states that before lot 1 proceeds with sanitary sewer they will have to submit a full set of sanitary sewer design plans. They would like to defer adding this to the plan until they know which sewer option they are going to choose. At that time full set design plans would be submitted for approval for both lots. Mr. Erfle did not have an issue with that.

Mr. Yanoff has two other issues. Item # 4 refers to remnants of a stonewall. He asked that it not be added as a requirement on the plan. Mr. Erfle agreed that it was a recommendation only.

Mr. Yanoff also objected to item # 6 that no further subdivision or building lots would be permitted as they would come back and make an application at a future date if they wanted to subdivide further. Mr. Erfle stated that from a planning prospective they merely wanted to restrict the number of driveways coming from the property.

Mr. Mermelstein, Mrs. Herold and Mr. Erfle agreed that putting such a note on the plan was not necessary.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to send Suriano – Limekiln Pike – Minor Subdivision Plan before the Board of Commissioners for Approval conditioned on the letter from Metz Engineers dated March 22, 2002 with the exception of item number 6. It will be presented at the next stated meeting on April 9, 2002.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Peak Media – Zoning Text Amendment:

Marc Jonas appeared representing Peak Media. He stated that this began as two applications to the zoning hearing board to locate billboards in the EC district, where they are permitted. The Board of Commissioners voted to oppose that. The PEC Committee commented that since the sign regulations were new, Peak Media was invited to suggest some amendments. They visited different environmental boards in the Township and did arrive at some recommendations. Currently one has to go to the zoning hearing board for special exception to get an off-premise sign. The EC district allows signs up to 675 sq. ft. The adjustments recommended are to create two categories. One is for signs up to 25 sq. ft. or less. The other is to have a category for signs over 25 sq. ft. Site constraints will reduce the potential for the number of large billboards and eliminates the need for variances. Of the 110 parcels in the EC district there might be only 13 or 14 that could support billboards. They are proposing an increase in the separation distance between billboards from 500 ft. to 750 ft. This would restrict where they could be located. They also added a separation parameter, which is distance to a conforming residence and is not in the current regulations. Also added are separate illumination requirements for billboards and hours of operation. They are also two parameters needed to provide for trees and sight lines for the traveling public. Also, by special exception there could be a 675 sq.ft. billboard only on a limited access highway. The township engineer would review every application for special exception for off premises signs larger than 25 sq. ft. Some committees thought that approval

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could be by conditional use, others thought that it should be by special exception before the zoning hearing board.

Mrs. Herold recommended that they set a hearing date for April. Mr. Mermelstein agreed.

Commercial Parking Ordinance:

Mr. High stated that the purpose of this ordinance was to update the code for commercial parking and consolidate what is already found in various places in the code.

Mrs. Herold recommended that they set a hearing date for April. Mr. Mermelstein agreed.

Amendment to Mobile Home Development - Density:

Mr. High stated that the Board of Commissioners asked Carter Van Dyke to look at our current Mobil Home provisions in the code and analyze density and if it could be achieved. Mr. Van Dyke determined that the code was internally inconsistent and the density could not be achieved. He came up with recommendations to make is consistent and were put into this new ordinance. One of the recommendations Mr. High disagrees with and that is a buffer around the Mobile Home lot.

Mr. Schelly disagrees with this same part of the recommendations.

Mrs. Herold disagrees and likes a buffer for privacy and noise reasons.

Mr. Schelly gave three alternatives to a buffer: 1. layout (single perimeter drive,), 2. standards (including curbs, sidewalks, driveways), 3. landscaping similar to neighboring developments.

Mr. Mermelstein stated that the hearing date is already set for April 16. He invited Matt Schelly of the Montgomery County Planning Commission to attend.

OTHER BUSINESS:

Mr. Bonsonel of Fort Washington Avenue asked if there were any festivities planned to celebrate Earth Day. Mr. Mermelstein indicated that this was discussed at the beginning of the meeting by the EPAB and reviewed the planned activities.

ADJOURNMENT:

There being no further business to discuss, the meeting was adjourned at 8:45 p.m. by a motion made by Mrs. Herold and seconded by Mr. Mermelstein.

VOTE ON MOTION

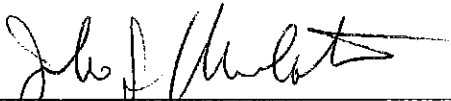
ALL YES

MOTION CARRIED

Respectfully submitted,


Debra L. Ritter, Recording Secretary

Attest:


James Mermelstein, Chairperson

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A public meeting of the Planning Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, April 23, 2002, in the Township Building; Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold. Also in attendance were Paul A Leonard, Township Manager; Jeff Wert, Township Engineer; Gilbert High, Township Solicitor; Stanley R. Krakower, Environmental Protection Advisory Board; Matthew Schelly and Tolson DeSa, Montgomery County Planning Commission.

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

Move to Accept the Minutes of the March 2002 Meeting Without Reading:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the March 2002 meeting without reading.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Report of the Environmental Protection Advisory Board (EPAB):

Mr. Krakower highlighted the minutes of their April 17, 2002 meeting:

The Environmental Protection Advisory Board noted a correction to their April 2, 2002 meeting. The word "some" be added between that and communities and changing the words "pending legislation" to "litigation being reviewed." Mr. Krakower also stated for the Board that they feel outdoor advertising is a form of pollution.

U.D.89-9 Geppert Minor Subdivision. Discussion on the closeness of the proposed building to the one hundred year flood line. They requested that more recent storm water calculations be provided.

U.D.02-09 Derbyshire Minor Subdivision. Mr. Krakower distributed and read a memo regarding the Derbyshire Tract expressing concerns that the proposed dwelling will be on a rather steeply graded area. The Environmental Protection Advisory Board would like to request that the builder use a two-barrier silt fence during construction, properly removing it upon completion.

The EPAB got permission from the Mr. Sean Kraemer, Head of Security at Aetna, Blue Bell to use their parking lot for volunteers, who will be participating the EPAB/Earth Day annual stream cleanup. Volunteers are asked to meet on May 4 at 9:00 AM; cleanup will continue until noon. Trash bags will be provided; gloves, long pants and work boots are suggested.

DISCUSSION ITEMS:

James B. Geppert – Minor Subdivision Plan:

Richard Abell, representing James Geppert, presented their proposal for a lot line change to his previously approved two-lot subdivision at 1422 N. Limekiln Pike in Dresher. The change would enlarge the building envelope on vacant lot No. 1.

Discussion focused on Mr. Wert's April 18, 2002 review letter and items covered included:

The ultimate right-of-way for Jarrettown Road is shown to be 80 feet or 40 feet half width. The prior subdivision plan offered 8.5 feet of additional right-of-way for a total of 25 feet half width. Mr. Abell withdrew his request for a 15-foot waiver.

The prior plan contained a driveway widening to 20 feet from 10 feet for the portion to be common between lots 1 and 2. Removal of a portion of stonewall was also shown. Mr. Abel agreed and the plan will be revised accordingly. Additionally a PennDOT Permit will be required to increase the curb depress area.

Deferrals were acceptable for sidewalks and concrete curb on Limekiln Pike.

The connection fee for Sanitary Sewer was discussed. It's shown at \$2,500 per lot and Mr. Leonard advised that the fees might be different following the pending sale of the sewer treatment facilities to the Bucks County Water Authority.

A contribution of \$15,000 for Jarrettown Road was listed on the November 14, 1989 Board of Commissioners approval and it is understood that this is payable at the time of issuance of the Building Permit.

Mr. Schelly, Community Planner, Montgomery County Planning Commission, outlined this review letter:

Sidewalks exist along the Jarrettown frontage and stop at Limekiln Pike intersection. Extension of the sidewalk along the front of these properties would be able to connect to the sidewalks deferred for the adjacent Suriano property. These two pieces would allow pedestrians such as children and families to get close to Broad Street, where Mondauk Common is only a short distance away. He also stated that street trees would be required.

Mr. Abell advised that they are only asking for a deferral of sidewalks and curbs. They will be happy to provide them once the township develops an overall plan. Mr. Krakower from the EPAB asked if the most recent storm water reports were used. Mr. Wert will check.

Additionally the suggestion was made to have a Deed Restriction preventing the filling or disturbing of the floodplain.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to present the James B. Geppert Minor Subdivision Plan for consideration before the Board of Commissioners for approval conditioned on the letter from Metz Engineers dated April 18, 2002, Montgomery County Planning Commission letter dated April 22, 2002 and Carroll Engineering Corporation's letter dated March 26, 2002. It will be presented at the next stated meeting.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Pennsylvania Avenue Streetscape Planning & Design:

Mr. Leonard introduced planning efforts for the "Fort Washington Village Plan" along Pennsylvania Avenue. Mr. Schelly from the Montgomery County Planning Commission reported that zoning revisions and input from different entities was needed.

Mr. Leonard advised that MCPC would provide planning assistance, and Jim Hartling from Urban Partners would be providing advice to both sides of the street, Upper Dublin and Whitmarsh Townships.

Mr. Leonard also advised that the Montgomery County Planning Commission's work would be subject to meeting with property owners and presentation of more understandable recommendations. His initial assessment of Pennsylvania Avenue is that it is heavily used all day long.

Mr. Mermelstein liked the resident/business meeting approach to discuss recommendations.

Prime Properties – 1540 Jarrettown Road – Minor Subdivision Plan:

Nick Rose, P.E. of ProTract Engineering Inc. presented their proposal for a two-lot subdivision for the Beam property at 1540 Jarrettown Road. The 3.09 acre tract is zoned A Residential and is intersected by the Rapp Run.

Mr. Mermelstein began the discussion by asking Mr. Rose if he had any questions about Metz Engineers April 18, 2002 review letter.

Under Zoning Ordinance, Item No. 2 regarding the nature of the concrete structure between Lots 1 and 2, Mr. Rose advised that the lot line would be changed to put the concrete bridge in one property with an easement for the second.

Mr. Wert's General Engineering and Drafting Comments asked if there were existing easements on the tract; Messrs. Case and Rose stated that they were not aware of any other than the sanitary sewer easement.

Discussion on whether the new property line should intersect the right-of-way at or near 90 degrees. Mr. Rose said that with the angle as shown, it would enable them to use the current curb depression and sidewalk for the driveway. Mr. Wert will check it out.

Lot 1's existing grades show an existing swale, and the question is whether the swale was created from a pipe discharge. Mr. Rose said he didn't believe the swale was created by a pipe discharge, but they will look into it.

Mr. Rose and Mr. Case stated they would be happy to dedicate enough to give an 80-foot right-of-way for Jarrettown Road.

Mr. Case advised that he had checked with the conservancy and there is no historic significance to the dwelling or the barn on the site. Dwelling will be demolished and the barn will be dismantled and sold.

Mr. Schelly Community Planner from the Montgomery County Planning Commission highlighted their April 18, 2002 review letter.

The recorded plan for subdivision for this tract shows different meets and bounds than those depicted on the plan. Applicant agreed to rectify this with the Township Engineer.

Rough delineation of proposed location of the house suggests that it may be in the flood plan. Applicant and Township Engineer will review.

Since over half the tract is in the Floodplain Conservation District a Minor Subdivision Plan shouldn't be used for approval. Mr. Wert advised that technically this was a major subdivision, although Mr. Leonard feels it is a minor one. Mr. Mermelstein, after hearing further discussion,

is satisfied that this is a Minor Subdivision, pending receipt of the complete information and the satisfaction of compliance issues. Mr. Rose advised that there is public water in the street.

The Montgomery Count Planning Commission made an appeal to the applicant to consider retaining the two existing structures and converting them for residential use.

The shared driveway aspect of the plan was discussed and consideration will be given to combining the two driveways with a shared access easement.

Real Property Transfer Ordinance

Mr. High presented a draft of an Ordinance amending the Code of the Township of Upper Dublin, Chapter 180, Property Maintenance, by the Addition of a New Article II, Real Property Transfer Certification, to promote the Public Health, Safety and Welfare by Requiring Sellers of Real Property to Deliver to the Purchasers of Real Property a Certification of Use and Maintenance for the Property to be Transferred.

The proposed ordinance would require sellers to fill out and sign a certificate stating that the sidewalks are in good repair, replacing or repairing them as necessary, displayed clearly visible house numbers and installed smoke detectors on each floor. Sellers would also have to state what the property's use is, such as single-family dwelling, offices, apartments, etc.

The question of realtors having some objections to the process was discussed and Mr. Leonard said he found the opposite to be true – the Realtors look at it as a way to provide surety. The Committee will continue review the Ordinance as township staff and consultants make edits.

Comments on the Ordinance from Mr. Kostyk, 1657 Dillon Road, questioned the length of time the certification would be valid. He was advised that the intent of the Ordinance was to have the certification completed at the time the property is transferred, however, Mr. High will look into including a timeframe in the Ordinance.

The issue of older nonconforming uses was discussed and the Committee concluded they would be dealt with on a case-by-case basis.

1100 Virginia Drive – Discuss Revised Land Development Plan:

Ross Weiss, Michael Mandelbaum and Ted Kochen were present for 1100 Virginia Drive.

Mr. Mandelbaum stated that they feel all issues have been resolved. DeVry Institute has flip-flopped and will be occupying a mirror image location in the building. He stated that the parking situation is actually improved.

Mr. Wert had questioned this change in location and Mr. Mandelbaum stated that the total square footage was the same and the building had only changed locations. Mr. Mermelstein lead a discussion as to whether this was a change in use, and Messrs. High and Wert will look into the many issues raised by flipping DeVry.

Mr. Mandelbaum stated that they would improve lighting for the 746 parking spaces and provide a detailed lighting plan.

Mr. Wert advised:

The township approved a Change of Use Plan for a 2-phase occupancy of 170,780 S.F. on the east end of the building for a computer related user. 218 parking spaces were shown immediately adjacent to the building. This use did not occur

The township approved a Change of Use Plan for DeVry to occupy 103,108 sq. ft. On the west end of the Expo Center with 740 parking spaces.

Subsequent to the above, a new plan set was given to the township for a new stand-alone building to be built within the middle parking area to the rear of the site. This building contained approximately 100,000 S.F. and required 740 parking spaces. This was withdrawn.

Parking Lot Modifications were then submitted for review. This plan set proposed, on the west end of the building, removal of approximately 8000 S.F. of building area, construction of an exterior patio, construction of portions of the parking areas shown on the first submission, new curb island, lighting relocation, removal of a loading dock and a new building entrance. No allocation of space within the building was shown.

Current submission addressed some of the township engineer's March 22, 2002 review comments; however differs by the addition of 29 parking spaces on the former sanitary sewer treatment plant site. No space allocations within the building were shown. The commercial parking area for the school is 740 spaces, while a total of 376 spaces were shown, including the 29 in reserve.

Late submission only allowed for a cursory review of the Record Plan, Existing Lighting Layout Plan, Proposed Lighting Layout Plan and Point-by-Point Lighting Plan.

Mr. Mandelbaum was questioned on the confined spaces under the additional 29 parking spaces on the former sanitary sewer treatment plant and he advised that the spaces were filled with stone prior to paving.

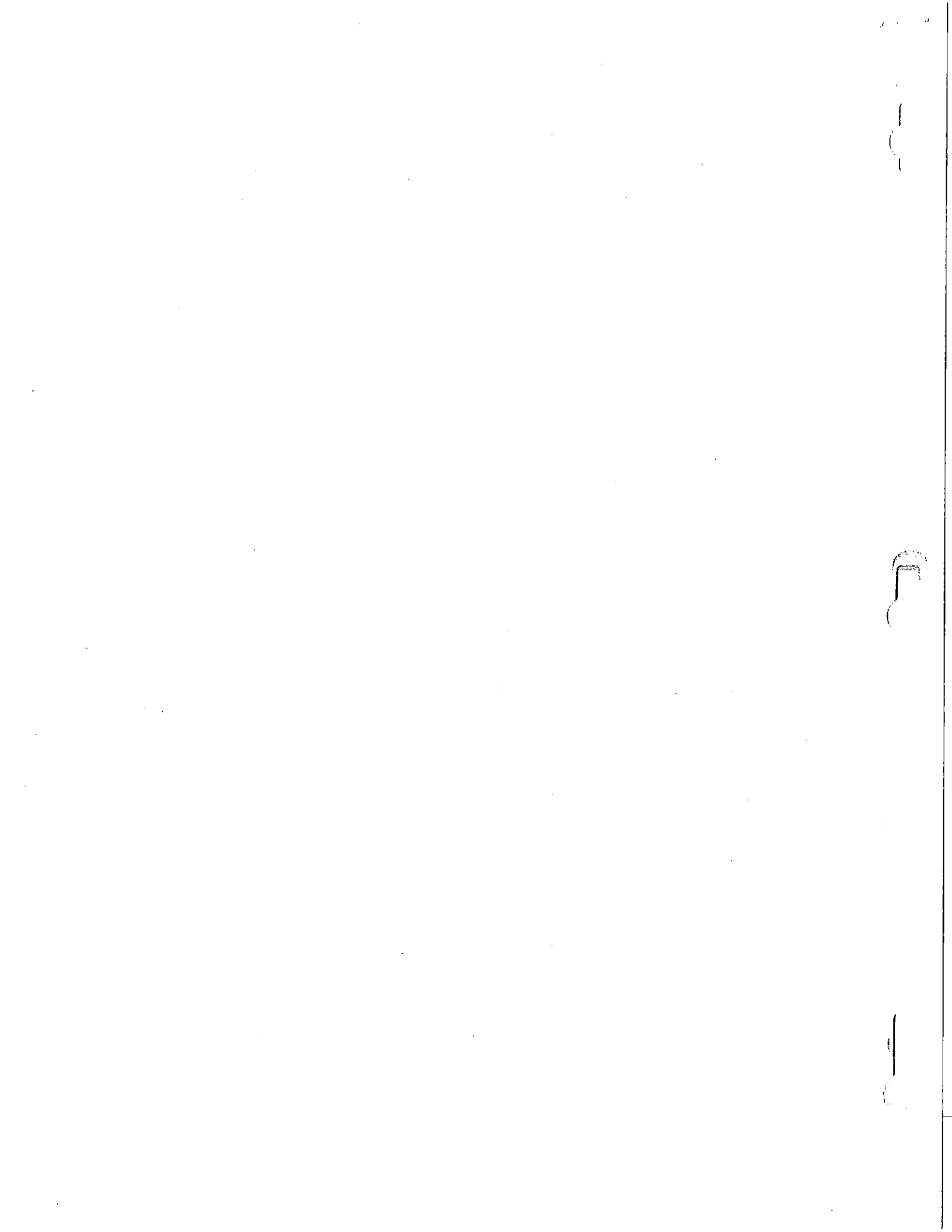
Mr. DeSa of the Montgomery County Planning Commission reviewed their April 3, 2002 land development comments, including storm water management, the Cross County Trail and an Evergreen Buffer.

Mr. Wert advised Mr. Mandelbaum of his need to complete an application for a grading permit subject to the Township Engineer's April 19, 2002 letter and his forthcoming review letter of the latest submissions. A grading permit would then be issued for the approved portion of the parking lot.

They then need to resubmit the balance of the land development plans for reconsideration at the next PEC meeting.

1651 Dillon Road – Derbyshire – Minor subdivision Plan

Although the plan was not ready to go before Committee and was postponed, Mr. Wert presented the proposal for a two-lot subdivision of the 2.87 acre Derbyshire property. One new dwelling is proposed on the flag lot and an existing dwelling will remain on the other lot. He advised that a Conditional Use Hearing is required for the proposed interior lot. The proposed access of 25 feet is shared by the adjoining property owned by Mr. Ridgway.



The existing driveway does not lie within the 25-foot wide access flag shown on the plan. The driveway is also shown to encroach on Lot 1 for which a Common Driveway Easement is required.

The existing driveway crosses the Floodplain Conservation District and requires a Conditional Use.

Tolson DeSa, Community Planner for the Montgomery County Planning Commission outlined their comments:

The applicants needs to include a note on the submitted plan to dedicate the area between the existing right-of-way line and the ultimate right-of-way line to the authority having jurisdiction over the land when the land the subdivided or developed along with existing right-of-way.

Due to thick woodland present on this site, the close proximity of the floodplain area and steep slopes it is recommended that the Township seek to preserve as much of this resource as possible. They also recommended shortening the proposed driveway and placing the proposed structure in the southern most corner of Lot 2, within setback lines.

Recommend application perform all tree replacement calculations due to heavily wooded nature of Lot No. 2.

An access easement should be provided for Lot 2 along the proposed shared driveway.

Applicants need to demonstrate how they propose to handle on-site drainage so as not to affect adjacent property owners.

Bill Ridgway, adjacent property owner, presented pictures of the 1996 flood and commented on the road maintenance. Additionally, he had several questions on what Mr. Derbyshire actually plans to do.

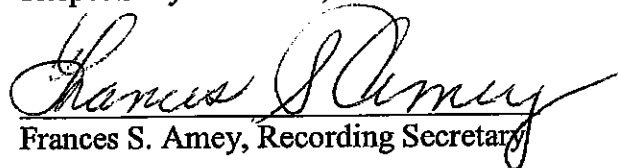
Since no one was there to speak for the applicant, Mr. Mermelstein recommended tabling this application.

ADJOURNMENT:

There being no further business to discuss, the meeting was adjourned at 8:55 p.m. by a motion made by Mrs. Herold and seconded by Mr. Mermelstein.

VOTE ON MOTION ALL YES . MOTION CARRIED

Respectfully submitted,


Frances S. Amey, Recording Secretary

Attest:



Jules Mermelstein, Chairperson

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A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, May 28, 2002, in the Township Building, Jules Mermelstein presiding.

Attendance were Commissioners Mermelstein and Herold as well as Paul Leonard, Manager; Alan Flenner, PE, representing the Township Solicitor; Jeff Wert, Township Engineer; and Israel Milner and Stanley Robsky, Environmental Protection Advisory Board.

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM APRIL'S MEETING:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of April 2002.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Environmental Protection Advisory Board (EPAB):

On behalf of the EPAB, Israel Milner discussed their views on the following:

- Hilton Garden Hotel – The EPAB is looking for any additional comments beyond those mentioned in their Minutes of May 6th wherein they expressed concern about the impact of changes to the floodplain due to soil movement and the subsequent possible effect on the Pine Run. Mr. Milner noted this is also an issue concerning the Montgomery County Planning Commission.
- Proposed Oil Drilling in Pennsylvania Forests – The EPAB would like permission to write a letter to the Commonwealth of Pennsylvania stating environmental concerns of all Pennsylvania citizens even though Upper Dublin Township is not directly impacted.
- Attendance Records – the EPAB is in the process of preparing attendance records of all their members during the past year.
- Reappointment of EPAB Members – The EPAB asked the Board of Commissioners to consider reappointing three members whose terms expire on June 30, 2002.
- Upper Dublin Community Day on October 6, 2002 – The EPAB will be happy to entertain any ideas the Board of Commissioners may have concerning a survey and obtaining the community's response thereto.
 - Mr. Mermelstein suggested the following questions be asked in the questionnaire:
 1. How many people know where their waste goes?
 2. Do they know where trash is hauled?
 3. What happens to the trash?

Mrs. Herold would like the EPAB to advertise on Channel 16 and the website when Montgomery County will be collecting paint cans and other combustible items.

Stanley Robsky discussed the following:

- Concurrent Pharmaceuticals – Because this is a renovation project in an existing building with no impervious surface planned, the EPAB has no environmental concerns at this time. However, the EPAB would like to know the following:
 - What type of research will be done at this facility?
 - Is there is an emergency plan in case of a spill?
 - What amounts of hazardous wastes will be entering Upper Dublin’s sewer system?
- Upper Dublin High School – No additional environmental concerns at this time. Mr. Mueller of the School Board noted that the School District is in the planning stages of adopting a comprehensive stormwater management plan.
- Geppert Minor Subdivision Plan – The EPAB is still waiting for stormwater calculations for the creek behind the proposed building.
 - Mr. Wert said the calculations were submitted to the Township.
 - Mrs. Herold commented that the culvert is much too small.
- Outdoor Advertising – The EPAB feels the Township needs to have a zone for this type of advertising to prevent legal issues.
- Annual Stream Clean-up – The event took place on May 5th. Though turnout was small, the same amount of trash was removed from the creek as last year. EPAB members should promote this yearly event to their neighbors, friends and organizations to increase awareness.

DISCUSSION ITEMS:

Concurrent Pharmaceuticals – 502 West Office Center Drive – Change of Use Plan:

The applicant proposes to convert the existing two-story office building into a combination office and research laboratory. No building additions or site improvements are proposed. The site is zoned “EC” – Employment Center District. A Conditional Use Hearing may be required by the Board of Commissioners.

Kevin Farrell, representing Concurrent Pharmaceuticals, said:

- The building is currently being used as an office.
- With the laboratory usage, there will be a different ratio regarding the parking.
- Only 140 parking spaces will be required as opposed to the current 261 spaces on the site.
- The revised site plan will reflect actual conditions and will be submitted to the Township this week.
- There are no plans to discharge anything into the domestic sewer system.
- There will be no admissions of noxious or harmful fumes.
- Regarding effluent discharge, they will submit revised calculations to Bucks County Water and Sewer Authority.
- Used chemicals will be bottled and stored for pick-up by an environmental disposal firm.
- While controlled fume hoods will be in place, none will be discharged into the community.

- The bulk of water usage will be for wastewater. Manifests will be provided to the Township showing water usage.
- Sidewalk only extends behind the building, and they have no plans to alter the site.
- The site plan will be updated to truly reflect what exists on the property.
- Concurrent Pharmaceuticals is anxious to move forward. They need to have a site in order to hire the scientists they need.
- The emergency generator will be located near the transformer.
- Sound from the transformer will be minimal. It will only be run for emergency use and as required by code.

Dr. Baldwin, Concurrent's Senior Research Scientist, said:

- Concurrent is attempting to develop a computational approach to design drugs right into the target protein that will be affected.
- The company intends to hire 14 individual scientists who will actually design therapeutic agents.
- Computer experiments will be reduced to make the compounds.
- They hope to design drugs to deal with heart disease, resistant malaria, Alzheimer's, and high cholesterol among others.
- This will be a very small scale operation dealing in milligrams of actual material being made.
- The business will be highly computer oriented and highly computer based.

Adult Uses Ordinance:

Commissioner Weiss joined the meeting as an appointee to the Committee to act as a third party in the discussion of the Adult Uses Ordinance only.

The Township Engineer prepared a map of the Township showing the few areas where the ordinance would apply:

- Near the cloverleaf of Route 309.
- A small portion of land near West Office Center Drive.
- Part of the Prudential property.

Mrs. Herold opined that if the Township has to have such an ordinance, the map is a big help.

Mr. Mermelstein commented:

- He is concerned that the ordinance, as drafted, touches on First Amendment rights. In that case, the courts have a heightened level of scrutiny.
- He is hesitant as to whether the ordinance will be upheld by the courts.
- At commissioners' convention several years ago, there was strong advise not to adopt such an ordinance because it opens municipalities up to "legal blackmail."
- He was skeptical about putting a retail use into an Office Center property.
- He would like the Solicitor to take another look at the ordinance with the above concerns in mind, and make suggestions for changing the ordinance accordingly.
- There is only one sexually oriented business in the Township. It has had no effect on property values in the area.

He does not want to see many such businesses in one area.

- He does not object to distances between colleges, but does favor restrictions near secondary and elementary schools.

Mr. Leonard questioned whether the ordinance would be viewed as fraud if the area is limited.

Mrs. Weiss said:

- It is a worthy goal to do something to make sure that adult oriented businesses are not objectionable.
- Adult businesses can only come into the Township via Conditional Use approval.
- The Solicitor should craft a less comprehensive but more targeted ordinance.
- She would like to see the elimination of the "WHEREAS" clauses.
- She would find it personally offensive to listen to the kind of proof needed to justify the "WHEREAS" clauses.
- A balance must be struck as to what the Board of Commissioners wants in the "WHEREAS" clauses.
- Is it appropriate to support restrictions on video and bookstores?
- What should be eliminated in the ordinance regarding these types of businesses?
- The Solicitor has suggested that the video/bookstore category be eliminated because of the risk of making the properties nonconforming.

Discussion was suspended pending the Solicitor's review of the ordinance and his making it much more succinct.

Mrs. Weiss suggested that the Solicitor might want to draw up an entirely different ordinance for Upper Dublin Township rather than using model ordinances from other municipalities.

Mr. Mermelstein would like to hear from neighboring Police Departments to determine if they have problems in their communities.

1635 North Limekiln Pike Minor Subdivision Plan:

The applicants, Joseph and Ann Tai, propose a two lot subdivision for this property. It is a 2.96 acre lot located within the Dresher Overlay Zoning District with an underlying base zone of "A" Residential. The subdivision would create a new 1.89 acre lot for future development. No new construction is proposed at this time. Lot 1 will retain the existing building and contain 26,189 sq. ft. Public sewer and water connections will serve the site.

Mr. Tai stated:

- The existing building on Lot 1 is presently a residence.
- He wishes to use the existing building on Lot 1 as a rental unit for an architect's or engineer's professional office following the guidelines for the Overlay District.

Mr. Leonard commented:

- The applicant must know that by making Lot 1 so small, he is likely to significantly constrain the use of the property under the Overlay District.
- The category of "Professional Office" is a use by conditional use.
- If the lot remains so small, he will have difficulty to use it for professional offices.

- There is no guarantee whatsoever that the 2,600 sq. ft. lot will not be severely constrained. Buffering and parking requirements as well as stormwater conditions must be considered. Because the property is zoned "Residential," there is no obligation for the Board of Commissioners to grant a conditional use.
- Mr. Tai should determine when the existing home was built. It might be of historic value.
- He cautioned that Mr. Tai not to give away what he cannot afford to lose. He must make sure the smaller property is large enough to accommodate what he wishes to do on it.
- Mr. Tai might want to consider consulting a land use attorney.

Mr. Mermelstein said:

- The smaller the lot, the least likely it will be to meet parking regulations.
- 2,600 sq. ft. is the minimum lot size for residential use.
- The lot size is based on "R-1" Residential Zoning.
- Mr. Tai might find it difficult to live with the constraints of such a small lot size.
- He felt the Board of Commissioners will not look favorably on the Tai plans.

Mr. Wert commented:

- He strongly suggested developing a sketch plan to determine how the small lot can be used.
 - If the small lot is used for a professional office, the Township would be very interested in continuing the sidewalk, curbs, drainage, and widening of Limekiln Pike.
 - Mr. Tai should speak with his engineer as to how to present this plan and make sure there is adequate room to determine what can and cannot be done.
- The existing home was built in 1900, and homes of that vintage must be preserved.

Mrs. Herold informed of a drainage problem on the property next to Mr. Tai's property. She worried that there will be additional problems because the ground is so swampy.

The applicant agreed to grant an extension of the 90 day period and will do so in writing to the Township.

Maple Glen Elementary and Administration Center Revised Landscaping Plan:

Ed Vollberg, P.E. represented the applicant. He made the following comments:

- The plan shows most landscaping on the school site. Some planting remains to take place.
- The majority of the plantings along the road reflect the right-of-way replacement trees.
- The trees around the parking lot comply with the ordinance.
- The School District has agreed to replace a number of the remaining trees required by ordinance at other sites so that the site in question will not be overcrowded (89 replacement trees and 122 to go elsewhere).

Mr. Wert asked for a copy of the current "as-builts" as to what has been planted and reflecting what proposed plantings will be. His staff will lend assistance to get the landscape plan ready for review at the Planning, Environment and Commerce Committee Meeting in June 2002.

Real Property Transfer Ordinance:

Due to the absence of Gilbert High, it was decided not to discuss this proposed ordinance.

ACTION ITEMS:

Peak Media – Zoning Text Amendment:

Marc Jonas, Esquire, and Jerry Heath represented Peak Media.

In a letter from the Solicitor to the Township Manager, it states:

“Peak Media proposes that the setback from a limited access highway be reduced from 75 ft. to 25 ft, except where visibility is totally or partially blocked, in which case the setback can be reduced to 10 ft. Peak Media argues that the setbacks make no sense along a limited access highway.”

Mr. High disagreed by stating “Setbacks avoid a ‘closed-in’ feeling, allow for a freeing visual expanse for those using the highway, and are consistently applied within the Township for almost all structures and uses.”

Mr. Jonas proposed 25 ft. as a compromise that the Board of Commissioners might accept.

Discussion then centered on the draft ordinance, specifically the following:

Paragraph C (2) states:

“A freestanding off-premises sign may be double-faced with two advertising surfaces. However, both surfaces shall be the same size and shape, the total length of the sign structure shall not exceed 50 ft., and the sign height shall not exceed 35 ft., with a total area not exceeding 675 sq. ft.”

Mr. Heath stated that instead of “double-faced” they are talking about “single-faced back-to-back.”

Paragraph C (3) states:

“Freestanding off-premises signs having a sign area greater than 25 sq. ft. shall be located only adjacent to a limited access highway on property having frontage on a limited access highway, at a distance of not less than 50 ft. from the ultimate right-of-way, and at a distance of not less than 100 ft. from any property line. Freestanding off-premises signs having a sign area of 25 sq. ft. or less shall be located no less than 50 ft. from the ultimate right-of-way of any public street, and at a distance of not less than 100 ft. from any property line.”

Mr. Jonas interjected that they had suggested a reduction in set-backs. The Montgomery County Planning Commission concurs.

Paragraph C (11) states:

"Except for freestanding off-premises signs having a sign area of 25 sq. ft. or less, externally illuminated signs shall be lighted by fixtures mounted at the top of the sign and aimed downward. The lighting of all freestanding off-premises signs shall be automatically extinguished between the hours of 11 p.m. and dawn and shall be so designed or fitted with fixtures to concentrate the light output onto and not beyond the sign."

A letter from a lighting consultant advocates bottom-mounted fixtures for aesthetic reasons.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend the Board of Commissioners schedule a hearing on this matter.

VOTE ON MOTION

ALL YES

MOTION CARRIED

1100 Virginia Drive Revised Minor Land Development Plan:

Michael Mandelbaum, Ross Weiss, Esquire, and Ted Kochen, PE, represented this land development plan.

Mr. Ross said:

- Several plans have been submitted as of the present time.
- The plan before the Committee takes 103,000 sq. ft. from DeVry Institute and flips it from one side of the Fort Washington Expo Center to the other as well as taking off a portion of the building in the rear.
- Installing parking, landscaping and lights.
- They submitted a revised plan and added sheets so that Mr. Wert would be able to review the lighting.
- They have applied for a grading permit.
- At the April Planning, Environment and Commerce Committee meeting, it was agreed that they would apply to the Montgomery County Conservation District.
- They will comply with all comments in Metz Engineers' review letter dated May 24, 2002.
- Stormwater calculations will be provided.

Regarding the sprinkler valves, Mr. Kochen talked with the Fire Marshal who indicated his concurrence with the present arrangement.

Mr. Wert made the following comments:

- He pointed out that the upper-most corner of the lighting plan was cut off.
 - Mr. Kochen said he would forward a new copy of the lighting plan to the Engineers' office.
 - The actual type of lighting fixtures must be clarified on the plans.
 - Mr. Kochen said they are mostly shoebox-type fixtures.
 - They can be back-fitted with shields.
 - Photometric distributions will be provided
 - Reasonable lighting adjustments were agreed to.
 - He asked if there are others using the construction entrance?
 - Mr. Kochen said they intend to keep the main access open.
 - Their objective is to keep the construction entrance away from the main entrance.
- Handicapped parking should be provided along the building.

- Sidewalk should be added along-side the handicapped parking area.
 - Mr. Kochen will speak with their architect about the impact, but is sure that they will comply.
 - Mr. Mandelbaum has no objection to putting sidewalk along the side of the building.
- Handicapped users should not have to go in another direction to get into the building.
 - Mr. Kochen assured that handicapped persons can access the patio area from inside.

Mr. Mandelbaum commented as follows:

- The Township has not adopted its new Lighting Ordinance.
- They will show calculations in accordance with what the Township's ordinance is proposing.
- He will comply with every reasonable request.
- He does not want to have to move light standards and change any lights after the ordinance is passed.
 - Mr. Leonard assured that there will be no significant problems with the new ordinance.
- DeVry Institute is currently in temporary quarters.
- Honeywell has been very helpful during daylight hours during DeVry's first semester.
- He will be happy to pay for the installation of a traffic light.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the 1100 Virginia Drive Revised Minor Land Development Plan to the Board of Commissioners.

VOTE ON MOTION

ALL YES

MOTION CARRIED

QUESTIONS/COMMENTS:

- Fred and Joanne Serota of Ambler Pediatrics located at 602 South Bethlehem Pike in Ambler appeared before the Committee looking for advise about adding a sunroom structure in front of their building.

They were advised of the need to file a Land Development Plan.

- Mr. Howley informed that surveyors had been taking measurements on his property at 500 Pinetown Road as well as at 510 and 520 Pinetown Road. He wanted to know if they were Township employees.

Mr. Leonard will determine if Township employees were doing so, although it is doubtful.

Mr. Howley was advised to contact the Police Department if he is skeptical about unauthorized persons on his property.

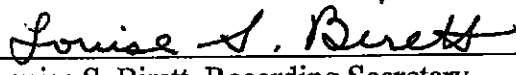
- Mr. Howley also informed that the Feth Software Company behind his property moved in 2-3 years ago. At that time they closed off drains on their property which cause flooding problems on the three aforementioned properties.

Public Works personnel will investigate the matter.

ADJOURNMENT:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting.

Respectfully submitted,



Louise S. Birett, Recording Secretary

Attest:



Jules Mermelstein, Chairperson

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A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Wednesday, June 26, 2002, in the Township Building, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold as well as Paul Leonard, Manager; Gilbert High, Township Solicitor; Jeff Wert, Township Engineer; Tolson DeSa, Montgomery County Planning Commission; Charles Hearing, Planning Agency Advisory Board; and Stanley Ropski, Environmental Protection Advisory Board.

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM MAY'S MEETING:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of May 2002.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Environmental Protection Advisory Board (EPAB):

On behalf of the EPAB, Stanley Ropski discussed the following:

- Wendy Walters is the newly elected Chairperson of the EPAB.
- 33 Morris Road – A portion of Lot 5 is in a floodplain, and if it is not deeded to the Montgomery County Natural Lands Trust, the EPAB asks that the developer be restricted from building thereon and required to allow it to remain a natural area.
- St. Alphonsus Church – The EPAB discussed the merits of installing pervious block instead of macadam because the driveway is not used very much and the grass could easily recover.
- 500 Bethlehem Pike – The EPAB is still awaiting a report on the size of the stormwater detention basin.
- Dresher Commons – The owner reported to the EPAB regarding the proposed site, and the EPAB was very happy with the plan. The stormwater management plan is very acceptable to the EPAB.
- Upper Dublin Community Day on October 3, 2002 – The EPAB is working on a survey. In order to attract more people to the booth, they will have activities for the children while the parents fill out the survey.

The next meeting of the EPAB is scheduled on July 23, 2002 at 7:30 p.m.

DISCUSSION ITEMS:

Adult Uses Ordinance:

Commissioner Weiss joined in the discussion of the proposed ordinance.

During previous discussions of the proposed Adult Uses Ordinance, it was suggested that it apply only to retail establishments rather than including residential areas.

Mr. High said that, when looking at the Zoning Code and considering the fact that there are relatively few areas in Upper Dublin Township that are zoned commercial, it is his suggestion to consider applying this ordinance only to those areas.

Mr. Mermelstein asked Mr. Wert to prepare a map of commercial areas. He threw out the question whether it would be proper to permit adult business to operate in areas more than 100 ft. from residential areas?

Mr. High pointed out that all retail areas are adjacent to residential developments.

Mr. Mermelstein suggested that the ordinance specify a definite distance from schools where students are under the age of 18 (including public and private schools, houses of worship, and daycare centers).

Mr. High made the following comments:

- The proposed ordinance applies to two specific situations: (1) retail sales of sexually oriented material; and (2) that which controls a go-go bar/restaurant/café where people socialize.
- One of the things the Committee might want to look at is whether it makes sense in this community to regulate the sale of sexually oriented material because someone would have to be appointed to review the material. Who is going to do that?
- To pass the ordinance may lead to First Amendment issues.
- There are no sexually oriented businesses in the Township. The proposed ordinance is purely pro-active.
- The ordinance will limit overt sexual advertising of various means.
- When Ms. Weiss asked if the term "obscene" should be defined in the ordinance, Mr. High suggested determining what the proposed ordinance might look like if it were not applied to retail sales at all.
- The purpose of the proposed ordinance is to regulate use of motel rooms, retail sales, nightclubs, restaurants, massage parlors and houses of prostitution.
- Zoning is the mechanism by which seemingly legitimate businesses can be regulated.
- When Mr. Mermelstein said the Board of Commissioners does not want to license movies and books, Mr. High remarked that the ordinance deals with health and public welfare issues.
- He feels that the retail sales aspect is very problematic.
- When Charles Haering asked if there would be any advantage to looking at the laws enacted in this regard by other municipalities and counties, Mr. High advised that most municipalities in Pennsylvania do not have an adult uses ordinance on their books. Those that have enacted such legislation include Abington and Upper Merion.
- The Solicitor's office has all of the ordinances of surrounding communities at its disposal. Copies of ordinances from the state can be obtained as needed.

Mrs. Herold approved of the language as set forth in the Upper Merion ordinance because it is not offensive.

Dresher Commons – Preliminary Land Development Plan:

BET Investments proposes to develop an 8.89 acre property in the Dresher Overlay Zoning District (DOD) with a 25,600 sq. ft. office building, three attached restaurants ranging from 4,500 to 6,000 sq. ft., and a stand-alone restaurant of 6,500 sq. ft. The restaurant uses will require a conditional use hearing and approval in the DOD from the Board of Commissioners.

Those representing the developer were Michael Yanoff, Esquire; Kenneth O'Brien, PE, of McMahon Associates; Michael Markman, of BET Investments; and Steve Ware, designer of the plan.

Mr. Yanoff distributed copies of aerial photos of the property (formerly known as the Nelson tract) which shows a perspective of what the site will look like. He also distributed a plan showing various sizes of the parcels within the DOD.

The following conversation took place:

Ir. Yanoff:

- This is the first property of this size and magnitude to be considered in the DOD and the second largest parcel within the DOD.
- The parcel is unique. There is very little frontage along Limekiln Pike through a shared driveway with the First Union Bank.
- A plan board was displayed showing how the property will look after construction.
- A view from Susquehanna Road was also displayed.
- This plan displays the type of look that the applicant believes the Board of Commissioners was looking for when they created the DOD.
- When BET Investments puts together a plan, they actually follow through, and this proposal will look very much as shown on the rendering.
- He showed a picture of another property located at 1075 Virginia Drive in Fort Washington as an example of the type of building BET Investments is involved with.
- The applicants have reviewed Metz Engineers' review letter dated June 20, 2002. They are well aware that this application requires conditional use and variances from the Board of Commissioners.
- They have identified several issues that require discussion in the Metz review letter.
 - Under Zoning Ordinance comments, Page 3, Paragraph 14 states: "*Existing principal buildings constructed prior to 1900 shall be retained (Z.O. 255-219.B.(1)). The Montgomery County Board of Assessments lists the structure as being constructed in 1797. The Applicant has listed the structure is to be removed.*" Mr. Yanoff argued that the applicant did research to determine if the building was constructed before 1900. The applicant contends that the building is not compatible because the house is within the ultimate right-of-way. In addition, the house is not a well-preserved historical structure.

Mr. Markman:

- The existing house is constructed of masonry and stucco and has been changed on the outside several times.
- The asbestos siding has been removed.
- A demolition permit was issued for the barn.
- The house is not compatible with the usage proposed.
- To renovate the house would be extremely expensive.
- The interior of the house is in poor condition.

Mr. Leonard:

- The house was boarded up after several break-ins.
- The Board of Commissioners chose to oppose the removal before the Zoning Hearing Board.

Mr. Mermelstein:

- Many older homes have been used for office space.

Mr. Yanoff:

- The applicants know that there are many issues to address. They have a long way to go in terms of discussion with respect to the historical value of the home.
- Under Zoning Ordinance comments in the Metz' review letter, Paragraph 22 states : *All*

lighting fixtures shall not be located higher than 12 ft. above grade (Z.O. 55-223.E). The applicant is proposing light poles at 15 ft. and 25 ft. in height. Revise heights to not exceed 12 ft."

- In Mr. Yanoff's opinion, 12 ft. light standards are not appropriate for a development such as this. Using 12 ft. standards will not throw enough light on the entire property.
- Maintenance and vandalism issues on 12 ft. standards must be considered.
- The more lighting provide will produce more objections from the residents.

Mr. Wert:

- The 25 ft. fixtures will be toward the back and near the houses on Golden Drive. Residences will be shielded if 12 ft. fixtures are installed behind a retaining wall.

Mr. Yanoff:

- He suggested a combination of lighting that might be used.
- It is important for the engineer to tie his topography to FEMA requirements as set forth in Paragraphs 2, 3, 4, 5, 6 and 7 under the Zoning Ordinance section of Metz's review letter.
- Paragraph 1 under the Zoning Ordinance section of Metz's review letter states: *"Proposed signs must be in accordance with Article XXI, Section 255-152. None have been shown."* Mr. Yanoff had no definite answer. The applicants may need to go to the Zoning Hearing Board.
- Paragraph 8 under the Zoning Ordinance section of the Metz review letter states: *"Section 255-218.B provides 'A building may be erected, altered or used . . .' There are three separate structures shown. We defer to the Code Enforcement Official for determination."*
 - Richard Barton, Code Enforcement Officer, wrote an opinion letter in November of 2000 which set forth the multiple uses in multiple buildings on the property.
- Paragraph 26 under the Zoning Ordinance section of Metz's review letter states: *"Specified zoning requirements for the proposed restaurant use are not listed in the DOD regulations. Therefore, the restaurant zoning criteria should be in accordance with the underlying zoning district. Add the A-Residential Zoning criteria to the Plan and revise the building setbacks for the restaurant use accordingly."*
 - This is a legal issue. There are no specific zoning requirements for restaurant use.
- There are one or two other items that may need to be brought before the Zoning Hearing Board.
- Paragraph No. 17 under the Zoning Ordinance section of Metz's review letter states: *"Individual parcels shall be limited to those that require less than 750 vehicle trips per day. This project expects greater than 6,000 trips per day."*
 - The applicant has provided the Committee with an impact statement.
 - McMahan Associates counted 3,022 pass-by and vehicle trips for the two driveways.

Mr. Leonard:

- This item is an effort to set the scale of the development as a conditional use.
- He asked if there is the possibility that the property could be used for mixed uses – residential and commercial?

Mr. Yanoff:

- There is another alternative they could do in this case. They could divide the parcel up into eight parcels which would require individual access to a public street.
- In his opinion, dividing the parcel up is not good planning, and not conducive to the

DOD intent.

- Mr. Leonard:
- He suggested they consider a by-right plan. It may be helpful as this is being considered.
- Mr. High:
- The purpose of the DOD is that it would be an amalgamation of mixed uses.
- Mr. Leonard:
- He quoted from the conclusion in the applicant's planning consultant's letter dated June 17, 2002. E. Van Reiker stated: *"I know you both (Paul Leonard and Richard Barton) put a great deal of work into the creation of the DOD, and from an applicant's standpoint it contains a large number of criteria which I believe we have attempted to comply with in the preparation of this plan. While not evident upon looking at the site plan, you will, in the near future, see a great deal more information relative to the architectural design of the facades and the roof plan, which along with the relatively low elevation of the buildings will become one of the most significant attributes of the proposed plan."* Mr. Leonard felt that Mr. Van Reiker is right on point.
- Mr. Markman:
- He had discussions with E. Van Reiker. They created a village atmosphere. From an architectural standpoint, the plan is very good. Office buildings and restaurants are considered "mixed uses."
 - They are targeting family restaurants.
 - The applicant has put a lot of thought into this mixed use plan.
 - This type of use is desirable and a very good use for this particular property.
- Mr. Leonard:
- He asked the gentlemen to look at the portion of the ordinance pertaining to "intent."
 - He pointed out some of the applicant's assumptions regarding the scope, scale and integration of the village.
- Mr. Yanoff:
- This is a village concept plan that is pedestrian friendly.
 - The plan provides for sidewalk running along the shared driveway with the bank.
 - Sidewalk will be installed on Susquehanna Road.
- Mr. Ware:
- He worked very hard to conform with the ordinance while designing this plan.
 - All buildings are designed on all four sides with stucco, masonry, and ornamental embellishments.
 - The design calls for gabled roofs with overhanging eaves, traditional windows and a vertical break where there is a change in the grade.
 - The buildings will have a great deal of visual interest, and will look very residential
 - Horizontal jogs are planned on the roof elements.
 - This will be a walkable plan attempting to provide links to other buildings and making a transition between other buildings.
- Mr. Markman
- The uses on Limekiln Pike are a "mixed bag" of houses.
 - They are trying to "raise the bar" and make this parcel a quality development.
- Mr. Mermelstein:
- He was concerned with the size of the building fitting into the village concept. Have

they thought about separate buildings?

- Mr. Ware:
- The plan shows individual entrances into each office.
- Mr. Yanoff:
- He has not seen the Fire Marshal's comments yet.
 - Construction details of the retaining walls will be provided.
 - Changes of elevation will be shown.
 - Parking was addressed in Metz's review letter.
 - Paragraph 20 under Zoning Ordinance section states: *"The applicant needs to be aware that shared parking is encouraged and parking may be reduced by 50% and held in reserve if the calculated required number of parking spaces is excessive (Z.O. 255-221.B). No shared parking or access has been shown."*
 - The parking suggested on the plan is per code. The applicant feels the parking as shown is really needed.
 - All parking will be in the interior of the parcel with none in the front yard.
 - Reserved parking is an issue and the needs of prospective tenants do not make reserve parking an option. However, the applicant will look at this issue again and try to be accommodating.
 - The average size of parcels is three acres. It is unique to have a nine acre parcel within the DOD.
 - When Mr. Wert asked whether two or three lots would also be considered "by right," Mr. Yanoff answered affirmatively. It is possible, but the number of access points and driveways would have to be increased.
 - When Mr. Wert suggested possibly developing the lower property differently from the upper section, Mr. Yanoff replied that if you end up with 3,000 vehicle trips per day, would you not rather have a plan that still fits into the DOD rather than a "hodge-podge" of uses? He objected to a "checker board" type of use.
- Mr. Wert:
- Suggested two sites interconnected between two elevations and divided by the driveway because there is a 35-40 ft. grade difference.
- Mr. Leonard:
- The staff will consider Mr. Wert's suggestion.
 - He suggested that Messrs. Yanoff and Mermelstein look at the property with some visual integration of the grade. Some of these "what ifs" might be explored, dismissed or pursued.
 - This development will represent a significant impact on the DOD. Twenty-five percent of the Township will see it on a regular basis.
 - Any effort that the Committee and the Township Engineer might do to improve the plan would be desirable.
- Mr. Yanoff:
- Their goal is to strive to work with the Township because the proposed development is unique in Dresher and Upper Dublin. The Township needs this type of use.
- Mrs. Herold:
- She noted that Paragraph 16 under Zoning Issues in the Metz review letter states *"Coordination between adjacent DOD properties such as the Wolner/State Farm Agency and the First Union Bank has not been shown."*

Mr. Yanoff:

- The Zoning Hearing Board addressed the issue of shared parking and the State Farm Agency will share four parking spaces.
- Regarding the review letter from the Montgomery County Planning Agency (MCPC), the developer will address stormwater management issues.
- Mr. Yanoff did not agree with the 20% landscaping requirement.
- Shade trees will be provided.
- A pedestrian crossing will be provided although location has not yet been decided.

Mr. Markman:

- The developer would be agreeable to breaking up the office building.
- He suggested the possibility of a pedestrian corridor through the two halves.
- Landscaping can be changed.
- The developer desires a property of which it can be proud.
- The developer will comply with any reasonable suggestions that are economically feasible.

Mr. Yanoff:

- Addressing the Montgomery County Planning Commission's (MCPC) review letter dated June 25, 2002, the stormwater management issues raised therein will be looked at and the applicant will most likely comply.
- The applicant will comply with the bio retention islands comments.
- Aerial photos have been submitted showing all existing features and buildings within 100 ft. of the tract being developed.
- The applicant does not agree that a waiver for 20% slopes landscaping should be denied.
- Shade trees will be planted a minimum of one for each forty linear feet of basin perimeter.
- Disagrees with the recommendation made by MCPC to deny the granting of conditional use approval for infiltration beds within the floodplain.
- The applicant does not see where it can put a pedestrian crossing across Susquehanna Road in order to provide for increased pedestrian safety to and from the Fort Washington Office Park.
- The developer disagrees with the recommendation to preserve the on-site structure.

Mrs. Herold:

- She worried about trash collecting in the open pedestrian area.

Mr. Wolner:

- Asked if there will be a barrier separating Limekiln Pike from his property?

Mr. Yanoff:

- There is a landscape buffer proposed along Limekiln Pike.
- Have provided pedestrian access via a pervious walkway and shared use of parking.

Discussion will continued next month.

33 Morris Road – Sketch Plan:

The development consists of a 7.38 gross acre tract with five lots planned along Morris Road at the northeast side of the intersection with Butler Pike. The tract is zoned "A" Residential and will be served by both public water and sewer.

Responding to Item No. 3 under the heading Subdivision Ordinance in Metz Engineers' review letter dated June 20, 2002 that states: "Sidewalks are not shown along Morris Road or Butler Pike," Carl Wiener, Esquire, said the cartway is consistent with no curbs and sidewalks.

Mr. Leonard asked that the developer accommodate the Township by squeezing in a left turn lane on Morris Road because of the incredible traffic that occurs. The applicant agreed. Mr. Leonard then suggested that some sort of shoulder stabilization also be provided.

The applicant is not aware of anything to justify drainage or storm sewers in the area. Mr. Wert preferred to take a look at drainage in concert with the intersection.

Street lights have not been shown on the plan. However, the applicant proposes to install photosensitive lampposts at the end of each driveway. Said lampposts will be shown on the plan.

Regarding whether the Township should determine if a drainage easement is desirable along the floodplain area, Richard Nagel of Woodrow Associates said the applicant is willing to offer a drainage easement. The applicant is also trying to find existing bridge easements and is exploring the possibility of a title search.

Mr. Wert said the Township might have an interest in having a parallel right with the Wissahickon Valley Water Shed Association.

When Mr. Wert suggested the bridge be widened along Lots 3 and 4, Mr. Wiener said they do not want to impact on the existing dwelling.

Mr. Mermelstein favored deferral of sidewalks and curbs instead of a waiver.

Regarding submission of a landscape plan, Mr. Wiener said that the lots are very heavily wooded. There is no place on these sites to install replacement trees. Mr. Leonard said it would be good to identify the trees along Morris Road that are 8 inches or more in caliper. Mr. Leonard urged them to draw up a landscape plan. Mr. Mermelstein suggested the donation of trees to the Wissahickon Valley Water Shed Association.

Floodplain plan data must be provided tied into FEMA.

Elevation information is required for the Wissahickon creek.

MCPC would like a deed restriction placed on the significant wetlands on Lot No. 5. They recommended that the area not be disturbed. Mr. Wiener agreed.

Dave Froelich, representing the Wissahickon Valley Watershed Association, said the Association views this plan as being much improved over the prior plan. It is important to meet the basic criteria for open space.

A waiver of the 90 day period will be submitted in writing to the Township.

Pennsylvania Avenue Streetscape Planning and Design:

Mr. Leonard would like to have community representation during discussions of this topic. He invited interested citizens interested in participating to contact his office. An announcement referring thereto will be placed on Channel 16.

Real Property Transfer Ordinance:

The Code Enforcement Department was asked to peruse the proposed ordinance before it is sent on to the Board of Commissioners for approval.

ACTION ITEMS:

500 Bethlehem Pike – Preliminary Subdivision Plan:

The proposed land development involves the subdivision of two existing parcels of land totaling 1.22 acres into four single-family residential lots in a 'B' Residential Zone. One existing dwelling will remain. Bethlehem Pike, Ellerslie Avenue and Stuart Lane bound the site. Public sewer and water supply the site. Curb has been provided along Bethlehem Pike with demolition of the existing stone wall.

The applicant's attorney responded to the comments in Metz Engineers' review letter dated June 20, 2002 as follows:

- There is no existing well on Lot No. 1.
- A deferral of sidewalk along the street frontage is requested to implement the plan. The Township Engineer recommended that the deferral be granted.
- The following waivers are requested to implement the plan:
 - Dedication of the ultimate right-of-way along Bethlehem Pike. The existing features of the properties along the roadway do not comply.
 - Dedication of the ultimate right-of-way along Ellerslie Avenue. The existing features of the properties along the roadway do not comply.
 - All corner lots shall be a minimum of 1 ½ times the minimum width of the interior lots of the same block. The applicant has a by-right sketch plan which complies with the ordinance, but feels it is not good planning.
 - Partial waiver from the requirement to show existing features within 100 ft. of the tract boundary.

The developer has no intention of widening Bethlehem Pike at any time soon.

- Mr. Wert would like to see what PennDOT has to say about potential widening of Bethlehem Pike.
- Mr. Leonard said it would be a major operation for PennDOT to make any improvements to Bethlehem Pike.

- Curbing will be provided.
- The existing wall will be removed to facilitate the installation of curbing.
 - Woodrow Associates have indicated that there will be ample room to grade the area after the wall is removed.
- There are no existing easements for utility poles and overhead wires.
 - The location has been selected to the satisfaction of PECO. In a conversation with PECO, it was determined that underground lines are not required.
- If required to install street lights, the developer will comply.
 - The Public Works Department and Police Department will be asked to assess the situation.
 - Mr. Leonard informed that this is an area where an underground line was hit causing extreme disruption of phone lines.
- The only issue the applicant has with Carroll Engineering's review letter is that there is no existing on-sight well.
- The existing cesspool will be abandoned.

Responding to the review letter from the Montgomery County Planning Commission (MCPC):

- The applicant agrees to deferral language being placed on the plan regarding sidewalk, and funds being placed in escrow to be used at a later date.
- The applicant would like a waiver from the Subdivision and Land Development Ordinance which requires that all corner lots be a minimum of 1 ½ times the minimum width of the interior lots of the same block. MCPC concurs because granting of the waiver would allow the applicant to place driveways further from the intersection and also allow more flexibility with building placement.

Mr. Leonard suggested the applicant consider working with the Township on some rain barrel techniques and will provide information thereon. This is an opportunity to showcase something that is not expensive and may be valuable to the community. The applicant indicated his willingness to try it.

Mr. Wert indicated his agreement to approval of both the preliminary and final plan.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend preliminary and final plan approval of the 500 Bethlehem Pike Minor Subdivision Plan (Upper Dublin Reference No. 02-001) to the Board of Commissioners subject to the comments in Metz Engineer's review letter dated June 20, 2002; Carroll Engineering's review letter dated June 18, 2002, and the review letter from the MPCP dated June 19, 2002.

VOTE ON MOTION ALL YES MOTION CARRIED

425 Delaware Avenue – Change of Use Plan:

This change of use proposes to renovate an existing 19,800 sq. ft. building for 8,500 sq. ft. of office and 11,300 sq. ft. of warehousing. The balance of office space and warehouse has not been designated for use at this time and may be subject to a future change of use application depending on the future uses.

The applicant, Ed Oczkowski, indicated that no hazardous materials will be stored on the premises.

Mr. High advised that warehouse and storage is a permitted use in this district.

When Mr. Mermelstein asked if there was any way to restrict the use of the warehouse to whatever BOA Construction wants to store there, Mr. High said the ordinance would have to be changed.

The property is situated in a floodplain. Mr. Leonard will provide information provided by FEMA setting forth their recommendations for flood-proofing the property. He stressed to the applicant that occupants should vacate the building immediately if there is a threat of flooding. He informed that this building and that owned by Aetna across the street were completely wiped out in two previous storms.

Mr. Oczkowski indicated that he would like to begin construction as quickly as possible because there is a July 31st lease involved.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the 425 Delaware Drive Change of Use Plan to the Board of Commissioners (Upper Dublin Reference No. 02.008).

VOTE ON MOTION ALL YES MOTION CARRIED

St. Alphonsus Church – Preliminary Land Development Plan:

The church is proposing two additions to their chapel (4,596 and 1,026 sq. ft.) and the addition of a 20,880 sq. ft. gymnasium. They will be constructing a new driveway around the gymnasium along with 64 new parking spaces. The site is zoned 'INST' Institutional.

Michael Yanoff, Esquire, informed that they went to the Zoning Hearing Board. This is the second expansion in the past six years.

The applicants will comply with the comments set forth in Metz Engineers' review letter.

Waivers are requested as follows:

- Curbing. Mr. Wert was in agreement with the granting of a waiver. Concrete bumper blocks will be provided.
- No topsoil shall be removed from the site. Topsoil will be donated to Upper Dublin Township. The applicant will have the topsoil hauled to the Township site designated.
- Existing features within 100 ft. of the tract boundary. There were no objections to this waiver.

Mr. Wert expressed the following:

- He would like to see the applicants preserve the root systems of the buffer along the border with Temple University.
- Concerned about the impact of lighting on the residents along the northeast property line.
 - The applicant will make reasonable adjustments as suggested by the Township.
 - A complete lighting plan will be provided for the entire property based upon the Township ordinance.

MPCP recommended arranging plantings around the outflow pipes from the adjacent infiltration bed of the stormwater detention basin and along the lines of water flow to help slow the force of the flowing water. This will allow for more water to percolate back into the soil and will give more plants more opportunity to filter and absorb the stormwater.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend preliminary and final approval of the land development plan of St. Alphonsus Church to the Board of Commissioners in accordance with Metz Engineers' review letter dated June 20, 2002 as well as the

VOTE ON MOTION

ALL YES

MOTION CARRIED

Maple Glen Elementary and Administration Center – Revised Landscaping Plan:

Ed Vollberg, PE, and Tom Mouser of the Upper Dublin School District represented the applicant.

Mr. Vollberg made the following comments:

- The plans were changed and minor adjustments were made to the notes.
- He provided the original plan to Mr. Wert showing where shade trees are located.
- Most of the trees are on the elementary school side of the property.
- The only landscaping not installed is that related to the parking lot and right-of-way.
- After numerous meetings between the School District and the Shade Tree Commission (STC), a number of the shade trees to be provided were changed to evergreens.
- 150 trees are not shown.
- 126 trees will be planted.

- The difference of 24 trees will be placed on other School District property.
- All trees to be planted will be installed in September/October.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend the Revised Landscaping Plan of the Maple Glen Elementary and Administration site to the Board of Commissioners for approval.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Upper Dublin High School Addition – Final Land Development Plan:

The property in question is a 52.03 acre gross (50.11 acre net) tract located on the eastern side of Loch Alsh Avenue between Route 309 and Fort Washington Avenue in the "A" Residential District. This application represents the first of several planned phases to the High School property with the addition of a modular classroom addition containing 11,085 sq. ft. (13,900 sq. ft. with two additional add-alternate units), improvements to the circulation for busses, defined student drop-off and bus drop-off areas, parking reconfigurations and landscaping and stormwater management facilities.

Rich Collier of LandConcepts and Tom Mouser of the Upper Dublin School District represented the applicant.

Mr. Collier made the following comments:

- Much has happened since the School District received preliminary approval in April.
- The project has been bid, and contractors have been selected.
- The fire protection issue has been resolved. All buildings will be sprinklered.
- Restrooms in the new area have been eliminated because there are sufficient facilities in the wing. Thus sewer connections will be much simpler.
- Will comply with all items set forth in Metz Engineers' review letter dated June 20, 2002.
- All landscaping and parking issues have been resolved.
- Parking lot improvements have been bid.
- All work related to the front of the High School will be initiated since a final grading permit has been issued and as soon as everyone is satisfied with the escrow arrangement.
- Changes will be made to the signage to identify the two driveways, dropoff areas, and signage on Loch Alsh Avenue.
- Restripping will be done to designate parallel parking.
- The project should be completed by early fall in time for the start of school.
- All items set forth in MCPC's review letter of June 24, 2002 will be addressed.
- Covered sidewalk is planned at the bus drop-off area.
- Crosswalks have been provided. They will be adjusted to meet safety requirements.
- More landscaping materials than required will be installed in front of the modular addition.
- Shrubs cannot be planted next to the façade because of utilities located there.
- Fifteen trees are being added to help soften the façade.
- When Mr. Haering asked if there will be any office or administrative area in the new modular addition, Mr. Collier said that depends upon the demand for classroom space. There is one classroom that could be divided up for use as meeting space, but there is no commitment to do so.
- Responding to a suggestion by Mr. Wert, a schematic of the traffic patterns will be placed on the website.
- Crosswalks will be provided for students to cross safely.
- No sidewalk exists on Fort Washington Avenue on the side of the High School.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval by the Board of Commissioners of the Final Land Development Plan for the addition to Upper Dublin High School subject to the review letter from Metz Engineers dated June 20, 2002 and that of MCPC dated June 24, 2002.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Resolution Supporting Sandy Run Creek Watershed Conservation Plan:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend passage of this resolution by the Board of Commissioners.

Mr. Mermelstein asked to see recommendations for ordinances that could be adopted in accordance with the Watershed Management Plan.

Regarding the Pennypack Watershed, Mr. Leonard informed that Upper Moreland and Lower Moreland Townships have successfully obtained grants including funds from the William Penn Foundation and others to do comprehensive mapping. Upper Dublin Township may suggest that it be copied at some later date by the Sandy Run Creek Watershed Association.

VOTE ON MOTION

ALL YES

MOTION CARRIED

QUESTIONS/COMMENTS:

Peter Jefsekus, Director of Penntans, an organization aiming for better dedicated funding from state and federal governments for transportation sources said they are eager to encourage transit changes across the state to improve transportation.

After conversations with Messrs. Mermelstein and Leonard, he appeared before the Committee with questions that he would like addressed.

1. What community and stakeholders groups are concerned about traffic and related issues?
2. Do these groups have different perspectives on this problem?
3. What goals does Upper Dublin Township have in mind already?
4. What kind of information would Upper Dublin Township like to see in a report or presentation that would include an evaluation of the situation in the Township and recommendations as to what might be helpful?

Mr. Leonard said the staff would discuss and get a packet of information out to the Commissioners. He will distribute Mr. Jefsekus's questions and provide him with a narrative of issues the staff has already identified.

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ADJOURNMENT:

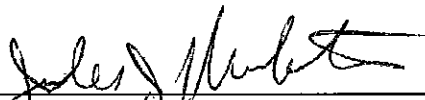
Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 10:00 p.m.

Respectfully submitted,



Louise S. Birett, Recording Secretary

Attest:



Jules Mermelstein, Chairperson

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A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, July 23, 2002, in the Upper Dublin High School Cafeteria, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold as well as Commissioner Weiss who was present for the discussion of the Adult Uses Ordinances; Paul Leonard, Manager, who attended the meeting from 7:30 p.m. to its close; Gilbert High, Township Solicitor; Jeff Wert, Township Engineer; Matthew Schelly and Tolson DeSa, Montgomery County Planning Commission; Charles Hearing, Planning Agency Advisory Board; and Wendy Walters, Environmental Protection Advisory Board.

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM JUNE'S MEETING:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of June 2002.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Environmental Protection Advisory Board (EPAB):

Wendy Walters introduced herself as the newly elected Chairperson of the EPAB. She had nothing new to report since the EPAB is scheduled to meet at 7:00 p.m. this evening.

DISCUSSION ITEMS:

Adult Uses Ordinance:

Following the direction of the Planning, Environment and Commerce Committee last month, Mr. High eliminated the inclusion of retail sales of sexually-oriented materials from the draft ordinance. In addition, he eliminated the zoning provision that limits such entities to the "EC" Employment District. There are no zoning provisions in the current code. Therefore, each particular use will be allowed in the zoning district where they would now be permitted if they were not adult-oriented, subject to the licensing and separation requirements. It is important to look at the separation requirements as they would impact each of the businesses regulated to determine if the effect of the separation requirements might eliminate the potential for any particular kind of adult-oriented business to exist in the Township.

In Mr. High's opinion, the effort through zoning to restrict adult-oriented businesses to the "EC" Employment District would be detrimental in several ways including creating a number of non-conforming uses in the Township (because there are presently a number of video stores that rent X-rated materials and because every pharmacy in the Township sells sexually-oriented materials, all of which would be subject to regulation under the language of the prior draft). In addition, the effort to place restrictions on the sale or lease of certain sexually-oriented materials, and to establish the nature and extent of a non-conforming use which would be created would present an administrative "nightmare" to the Code Enforcement Department.

If the Committee is interested in moving ahead with discussions, Mr. High suggested working with a map showing what the separation requirements should be.

Mr. Mermelstein worried about being over-broad in trying to restrict morality. He questioned what is proper for government to do as opposed to a community of individuals? He agreed that a map should be drawn up.

Mr. Mermelstein also had concerns about definitions in the proposed ordinance under Section 193-2 as stated below.

- SEMI-NUDE or in a SEMI-NUDE CONDITION – . . . This definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, skirt, leotard, bathing suit, or other wearing apparel . . .

• Mr. Mermelstein said that the definition might be over-broad if it meant forbidding ballet performances or exercising in "Speedo" gear.

- ADULT CABARET – A nightclub, bar, restaurant, or similar commercial establishment . . .

Mr. Mermelstein felt that more than a 100 ft. from establishments that serve alcohol may be a problem.

- ADULT MOTEL – a hotel, motel, or similar commercial establishment . . .

Mr. Mermelstein felt that restricting a hotel/motel from offering a sleeping room for rent for a period of time that is less than ten hours may be over-broad.

Mrs. Weiss worried about too many restrictions on operators of legitimate facilities. In her opinion, what the Committee objects to can be controlled in other ways. She favored less regulation rather than more. Mr. Mermelstein agreed.

Section 193-6 deals with fees. Mr. Mermelstein asked how the fees compare with other businesses?

Mr. High commented that the Code Enforcement Department is working on amending a number of fees within the Code which pertain to building uses. A discussion of said fees is on the agenda later this evening.

Mr. Mermelstein commented that if adult-oriented businesses are permitted in retail areas, he does not know if they can be restricted within 1,000 ft. of residential areas.

Section 193.17 pertaining to public nudity. Paragraphs C and D state:

C. No employee, while semi-nude in an adult-oriented business, may solicit any pay or gratuity from any patron or customer or for any patron or customer to pay or give any gratuity to any employee, while said employee is semi-nude in an adult-oriented business.

D. No employee, while semi-nude, may touch a customer or the clothing of a customer.

Mr. Mermelstein felt this was over-broad. Trying to restrict morals will present an enforcement problem.

Mr. Mermelstein said he still has a philosophical question whether the Board of Commissioners should be considering the proposed ordinance at all.

Ms. Weiss reserved her comments because she did not receive an information packet.

Mrs. Weiss asked if it is possible for an ordinance to specify the amount of feet a sexually-oriented business should be from a residential district, school or church as opposed to just a broad statement about a residential district? In her opinion, the Committee may have created a large gap by being so detailed.

Township staff was asked to prepare a map including overlays showing where these types of businesses can or cannot be allowed.

Dresher Commons – Preliminary Land Development Plan:

BET Investments proposes to develop an 8.89 acre property in the Dresher Overlay Zoning District (DOD) with a 25,600 sq. ft. office building, three attached restaurants ranging from 4,500 to 6,000 sq. ft., and a stand-alone restaurant of 6,500 sq. ft. The restaurant uses will require a conditional use hearing and approval in the DOD from the Board of Commissioners.

Michael Yanoff, Esquire, has not had an opportunity to fully study Metz Engineers' review letter.

A letter extending the time for review to 60 days beyond September 9, 2002 was submitted to the Township.

The developers and Mr. Yanoff plan to have a meeting with neighbors to outline the plan. In the meantime, he cautioned residents not to put too much stock into what they read in the newspapers.

Mark Kukor of Golden Drive said that he had previously expressed concern about restaurant use in the Dresher Overlay District a few years ago. He and his neighbors were assured at that time that high volume usage would be restricted. He was surprised to see that there are now four restaurants proposed on this site.

Mr. Kukor also noted that the neighbors were originally told that a restaurant would be located in the original farm house. Now, the developer is seeking permission to tear the farm house down.

According to Mr. Kukor, lighting emanating from this property will present a problem for those residing in Arbor Hill.

Mary Lou McFarlane, representing the Montgomery County Conservancy, feels there is a market for the existing farm house. She offered the Conservancy's support to the neighbors and hopes that the Township will keep fighting to preserve the building. She requested permission to have potential buyers view the building from the inside.

Temple Ambler Campus Learning Center – Sketch Plan:

Tracy Schnyer of BLM Architects and Susanne Creveling of Barry Islett and Associates, represented the applicant.

Mr. Schnyer made the following comments:

The proposed three-story building will contain classrooms as well as a 300 seat auditorium.

The auditorium will be used for university as well as public functions.

The building's primary function is to alleviate over-crowding.

- The major concerns identified by Metz Engineers were related to parking.
- Temple University did a study of existing parking and determined that the building, after construction, will render the campus excess parking capacity.
- It would not be beneficial to the campus and Township to require them to meet the 100 parking space requirement for the auditorium because there will be excess parking.
- The University takes the position "park where you can park." Parking conditions are no different from that on main campus.
- The University is well aware of the Township's concerns about stormwater runoff. It does not want to have more impervious surface than is needed.
- A landscaping plan is under development. Most likely, minimal planting will be done under the scope of this project.
- Review letters have been received from Metz Engineers, the Montgomery County Planning Commission (MCPC) and the Planning Agency Advisory Board (PAAB).
- Pursuant to a request that they evaluate whether it would be feasible to locate the building behind the existing campus library, and after discussions with University officials, it was decided to locate the building where originally planned.
- Handicapped access will be gained through the existing quadrangle. It would be more difficult for handicapped persons to enter the building if it were placed behind the library.
- There are plans for two bio-detention basins and one traditional detention basin.
- This project will improve the run-off situation.

Mr. Wert was concerned about the parking plans and felt that public parking would be too far away from the auditorium. He suggested that the applicants rethink the total parking and its proximity to the building as well as considering a modest increase in parking spaces.

Mrs. Herold suggested that they dedicate an area for future parking on the other side of Meetinghouse Road.

The Director of Planning and Design of Temple University said there are a number of spaces in mind for future parking, if necessary. He further informed that the University is not constructing the building to make money, even though they will permit outsiders to use the building for public functions.

When Mr. Haering raised the question of how deliveries and pick-ups will be handled, Mr. Schnyer said he has evaluated the service driveway behind the building. In his opinion, there is adequate maneuverability.

While Mr. Schnyer has not yet reviewed the emergency vehicle access situation, he intends to do so.

1635 North Limekiln Pike – Tai Minor Subdivision Plan:

The applicant proposes a 2 lot subdivision for the property at 1635 North Limekiln Pike. This 2.96 acre lot is located within the Dresher Overlay zoning district with an underlying base zone of "A" Residential. The subdivision would create a new 1.78 acre lot for future development. No new construction is proposed at this time. Lot 1 will retain the existing building and contain 26,395 sq. ft. Public sewer and water connections will serve the site.

Ed Chadrow represented the applicants.

There is no agreement of sale on the site at this point in time.

Mr. Tai installed the existing water line, but there is a gap between the legal right-of-way and the proposed right-of-way. Mr. Tai proposes to leave the line in place until such time of subdivision in the future.

Mr. Mermelstein said the Board of Commissioners may require that the property remain residential. He also indicated that the Township does not want to be responsible for maintaining the water line.

In the alternative, Mr. High suggested asking the applicants to donate a portion of the right-of-way to the Township and having the Township be responsible for removing the water line.

Mr. High said the offering of the right-of-way should be included on the plan. He observed that if PennDOT wishes to widen the road, PennDOT should pay for it.

Mr. Leonard arrived at the meeting at this point in time after lending assistance at a major traffic accident on the Pennsylvania Turnpike.

Mr. Leonard strongly suggested that the applicant consult with a land use attorney because the Board of Commissioners is objecting to a commercial use of the property.

ACTION ITEMS:

Prime Properties – 1540 Jarrettown Road Minor Subdivision Plan:

The Applicant is proposing to subdivide the Beam tract containing 3.09 acres into two lots, one containing 1.29 acres, and the other containing 1.72 acres. The Rapp Run bisects the lots. The existing structures (a barn and dwelling) on the tract will be removed. The tract is zoned "A" Residential.

Nicholas Rose, PE, represented the applicant. With respect to the review letter from Metz Engineers dated July 2, 2002, he informed that the applicant will comply with all concerns therein.

The following sections of the Metz review letter were discussed:

- Under Zoning, Paragraph 3 states: "The required horizontal floodplain buffer area per Z.O. 255-161.E has not been shown at the lower property line. The FEMA floodway depth is approximately 7.7 ft. Based on the plan elevations, the actual floodway is at 258.7± and the buffer is at 259.7±. The proposed dwelling will be within the 100 year floodway and buffer.

Mr. Wert suggested a small modification in the position of the house and buffer will eliminate building in the floodway.

- Under Subdivision Ordinance, Paragraph 1, the following waivers would be required to implement the plan:
 - a. Show existing features within 100 ft. of the tract boundary.
 - b. New property line should intersect the right of way at or near 90 degrees or a waiver granted. The line is skewed to preserve the use of the existing driveway apron and avoid an additional disturbance to Jarrettown Road.

Mr. Wert said the Board of Commissioners has requested that the property line be aligned toward the rear of the property.

Mr. Rose said the applicant is still requesting a partial waiver.

- Under General Engineering and Drafting Comments, Paragraph 1, the 8 inch diameter PVC pipe which created a swale has been removed.
- Responding to General Engineering and Drafting Comments, Paragraph 2, the MCPC file number will be added to the plan.
- Under General Engineering and Drafting Comments, Paragraph 3, it states: "The width of the driveway on Lot 1, opposite the proposed garage, is shown at 25 ft. Metz Engineers questions if this is adequate for side entry garage."

Mr. Rose said that the 25 ft. width is what Prime Properties has used in the past.

Mr. Wert suggested that the applicant increase the width a bit.

- Under General Engineering and Drafting Comments, Paragraph 4, Mr. Rose informed that the barn is being dismantled.

Regarding the shared driveways, Mr. DeSa of the MCPC suggested a "Y" arrangement and shared access. Mr. Rose said the applicants are opposed because of maintenance responsibilities, etc. It would also be difficult to get both driveways to exit at the same spot.

In the PAAB review letter dated July 18, 2002, Paragraph 2 states: "Since the foot bridge will serve as foot access for both properties, the PAAB recommends the care and maintenance of the structure be addressed and disposition on the deed."

When Mr. Rose objected to legal documentation pertaining to the foot bridge, Mrs. Herold urged compliance so there will be no problems between the neighbors when and if one of the properties would be sold.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the Prime Properties Minor Subdivision located at 1540 Jarretstown Road (Upper Dublin Reference No. 02-015) to the Board of Commissioners subject to the comments in Metz Engineers' review letter dated July 19, 2002.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Real Property Transfer Ordinance:

There have been no changes since the draft ordinance was last reviewed.

Mr. Leonard said staff is interested in some form of transfer inspections.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend adoption of the draft Real Property Transfer Ordinance to the Board of Commissioners.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Permit Fee Ordinance:

Mr. High said the proposed ordinance was prepared using information provided by the Code Enforcement Director. He stated that the language as it relates to escrows for land development applications has been substantially altered. If escrow is not replenished, the Township can elect to suspend permits, and professional work on the plan can be stopped.

Mr. High continued that after final plan approval is given, there are a number of obligations for the Township and the developer to make sure that the plan as submitted meets the conditions proposed.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend adoption of the Permit Fee Ordinance by the Board of Commissioners.

VOTE ON MOTION ALL YES MOTION CARRIED

Derbyshire Subdivision:

Mr. Mermelstein motioned, with Mrs. Herold seconding, to recommend that the Board of Commissioners deny the Derbyshire Subdivision unless an extension of time is granted.

VOTE ON MOTION ALL YES MOTION CARRIED

The Solicitor was asked to draft a resolution in this regard.

QUESTIONS/COMMENTS:

When Mrs. Herold suggested that every time a house is sold, there should be a new assessment, Mr. High countered that there is specific case law that says the Township is not permitted to do so. To permit new assessments is a function of state statute.

Mr. Leonard suggested that the Board of Commissioners direct a letter in this regard to the State Representatives.

PRESENTATION:

Matthew Schelly of MCPC distributed statistics on the 2000 census and presented an overview thereof as follows:

- A chart that gives population forecasts for various municipalities.
 - Upper Dublin Township has had a 6% change in population over the past 25 years.
- A regional map showing population forecasts.
- Absolute change for population showing actual number of jobs available.
 - It is good to know this information with respect to planning for transportation, traffic issues and housing.
 - Housing in Upper Dublin Township will remain the same.
 - Jobs and employment in Upper Dublin will increase.
 - Median income in Upper Dublin is \$80,000+.
 - Upper Dublin has the fourth largest income per capital in Montgomery County.
- A chart showing units built by municipality by year and housing type in Montgomery County.
- A chart showing median prices for housing in Montgomery County.
 - Median sales price for all types of units in Upper Dublin is \$240,000.

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Workshops are scheduled to discuss the goals and benefits of a project to convert mown grass basins to naturalized wet meadow and native plant communities. All interested parties are invited to attend the workshops to be held in the Lower Providence Township Building located at 100 Parklane Drive, Eagleville, PA on July 29, 2002 and August 29, 2002 at 7:00 p.m. Pre-registration is requested at 610-287-9383 or wisser@pvwatershed.org.

ADJOURNMENT:

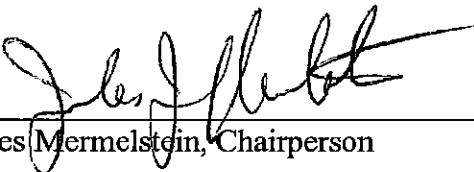
Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 8:25 p.m.

Respectfully submitted,



Louise S. Birett, Recording Secretary

Attest:



Jules Mermelstein, Chairperson

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A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, August 27, 2002, in the Upper Dublin High School Cafeteria, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold as well as Commissioner Weiss who was present for the discussion regarding the Adult Uses Ordinance; Richard Barton, Code Enforcement Director who presented the Township Manager; Gilbert High, Township Solicitor; Jeff Wert, Township Engineer; Matthew Schelly and Tolson DeSa, Montgomery County Planning Commission; and Charles Hearing, Planning Agency Advisory Board.

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM THE JULY MEETING:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of July 2002.

VOTE ON MOTION

ALL YES

MOTION CARRIED

DISCUSSION ITEMS:

Adult Uses Ordinance:

Richard Barton discussed a map drawn up by Andy Fowler of the Public Works Department showing the seven commercial districts in Upper Dublin Township and their boundaries. It provided the committee with an idea of the different radius points from the commercial uses to public institutions and houses of worship.

Only the Fort Washington Shopping Center has commercial properties that are not within 1,000 ft. of public institutions and houses of worship.

Matthew Schelly suggested the measurement of the district should be from the point of the adult use to the protected uses.

Mr. High felt it would be easier to deal with measuring from the lot lines, and Mr. Mermelstein agreed.

Mrs. Weiss worried that an adult cabaret could be placed in other areas rather than a commercial district because they are often opened in conjunction with a restaurant operation or hotel/motel.

Mr. Schelly opined that an existing restaurant/motel/hotel could not be changed over to an adult-oriented establishment.

Mr. Barton was asked to have a more specific map drawn up and Mr. High was asked to make specific changes to various parts of the draft ordinance for further review at the September meeting of the Planning, Environment and Commerce Committee.

The Chief of Police will be asked to review the revised draft ordinance.

Christ's Evangelical Lutheran Church of Oreland Minor Land Development:

The applicants propose to construct two additions totaling 946 sq. ft. The Zoning Hearing Board granted a variance on June 24, 2002 to permit the proposed addition on Pennsylvania Avenue to extend into the front yard setback area. Additionally, the Plan will consolidate a number of separate deeds into one property, all zoning A" Residential.

The applicants raised the following issues:

- They asked for a deferral from sidewalks and agreed to deferral language being placed on the plan.
- There will be no water or sewer impact on the plan. Only two handicapped access toilets are being installed.
- They asked for a waiver from being required to go to the Conservation District because of the minor nature of the plan.
 - The committee agreed.
- The roadway will not be offered for dedication.
- There will be no physical changes outside the building.

This plan will be discussed further at the September meeting of the Planning, Environment and Commerce Committee.

ACTION ITEMS:

1635 North Limekiln Pike – Tai Minor Subdivision Plan:

The applicant proposes a two lot subdivision for the property at 1635 North Limekiln Pike. This 2.96 acre lot is located within the Dresher Overlay Zoning District with an underlying base zone of "A" Residential. The subdivision would create a new 1.78 acre lot for future development. No new construction is proposed at this time. Lot 1 will retain the existing building and contain 26,395 sq. ft. Public sewer and water connections will serve the site.

Ed Chadrow represented the applicants and stated the following:

- The applicant will comply with all issues raised in Metz Engineers' review letter dated August 22, 2002 except for requesting a waiver from showing the existing features within 100 ft. of all tract boundaries.
- All other waivers set forth in the letter will be deferrals as recommended by the Township Engineer.
- A new lot line will be drawn on the plans before the Stated Meeting in September.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the Minor Subdivision Plan for 1635 North Limekiln Pike (Upper Dublin Reference No. 02.016 – Joseph and Ann Tai) by the Board of Commissioners subject to the comments in Metz Engineers' review letter dated August 22, 2002 and changes being made to the plan prior to the Stated Meeting in September 2002.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Escrow Fund Ordinance:

In a letter to the Township Manager, Mr. High stated that as part of the new fee schedule currently proposed for adoption, his office has clarified the amount of the escrow fund which developers must post when subdivision and land development plans are filed. Clarification was needed to specifically provide that if this escrow fund is not supplemented when requested, or if charges for professional fees and costs incurred by the Township are not reimbursed to the Township within 20 days, the Township can suspend the processing of plans, can refuse to issue any permits, can suspend permits previously issued, and can refuse to release site improvement escrows in addition to all other legal and equitable remedies. He also added a provision that in the event the security posted by a developer to assure the completion of public improvements should become inadequate following the default of a developer, the professional fees escrow fund can be tapped in order to reimburse the Township for any costs incurred.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the Escrow Fund Ordinance by the Board of Commissioners.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Outdoor Lighting Ordinance:

After a short discussion, it was decided that any flag can be lighted beyond 11:00 p.m. as long as it does not advertise a business.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the Lighting Ordinance by the Board of Commissioners.

VOTE ON MOTION

ALL YES

MOTION CARRIED

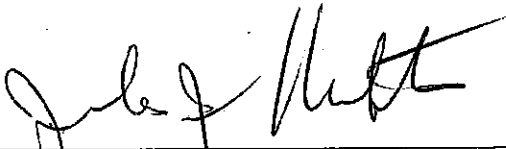
ADJOURNMENT:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 7:50 p.m.

Respectfully submitted,


Louise S. Birett, Recording Secretary

Attest:



Jules Mermelstein, Chairperson

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A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, September 24, 2002, in the Township Building, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold as well as Commissioner Thornburg-Weiss who was present as the third party in the discussion of the Adult Uses Ordinance. Also present were Paul Leonard, Township Manager; Gilbert High, Township Solicitor; Jeff Wert, Township Engineer; Matthew Schelly, Montgomery County Planning Commission; Charles Hearing, Planning Agency Advisory Board; and Stanley Ropski, Environmental Protection Advisory Board.

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM AUGUST'S MEETING:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of August 2002.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Environmental Protection Advisory Board (EPAB):

On behalf of the EPAB, Stanley Ropski discussed the following:

- Upper Dublin Community Day – An attention-getter for children will be the making of environmentally friendly bird feeders out of pine cones and peanut butter while the parents will be asked to fill out an environmental survey concerning issues in Upper Dublin Township.
- Christ's Evangelical Lutheran Church of Oreland – Rainwater coming off of roofs is a concern. The plans do not indicate if there will be downspouts, but the applicants have assured the EPAB that rainwater will be collected via downspouts into containers which will be transported to water open space areas.
- Township Building Dedication – The dedication is scheduled for November 10, 2002.

DISCUSSION ITEMS:

Mr. Leonard distributed an article dealing with the Fort Washington Historical Society and the Conservancy of Montgomery County who are conducting a survey of historic properties in the County.

David Kimmerle will be present at the meeting of this Committee on October 22nd to present a draft historic commission and preservation ordinance. It is hoped that the Board of Commissioners will consider historic preservation through conditional use and passage of the draft ordinance.

Other municipalities are considering providing incentives for owners of historic properties throughout the County.

Mrs. Herold was reticent about passage of a historic ordinance because passage would mean property owners could not do what they might want to do and costs of restoring old buildings with historic features is very cost

Dresher Commons – Preliminary Land Development Plan:

A letter dated September 23, 2002 was received from Marc Kaplin, Esquire, indicating that he will now be representing BET Investments with regard to its various applications concerning Dresher Commons in the future.

Mr. Kukor, an interested resident, said BET had promised that they would meet with the neighbors. It is hoped a meeting will be arranged before January.

Mr. Leonard recommended that BET Investments withdraw the existing plan and start afresh.

ACTION ITEMS:

Adult Uses Ordinance:

Mr. Leonard exhibited a zoning map showing "EC" zoning districts, existing retail areas, and an indication of the impact a buffer distance requirement (1,000 ft. radius from existing institutional and houses of worship) would have.

Mrs. Herold motioned, with Mrs. Weiss seconding to recommend that the Board of Commissioners discuss this draft ordinance as one body before possibly voting thereon in November.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Responding to concerns raised by Mr. Haering, Mr. Leonard will advertise the discussion of this draft ordinance on the website and the Channel 16 cable channel. The representatives of the press were asked to also publish the date of this very important discussion on October 8, 2002.

Temple Ambler Campus Learning Center – Sketch Plan:

The 90 day review period expires prior to the November Board of Commissioners Meeting.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to deny action on the plan at the October Stated Meeting unless a sixty day extension of time is received prior to the meeting.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Hilton Garden Hotel – Preliminary Land Development Plan:

A letter dated September 23, 2002 was received from the applicant's attorney, Michael Yanoff, agreeing to an extension of time until January 15, 2003.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to approve the extension of time for the Hilton Garden Hotel until January 15, 2003.

VOTE ON MOTION ALL YES MOTION CARRIED

1651 Dillon Road – Derbyshire – Min or Subdivision Plan:

A letter dated September 23, 2002 was received from the applicant's attorney, Michael Yanoff, agreeing to an extension of time until January 15, 2003.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to approve the extension of time for the Derbyshire property at 1652 Dillon Road until January 15, 2003.

VOTE ON MOTION ALL YES MOTION CARRIED

Christ's Evangelical Lutheran Church of Oreland – minor Land Development and Subdivision Plan:

Tom Smith, the applicant's engineer, and Glenn Griffin, President of Church Council, represented the applicant.

Responding to Metz Engineers' review letter dated September 20, 2002, two deferrals and two waivers are being requested.

Mr. Leonard paraphrased comments made by Mr. Wert about the above four requests. He commented that during a meeting between Township staff and congregation members, it was indicated that improvements to Pennsylvania Avenue could prevent flooding on their property.

Mr. Smith countered that there are two petroleum pipelines along the front of the property. They have not heard from the Township exactly where the curb would go. He has come up with a better solution than curbs and sidewalks and would be done as a separate project. He believes drainage could be controlled in a better fashion than by installing curbs.

There will be gutters and downspouts handling water from the roof of the building.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the Minor Land Development and Reverse Subdivision Plan of Christ Evangelical Lutheran Church of Oreland (Upper Dublin Reference No. 02.024) to the Board of Commissioners subject to the comments in Metz Engineers' review letter dated September 20, 2002.

VOTE ON MOTION ALL YES MOTION CARRIED

Outdoor Lighting Ordinance:

Mr. Leonard advised of receipt of a final review from Waldron Associates. Modest changes and recommendations to the ordinance were made to provide for regulation of outdoor lighting. This ordinance is now ready for final consideration by the Board of Commissioners in November.

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Mrs. Herold motioned, with Mr. Mermelstein seconding, to advertise the Outdoor Lighting Ordinance for consideration in the month of November.

VOTE ON MOTION

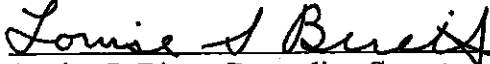
ALL YES

MOTION CARRIED

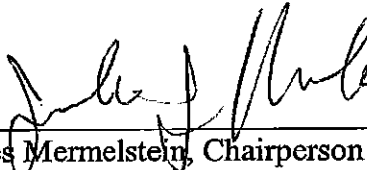
ADJOURNMENT:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 10:00 p.m.

Respectfully submitted,


Louise S. Birett, Recording Secretary

Attest:


Jules Mermelstein, Chairperson

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A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, October 22, 2002, in the Maple Glen Elementary School Cafeteria, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold as well as Commissioner Thornburg-Weiss who was present as the third party in the discussion of the Adult Uses Ordinance. Also present were Paul Leonard, Township Manager; Gilbert High, Township Solicitor; Jeff Wert, Township Engineer; Matthew Schelly and Tolson DeSa, Montgomery County Planning Commission (MCPC); Charles Hearing, Planning Agency Advisory Board (PAAB); and Israel Milner, Environmental Protection Advisory Board (EPAB). Commissioner Bryers participated as part of the audience.

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM SEPTEMBER'S MEETING:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of September 2002.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Environmental Protection Advisory Board:

On behalf of the EPAB, Israel Milner discussed the following:

Congregation Beth Or – Representatives of Beth Or attended the EPAB meeting on October 1st and presented an overview of their plan. The EPAB looks forward to reviewing their plans further when they reflect the existing structure, traffic studies to be performed, landscaping details, and stormwater management plans.

- Temple Ambler Athletic Facility – The EPAB was briefed by representatives of Temple University concerning the proposed athletic facility on Meetinghouse Road. Plans were reviewed and members of the EPAB toured the site.

Questions raised by the EPAB included:

- What will the impact of landscaping chemicals be on groundwater and adjacent wetlands?
 - What will be included in the stormwater management plan?
 - What are the species of the 35 trees expected to be removed, and how will that affect the area rich in bird wildlife?
 - Is there endangered vegetation that will be removed by the developer?
- Cell Tower – A proposed cell tower is subject to conditional use review the second week in November. The EPAB feels the design should be a monopole given the nature of what already exists around their location.
 - Upper Dublin Community Day - An attention-getter for children was the making of environmentally friendly bird feeders out of pine cones and peanut butter while the parents were asked to fill out an environmental survey concerning issues related to traffic problems and the environmental consequences thereof,

Louis Keane, representing the Fort Washington Historical Society, made the following observations:

Over 1,200 properties that are over 50 years old have been identified in Upper Dublin Township.

A report is forthcoming to the Board of Commissioners setting forth documentation regarding location of the aforesaid buildings.

David Kimmerle continued his remarks:

- The document prepared by the Fort Washington Historical Society will serve as a basis for inventory and include a determination as to whether a building is potentially eligible for the National Conservancy.
- Final decision-making lies with the Pennsylvania Historic Museum Commission.
- Ten of the 1,200 properties in Upper Dublin Township are on their survey at the present time.
- To qualify for the National Conservancy, a house must be:
 - Associated with an event.
 - Associated with well-known people.
 - Architecture.
 - Archeological site.

Responding to a query raised by Mr. Haering, Mr. Kimmerle said that while a home's value might not go up if it is in a historic district, market value may go up as a result.

Responding to Mrs. Herold, Mr. Kimmerle said that if a homeowner wishes to demolish an older building, a report must be prepared and submitted to the Board of Commissioners for approval or denial of the demolition.

A female member of the Fort Washington Historical Society said the group would like to see an ordinance adopted after sufficient discussion.

Bruce Goodman, in the audience, felt the ordinance would hurt real estate values considerably. He said the Township should encourage redevelopment of properties to bring them up to maximum value.

Mr. Mermelstein said that any change of use affects the value of a property one way or another.

Mr. Keane reiterated that the Fort Washington Historical Society is simply advisory in nature and has no power.

Congregation Beth Or Preliminary Land Development Plan:

Congregation Beth Or plans to redevelop the former Spring Lake Farm located at the corner of Welsh Road and Butler Pike into a Synagogue with school and associated parking. Conditional use approval was granted on September 10, 2002 for relocation of the detention basin and site work in the floodplain. The 16.7 acre site is zoned "A" Residential. Religious facilities are permitted by special exception. Public sewer and public water will serve the site.

Stephen Katz made the following presentation:

- Beth Or wants to maintain a similar look to that which is already on the site with minimal disturbance as possible.
- The existing pond is in the floodplain preservation district.
 - Changes to the pond include:
 - Reshaping of the pond.

- PennDOT does not have a specific plan for this intersection. They will not require Beth Or to add another traffic lane.
- Left turn lanes exist on both roadways.
- The road will be graded and widened with curbing and drainage along the roadway. A right turn deceleration land will be added.
- The number of parking spaces to be provided totals 313.
- Bussing will be provided from remote locations during high holidays.
- Normal parking usage is staggered. The parking lot will never be filled during regular usage.
- Traffic control measures will be developed.
- Parking provided meets the ordinance even though Beth Or feels it is too much during normal usage.
- Beth Or representatives feel that parking could be reduced by 25 spaces and still be sufficient.
- There is no reason to widen Butler Pike to four lanes, and to do so would hurt the integrity of the existing trees (horse chestnuts, honey locusts, and sycamores).
- Plans include the addition of a fence on Butler Pike.
- Templates will be provided for bus and truck traffic.

Adrienne Eiss, the Township's traffic engineer, informed of the following:

- She reviewed the McMahon traffic study.
- She reviewed traffic conditions at the following intersections:
 - Welsh Road and Butler Pike
 - Welsh Road and Tennis Avenue
 - Norristown Road and Tennis Avenue
 - Butler Pike and Tennis Avenue
- There was no information as to the number of congregants and attendance for activities.
 - Information was provided this evening.
- She asked about the religious school and the method that will be used for pick-up or drop-off?
 - Information is contained in the McMahon report.
 - Clockwise circulation is recommended for the pre-school, religious classes, and for the daycare facility (entering on Butler Pike and exiting either on Welsh Road or Butler Pike).
 - The pick-up site can handle a maximum of 5-7 cars at a time.
 - Queuing is not projected to go more than 100 ft.
 - Classes will not overlap worship services.
 - She suggested keeping the Welsh Road driveway away from the residential area, and that they provide a deceleration area where traffic can get out of the way.
 - Directional signage should be placed around the ceremonial circle and other areas.

Mr. Leonard interjected:

- The Township has recently completed the Maple Glen Action Plan. He believes the plan might be relevant to this site for a number of reasons.
- He asked Mr. DeSantis to hold off on finalizing his report until all issues brought forth this evening are investigated.
- It is critical for Beth Or to obtain professional lighting advice as soon as possible.
 - Mr. Katz assured that they will follow the new ordinance even though their plan would be grandfathered.

<p>ic Stelka, representing Elaine Hughes 721 Butler Pike Horsham, PA</p>	<ul style="list-style-type: none"> • Expressed her concerns about stormwater runoff. • How will runoff from the roof be controlled? • Mrs. Hughes' biggest concern is groundwater infiltration. 	<p>Rick Stonebach, Project Engineer:</p> <ul style="list-style-type: none"> • Will use best management practices. • Has not studied volume with any detail but did study water rates. • Providing additional stormwater retention in the pond to reduce the rate. • As part of the conditional use, Beth Or will do testing downstream. • Runoff from the roof will go into a collection system using perforated pipe. • The erosion control plan is 70% developed. • Their plan is to construct early and then allow the area below to provide sediment storage. • Beth Or prefers to maximize the amount of infiltration on the site. • Installation of a pond liner is in the "talking stage." • Their goal is to maintain the amount of water in the pond. <p>Stephen Katz:</p> <ul style="list-style-type: none"> • If they do not use a liner, another means will be devised to maintain the water level. <p>Israel Millner:</p> <ul style="list-style-type: none"> • The EPAB would like to see porous paving used for parking areas.
<p>Elaine Hughes 721 Butler Pike Horsham, PA</p>	<ul style="list-style-type: none"> • Concerned about volume of water existing from this site. • She thanked Beth Or for their efforts. • There will be a greater volume of water coming off the site because of the greater impervious material. • How much water will be discharged over a period of time into streams in Horsham Township that cannot handle large volumes? • Horsham streams are becoming wider because of increased runoff. • Most of the people in the area have wells. 	

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| <ul style="list-style-type: none"> • This is one of the ten properties in Upper Dublin as being Class I. | |
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Temple Ambler Athletic Facility Preliminary Final Land Development Plan:

Temple University is proposing to reconstruct two existing soccer fields into a new NCAA Standard soccer field and a Lacrosse field, construct new NCAA standard softball and baseball fields, and construction of a 4,500 S.F. field house within the vicinity of the former amphitheater. A new waterline will be installed for field irrigation. The existing sanitary sewer line, if not obstructing construction or damaged, will remain.

Marvin Gerstine represented Temple University and made the following comments:

- No lighting will be required.
- The fields will be used during the hours of 3:00-5:00 p.m. on weekday afternoons.
- 20 home games for the baseball field have been scheduled in the spring of 2003 – expect approximately 100 spectators per game.
- 20 home games have been scheduled in the spring for the women’s softball team in 2003 – expect approximately 500 spectators per game.
- Soccer fields will be used in the fall of the year – expect approximately 200 spectators per game.
- The above numbers are based upon current experience and the fact that these will be new modern facilities.
- Portable bleachers will be used.
- Temple would be willing to allow the Township use of the fields on special occasions, but not on a day-to-day basis.

Mark Eisold of Boucher and James, Inc. explained:

- All fields will be built to NCAA standards.
- Reducing the amount of impervious surface on the site.
- No disturbance to wetlands.
- The applicants will comply with most of the comments in Metz Engineers review letter dated October 18, 2002.
- Appropriate funds will be set aside for deferrals of:
 - Road widening.
 - Sidewalk.
 - Curbing.
- All fields will be fertilized, but will not impact the neighbors.
- Temple wants to keep the area natural.
- Sidewalks will cause some runoff and erosion.
- Public Works Department review, Shade Tree Commission review, and review by Orth Rodgers are not required.
- A tree survey was done in the area of the playing fields. Trees were identified by size and substituted accordingly.
- Temple would like to obtain a grading permit so that they can do seeding this fall.
 - Mr. Wert had no problem with granting this request.
- The applicants intend to hookup to an existing sewer line.
- A new fire hydrant will be installed next to the field house building.

win Ponds – 1465 Broad Street – Sketch Subdivision Plan:

The plan proposes demolition of one pre-existing home and construction of five new single family homes with public water and sewer. Underground seepage pits are proposed to address stormwater. The 3.75 acre site is located between Broad Street and Catlin Way along Twin Pond Road opposite Mondauk Common.

John Eichenlaub, the applicant, informed of the following:

- Sidewalk, curb, street lights and fire hydrants are already in place.
- Stormwater can be taken care of with seepage beds.
- The developer will address curbing on Broad Street. He feels it might be better to defer until later because of the existing street trees.
- The sewer line will be 13 ft. from the side yard of two of the properties.

Metz Engineer's report dated October 16, 2002 states that Lot 2 frontage relies on a triangular shaped piece of land that appears to have been incorporated into the right-of-way dedication of the Twin Pond/Catlin Way development by the Cutler Group. Mr. Wert felt that the developer should vacate the triangle.

ADJOURNMENT:


Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 10:30 p.m.

Respectfully submitted,



Louise S. Birett, Recording Secretary

Attest:



Jules Mermelstein, Chairperson

A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, November 19, 2002, in the Township Building, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold as well as Commissioner Thornburg-Weiss who was present as the third party in the discussion of the Adult Uses Ordinance. Also present were Paul Leonard, Township Manager; Gilbert High, Township Solicitor; Jeff Wert, Township Engineer; Tolson DeSa, Montgomery County Planning Commission (MCPC); and Stanley Krakower, Environmental Protection Advisory Board (EPAB).

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM OCTOBER'S MEETING:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of October 2002.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Environmental Protection Advisory Board:

On behalf of the EPAB, Stanley Krakower discussed the following:

- New letterhead and logo – The EPAB has developed a new look to their letterhead which displays a prominent new logo.
- Popper Minor Subdivision Plan – The EPAB is awaiting confirmation from the developer regarding whether there have ever been any underground storage tanks on the property
- New Life Presbyterian Church Preliminary Land Development Plan – The EPAB is concerned that the parking area for the 45,000 sq. ft. proposed facility will increase impervious surface by 43%. Concerns were also raised about slopes and stormwater detention details. The applicants have been requested to make an in-depth presentation to the EPAB at which time they will be asked to provide physical plans.
- Fort Washington Estates Sketch Land Development Plan – Impervious surface will be increased from 35% to 46%. The applicants have been asked to make an in-depth presentation to the EPAB dealing with stormwater and surface water and how it runs off.
- Historic Preservation District Ordinance – Mr. Krakower was involved with historic preservation in Philadelphia. In his opinion, the draft ordinance for Upper Dublin Township is very well done.

A distinction must be made between historic buildings/structures and historic areas. Historic districts are indicated as historic resources. Some old buildings will contribute to an historic area while others will not.

The Dresher Triangle area is of particular interest because efforts are being made to preserve the commercial district as a village. Some parts are not worth preservation, while other sections are. It will be more difficult to deal with that area as a village rather than as individual properties.

DISCUSSION ITEMS:

Temple Ambler Campus Learning Center Revised Preliminary Land Development Plan:

Construction plans consist of removal of the following:

- 168 parking spaces
- Guardhouse
- Traffic signs
- 12 parking lot lights
- Utility pole

Proposed construction consists of the following:

- 3 floor 72,056 sq. ft. learning center
- 86 parking spaces
- Interconnecting walkways between existing buildings
- Loading dock
- Guardhouse
- Stormwater management system
- Utilities
- Landscaping

The Montgomery County Planning Commission (MCPC) noted that the proposal would reduce the total number of parking spaces at the campus by 151 spaces, yet it provides building space for more students and staff.

Marvin Gerstein, the Director of Planning and Design for Temple University, replied to the comments in MCPC's review letter dated November 18, 2002:

- The building is being constructed to better serve Temple's current population.
- The addition of the building in question will not constitute an expansion of facilities.
- Due to the high proportion of commuting students and staff combined with the use and nature of the site, the university will comply with MCPC's recommendation to place bike racks on the site.
- The university will increase the height of the sign to 5 ft. at the driveway entrance to the parking lot.
- The university agrees to use a more diversified seed mix for the wetland areas.
- The facility can be retrofitted in the future to accommodate entertainment performances. Wings on both sides will be provided for use as dressing rooms, etc.

Tracy Schnyer, Architect, and Emily Miller made the following comments:

- There are two outstanding issues dealing with the deed and the utility information.
- Most of the items in Jeff Wert's review letter dated November 15, 2002 appear to be housekeeping items.
- A traffic study will be submitted. It will address the intersection of Meetinghouse Road and Butler Pike.
- A wetlands study will be submitted.
- A fire hydrant will be installed.
- Landscaping requirements are not an issue.
- Tract statistics will be added to the Record Plan.
- The applicants will assure that there is enough water available for the sprinklers. Temple plans to use a 6" water line.

Mr. Wert said his office is awaiting the following information, and therefore cannot recommend moving this matter on to the Board of Commissioners for Preliminary approval:

- Grading plan
- Walkways
- Parking
- Entranceway
- Stormwater management
- Building size changes

The applicants are requesting the following waivers:

- A waiver from the requirement of an improvement bond or other securities to be deposited with the Township.
- A waiver from the requirement that survey boundary monuments be placed on the right-of-way lines at corners, angle points, beginning and end of curves, and as otherwise required.
- A waiver from the requirement for provisions to be made for suitable open space for walkways, malls, sitting areas, etc.
- A waiver from the requirement for transportation impact study.
- A waiver from the requirement that the Plan show the courses and distances of the boundary line survey of the entire tract being subdivided.
- A waiver from the requirement to identify the entire tract boundary with bearings and distances.
- A waiver from the requirement to show the location and character of existing buildings and man-made structures on or in the ground.
- A waiver from the requirement to show the location of the existing monuments and corresponding references.
- A waiver from the requirement to show building setback lines on each lot with distances from the street right-of-way.
- A waiver from the requirement for curbing because they would inhibit the ability to manage water.

Mr. Leonard made the following comments:

- Expressed concern about muddy areas in the vicinity of the swimming pool. The muddy areas will represent a problem for ingress/egress and heavy emergency equipment.
- Concerned about traffic flow.
- The ordinance calls for curbs in this type of development. To obtain a waiver, the applicants must provide a rationale and more detail.
- It would be wise to update the plans regarding utilities, traffic and size of the building.

Hilton Garden Hotel Revised Preliminary Land Development Plan:

The applicant is proposing to construct a four-story (18,928 sq. ft. per floor), 115 room hotel on a proposed 4.35 acre site located in the "EC" Employment Center Zoning District along Virginia Drive adjacent to the newly constructed Pennsylvania Turnpike slip ramp. Public water and sewer are proposed to serve the site. A new culvert crossing the Pine Run is proposed to provide access to the hotel. An emergency access is planned to connect to the slip ramps.

John Anderson, represented the applicant, and informed of the following:

- Conditional Use Approval has been obtained..
- The applicants will comply with most of the issues raised in Metz Engineers' review letter dated November 15th.
- The applicants will confer with the Code Enforcement Officer to determine if a bus stop is warranted.
 - Mr. Leonard suggested that they also follow-up with SEPTA on this issue also. If SEPTA is not inclined to schedule a bus stop, the employees should have safe access to another bus stop in the vicinity.
 - While the ordinance calls for a bus stop, Mr. Leonard pointed out that the road is literally in the path of a water course.
- Conditional uses were approved on October 8th.

The following waivers are being requested:

- Waiver from grading within 3 ft. of a property line.
- Waiver from providing continuous islands perpendicular to parking spaces every 120 ft.
- Waiver from providing a sketch plan.
- Waiver to provide a pavement section different than that found in the Engineering Standards.
- Partial waiver from tree replacement because of the lack of room on the site.
 - Mr. Mermelstein pointed out that trees help to limit water problems.
 - The applicants could donate trees for placement at another site in the Fort Washington Office Park.
 - Mr. Wert suggested that they follow the L.A. Fitness plans in regard to trees.
 - Item 2 under Landscape and Light Comments in the Metz review letter states the applicant has placed a note on the plans indicating a credit for 634 trees as a result of preserving existing trees of various calipers to offset those trees lost to development.
 - Item 3 under Landscape and Light Comments in the same review letter states that 144 trees should be credited toward the replacement.
 - When Mr. Leonard suggested that the applicants look at how the landscaping was done at the slip ramps, Mr. Horst said their plans call for considerably more plantings than what was done at the slip ramps.

It was noted that the configuration of the parking area around the facility dead-ends at the Turnpike. Circulation of emergency vehicles and access to the trash area are critical. The trash area will be shifted to increase circulation.

The first floor of the hotel will be raised to 6-8 ft. above the 100 year storm level.

Mrs. Herold recommended that the applicants consider the use of pervious paving.

Mr. Leonard said that such a surface is better in flooded areas. He will confer with the Fire Marshal as to his views.

There were too many outstanding issues (structural details, sidewalks, retaining walls, emergency access, etc.) to send this plan on to the Board of Commissioners for approval. Further discussion of these plans will take place during the next Planning, Environment and Commerce Committee meeting.

The applicant agreed to an extension of time until January 15, 2003, and will provide the Township with said extension in writing.

Popper Minor Subdivision Plan- 1390 Pinetown Road:

The applicant proposes a two lot subdivision of a 1.65 acre lot located at the west corner of Pinetown Road and Susquehanna Road. Lot No. 1 will consist of 27,396 sq. ft., will retain the existing two-story dwelling, and will be served by a new sanitary sewer force main. Lot No. 2 will consist of 28,622 sq. ft. and will be serviced by public water and sanitary sewer. The site is zoned "A" Residential.

Patrick Deacon, Mr. Popper's partner, stated the following:

- Responding to the EPAB's concerns, the oil tank is located in the basement and not underground.
- The house fronts on Pinetown Road and the northern side of Susquehanna Road. The building will remain.
- The applicants' engineer will revise the drawings according to comments in Metz Engineers' review letter of November 14th.
- Sidewalks will be installed around the property even though the applicants would prefer limiting sidewalk to Susquehanna Road.
 - Township staff felt that sidewalk and curbing should extend along Pinetown Road, and the Township forces will pave the part that is widened. Mr. Wert will confer with the Public Works Director and then advise Messrs. Popper and Deacon as to how wide the street must be, taking into consideration that the house is close to the street.
- Both lots will have public sewer.
- Pahutski Land Surveying, the applicants' engineer, will be charged with developing a letter to PennDOT for preliminary review as well as working on a highway occupancy permit.
- The driveway opening will come out onto Susquehanna Road.

Fort Washington Estates Sketch Land Development Plan:

The 11.4 acre site is located along Susquehanna Road and Fort Washington Avenue. The applicant is proposing to construct an addition to an existing building to add new skilled nursing beds and convert the existing skilled nursing space to independent living units. This phase will increase the bed count from 62 to 74 and add ten apartments.

Jeff Rathfon, Vice President of Real Estate and Developments for ACTS (Adult Communities Total Services, Inc.) explained the following:

- Fort Washington Estates is a continuing care retirement community consisting of individual living, assisted living and skilled nursing care.
- Senior adults are living longer, but as they age, they become more frail. ACTS needs more room to support their existing clientele.
- Although the Township was interested in acquiring the Bub property as open space, ACTS needs it for safer access.
- ACTS is willing to subdivide the property and sell six acres to the Township. Most of Lot 2A would therefore be granted to the Township.
- ACTS is willing to remove restrictive covenants in their deed.
- ACTS intends to add 10 additional living units on the Bub property.
- The existing skilled nursing facility is in an inadequate building.
- ACTS desires to replace the facility with a new building and then put ten additional living units into the old medical building.

- Impervious coverage will be less than it would have been had cottages been built.
- ACTS can expand the number of beds by 10% (74 beds) without going through the new certificate of need process.
- Staffing will be increased by two (perhaps four over a 24 hour period).
- The design of the new building calls for "L-shaped" rooms for privacy with a shared bathroom between two clients.
- Activity spaces and a library are planned among other social amenities.
- ACTS is willing to construct as much as they need for access to the site.
- ACTS wants the road to be as straight as possible on the property line.
- Because the property is a non-conforming use, the Committee was asked to think about the general concept so that recommendations can be made to ACTS at the next meeting.
- ACTS is in favor of a traffic signal and will work with the Township and the School District on the warrant issue with PennDOT. It was noted that ACTS itself will not generate enough traffic to warrant a traffic signal.
- ACTS prefers one access point to their property rather than two. Limited amount of access to the property would be a benefit because car theft is a problem where older people live.
- The benefit to this site is that Fort Washington Estates has virtually no neighbors.
- Everything ACTS plans will be focused on Susquehanna Road.
- Both entries to the existing building will remain the same.
- The maintenance structure will be enhanced.

Mr. Leonard stated:

- The Township would like to see ACTS pay for the entire drive and put in a traffic signal on Susquehanna Road.
- He suggested that the drive split the property line all the way back to the maintenance yard.
- He suggested separating employee parking from resident parking.
- He suggested they take time to check the Zoning Ordinance with regard to the square footage issue (gross vs. usable square footage).

Mr. Wert asked that ACTS identify sufficient line of site on Susquehanna Road.

Mr. Mermelstein asked them to consider using pervious coverage on the driveway as per the EPAB's comments.

New Life Presbyterian Church Preliminary Land Development Plan:

The proposed development is the construction of a 45,500 sq. ft. church with 205 parking spaces. The one-story, existing, stone dwelling is scheduled to remain. Public water and sewer are to be provided. The tract is zoned "A" Residential. The Church Use was permitted according to the variance granted by the Upper Dublin Township Zoning Hearing Board on November 27, 2002.

Jeffrey Drake, Esquire, represented the church:

- There are no zoning issues.
- A special exception was obtained two years ago to construct a church on the property that also contains an adjunct residence.
- The vegetable stand on the property is a non-conforming use.

- Mrs. Lorenzo, the former property owner, was granted a life estate in the agreement so that she can continue to live in the house and operate the vegetable stand until she either vacates the home or passes away. There is an option to purchase the house and vegetable stand by Mrs. Lorenzo's heirs subject to stringent requirements.
 - They would have to apply for a Subdivision Plan and come back before the Township.
 - The process must be completed within one year.

Gilbert High made the following comments/observations:

- The primary use of this ground is going to change to that of a church, but with a house and farm stand also on the property.
- Within a residential zoning district, only one use is permitted on a residential property. Even though the Zoning Hearing Board ruled that either use is permissible, having two different uses on the property presents a problem.
- The church is in violation of the Zoning Code for which a variance will be required.
- As Mrs. Lorenzo's attorney, Kate Harper should be the one to argue Mrs. Lorenzo's position.
- The Township is alerting the church to the fact that there are concerns, and the Township requires additional information. What the applicants choose to do with the property for "one use" is up to them.
- The Zoning Officer is charged with the literal interpretation of the ordinance.

Richard Knutson, the applicant's engineer, stated:

- The applicants are proposing to move the farm stand back along the side of the house.
 - Mr. Leonard countered that new building permits are required to move the farm stand.
- Outdoor lighting will be limited from 11:00 p.m. to dawn. Mr. Knutson will discuss lighting patterns with Mr. Wert.
- The roadway will be widened along the entire Limekiln Pike frontage.
- Waivers have been requested for the following:
 - Waiver from road widening along the entire Limekiln Pike frontage.
 - Waiver from installing sidewalk along the frontage because it will lead to nowhere.
 - Mr. Leonard advised that now is the time to put in sidewalks because it might be cheaper for a contractor to put in sidewalk while equipment is on site.
 - Mrs. Herold said that there will be snow removal problems without sidewalks.
 - Mr. Mermelstein was in favor of sidewalks because of safety reasons.
 - If a deferral is requested, the application would go to the Board of Commissioners without a recommendation from the Committee. It would then be up to the Board of Commissioners to decide whether sidewalks are warranted.
 - Waiver from installing curbing in the taper area.
 - Waiver to permit a concrete curb with a 6 in. reveal for internal parking areas.
 - Waiver from placing sod cover for slopes up to 33%. In lieu of sod, a turf reinforcement pinned in place is suggested with appropriate hydro seeding.
 - Mr. Wert agreed.
- The applicants will provide a 25 ft. utility easement along the rear of the property for future use and provide drainage easement for the proposed swale as required by Mr. Wert.
- Mr. Knutson will discuss the relocation of the dumpster with Mr. Wert. A masonry enclosure with a steel gate in front is proposed.

- Mr. Knutson will confer with Mr. Wert regarding the suggestion to move the sidewalk exiting the rear of the church building to be outside of the future sanctuary addition.
- Mr. Knutson will confer with Ken Pahutski to determine if this parcel was part of the Craig-Y-Nos area by way of a prior subdivision.
- The ultimate right-of-way is shown along the Della Vecchia and Nak Won Presbyterian Church properties. They will do research to determine evidence of dedication as to who will obtain this right-of-way in order to construct the sanitary sewer and drainage to Susquehanna Avenue.
 - Mr. Leonard said that a significant improvement would be a giant detention basin in the front of the property. Underground detention can work on larger properties.

Mr. Drake continued:

- It might be worthwhile to speak with the Zoning Officer about testimony in front of the Zoning Hearing Board.
- At the present time, there are no plans to conduct a daycare center at the church.
- Areas of the church will be rented for community-based activities.
- The applicants will comply with signage regulations. If they feel they need something more, they will apply for a variance.

Historic Preservation District Ordinance:

Mr. Keane, in the audience, was in favor of a Historic Preservation District Ordinance. He made the following comments:

- Areas in Upper Dublin that he felt should be considered for historic preservation were: Fort Washington Estates, Pinetown and Susquehanna Fire Houses, and Spring Lake farm house.
- He volunteered his assistance in any way to the Township..
- Rather than a 50 year historic designation, he suggested the Township's code consider a building 75 years or older as historic.

Mrs. Herold said:

- She agreed that a building of 50 years of age might cause a burden for Township residents.
- There needs to be a process for people to have their properties on the historic list or not.
- She favored recommending to the Board of Commissioners the establishment of a historic board whose authority should be advisory only.

Mr. High said this ordinance must be refined to meet the needs of Upper Dublin Township. He recommends the establishment of a small committee before going through the public hearing process.

Mr. Leonard will solicit volunteers at the December Stated Meeting.

Street Banner Ordinance:

The Committee discussed a draft Street Banner Ordinance.

Mr. Mermelstein suggested that the draft include attaching signs on buildings.

Mr. High said:

- Work has to be done on the Temporary Sign Ordinance to include placement of banners.
- The purpose of a banner is to permit the logo of a civic organization to be displayed for a specific short-term purpose, but not to permit fundamental free speech.
- Part of this ordinance will deal with the manner in which a sign is hung.
 - When Mr. Vischer, in the audience, questioned how banners are permitted to be hung on power poles, Mr. Leonard said it depends on PECO's decision whether to allow or not.
- If a banner is hung in front of someone's property, permission of the property owner will be required.

If a banner is requested to be hung in order to commemorate a "century event," Mr. Leonard suggested approval could be done by special exception so that the Code Enforcement Officer would not have to be involved. Mr. High said he would explore ways to do so.

ACTION ITEMS:

Adult Uses Ordinance:

At the Stated Meeting on November 12th, the Solicitor was asked to recommend changes to the current draft of the Adult Business Ordinance with regard to the following:

1. To require that the design of an adult business be such as to prevent viewing the interior from a public area.

Paragraph H of Section 193-12 was added to the draft as follows:

"No adult business shall be operated in a manner that will permit the observation of any material or activities depicting, describing or relating to "specific sexual activities" or "specified anatomical areas" from any public way or from any location outside the building or area of such establishment. This provision shall apply to any display, decoration, sign, show window or other opening. No exterior door or window on the premises shall be propped or kept open at any time while the business is open, and any exterior windows shall be covered with opaque covering at all times."

2. To look into imposing a separation requirement from a family-oriented business.

Paragraph A (3) of Section 193-12 was added to the draft as follows:

No adult oriented business may be operated within 1,000 feet of:

"An entertainment business which is oriented primarily towards children or family entertainment."

Mr. High was concerned that the second definition is unconstitutionally vague, and he could not think of anything which would fill the same purpose and not be subject to the same defect.

Mr. Mermelstein worried that residents could take the Board of Commissioners to court constantly and hearing after hearing would be required as to what a family-oriented business is.

Mr. High raised the question whether the Township wants to be on the leading edge to institute prohibition of adult-oriented businesses.

While Mr. Mermelstein was inclined to agree with Paragraph H, he preferred eliminating the reference to 1,000 feet.

When Mrs. Herold said that most people in Upper Dublin would like it to remain as a family-oriented township, Mr. Mermelstein interjected that this ordinance is making it more restrictive than what the Township presently has. He prefers keeping government away from making moral judgements.

Mrs. Weiss did not see a problem with the definition. It is the Board of Commissioners' job to make decisions and it is their obligation to listen to neighbors and developers. Judgements must be made on an individual basis.

Mr. High said cases for adjudication would skip the Board of Commissioners and go straight to the Court of Common Pleas. Mr. High was then asked to add a paragraph to the ordinance about the appeal procedure.

The Committee recommended that the draft ordinance be sent back to the Board of Commissioners for further discussion.

Temple Ambler Athletic Facility Preliminary Final Land Development Plan:

Temple University is proposing to reconstruct two existing soccer fields into a new NCAA Standard soccer field and a Lacrosse field, construct new NCAA standard softball and baseball fields, and constructing a 4,500 sq. ft. field house within the vicinity of the former amphitheater. A new waterline will be installed for field irrigation. The existing sanitary sewer line, if not obstructing construction or damaged, will remain.

Marvin Gerstine represented Temple University and said that Temple's design team has addressed virtually all comments made in Metz Engineers' review letter dated November 19, 2002.

Mark Eisold of Boucher and James, Inc. explained:

- Walkways will be added.
- Fencing will be added along Butler Pike.
- Different planting materials will be put in to filter out some of the fertilizers, etc.
- The applicants have no issues with Metz Engineers' review letter.
- A letter from Del Val Environmental Consultants was submitted to Metz Engineers.
- Permits are expected to be obtained shortly.
- Additional handicapped parking spaces will be provided.
- Minor stormwater issues and drainage will be addressed directly with the Township Engineer.
- A loop pathway will be added between the two fields out to Friends Drive.
- Timing issues will be addressed.
- The applicants will provide detailed grading information for the field house.
- Woodlands will be undisturbed and should deflect any errant balls from reaching the highway.
- Fencing and plantings will be provided along the soccer fields.

The following waivers have been requested:

- Utility easements.
- Drainage easements.
- Survey monuments.
- Showing the location and caliper of all trees with trunks 8 inches or more.
- All slopes between 10% and 20% be planted with sod, and all slopes exceeding 20% be planted with ground cover plantings.

The following waivers were requested, but the Township Engineer recommended deferrals for the following:

- Road widening along property frontage.
- Sidewalk along all streets.

Mr. Leonard expressed concern about the addition of a third pedestrian crossing.

Mrs. Herold motioned with Mr. Mermelstein seconding, to recommend approval to the Board of Commissioners of the Temple University Athletic Facility Improvements Revised Preliminary/Final Land Development Plan (U.D. Reference No. 2.026).

VOTE ON MOTION

ALL YES

MOTION CARRIED

Kelly Minor Subdivision Plan – 851 Wright Drive:

The proposed lot line change will convey a ten ft. wide by 140 ft. deep strip of land from Mr. Margiotti to Mr. Kelly, in common deed for the purpose of eliminating a driveway encroachment.

The ultimate right-of-way for Bell Lane is shown to be 60 ft. The existing right-of-way is shown as 50 ft.. The Township should determine whether the additional right-of-way needs to be offered for dedication or a waiver granted. Dedication would create an additional non-conforming front yard on Bell Lane

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the Kelly Minor Subdivision Plan for 851 Wright Drive (Upper Dublin Reference No. 2.031) to the Board of Commissioners according to the plans drawn up by Stout, Tacconelli, Engineers.

VOTE ON MOTION

ALL YES

MOTION CARRIED

1


2

3

ADJOURNMENT:


Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 10:00 p.m.

Respectfully submitted,



Louise S. Birett, Recording Secretary

Attest:



Jules Mermelstein, Chairperson

100

100

100

A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, January 28, 2003, in the Township Building, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold. Also present were Paul Leonard, Township Manager; Gilbert High, Township Solicitor; Jeff Wert, Township Engineer; Matthew Schelly, Montgomery County Planning Commission (MCPC); Stanley Krakower, Environmental Protection Advisory Board (EPAB); and Charles Haering, Planning Agency Advisory Board.

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM THE MEETING HELD IN NOVEMBER 2002:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of November 2002.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Environmental Protection Advisory Board:

On behalf of the EPAB, Stanley Krakower discussed the following:

- Temple Ambler Campus Learning Center Preliminary Plan:
 - The EPAB has no actual environmental issues with this plan although they recommend the use of pervious surface rather than impervious surface for water control.
 - Temple has indicated that they have funding restrictions. They feel that funding will not cover the use of pervious surface material even though they agreed that there were benefits to it.

- Dresher Court Preliminary Land Development Plan:
 - The EPAB is concerned about flooding problems caused by stormwater run-off. They have requested the applicant to make a presentation to them regarding their stormwater plan.
 - The project as proposed now has more impervious surfaces than the previous plan.

- Congregation Beth Or Preliminary Land Development Plan:
 - Steve Katz represented Beth Or at the January meeting of the EPAB.
 - Beth Or is receptive to environmental concerns as set forth by the EPAB.
 - Beth Or wishes to preserve the tree line along Butler Pike.
 - The EPAB suggested increasing the number of trees on the opposite side of Butler Pike to preserve the current tree line.
 - Beth Or is considering a pervious sidewalk inside the tree line.
 - There is a possibility that Beth Or may not need as much parking as specified in the Code. They would prefer reducing the amount of parking spaces and replacing them with a greenway to assist with water control. The EPAB looks favorably on this.
 - The EPAB would like to see the historic buildings on the site preserved or removed for preservation on some other site.

- Twin Ponds Preliminary Subdivision Plan:
 - The EPAB was satisfied with a presentation made on this project.
 - Questions remain as to sidewalks and preservation.
- 1818 Butler Pike (Elizabeth Home) Preliminary Subdivision Plan:
 - The property interacts with the Beth Or site.
 - The EPAB was concerned about water sheeting across Butler Pike from the Elizabeth Home property.
 - The EPAB looks forward to a presentation of the stormwater management plan.
 - The applicant is willing to work with the EPAB.

DISCUSSION ITEMS:

Temple Ambler Campus Learning Center Preliminary Plan:

Proposed construction calls for a three floor, 72,056 sq. ft. learning center, 86 parking spaces, interconnecting walkways between existing buildings, a loading dock, a guardhouse, stormwater management system, utilities and landscaping.

Removal of the following is proposed: 168 parking spaces, a guardhouse, traffic signs, 12 parking lot lights and a utility pole.

Marvin Gerstein, SuSanne Creveling, PE, and Tracy Schnyer, Architect, represented Temple University.

Responding to Metz Engineers' review letter dated January 24, 2003, Mr. Schnyer made the following comments:

- Under Proposed Development, Paragraph 3 states *two separate parcels with deed book/pages are shown. A plan of reverse subdivision should be filed with the Township for the purpose of combining Tract "A" and Tract "B" and eliminating zoning conflicts.*
 - The University has applied for a Deed of Consolidation.
 - Mr. Wert said the Deed of Consolidation should be provided concurrently with this plan. The Deed cannot be recorded until the reverse plan is approved by the Board of Commissioners.
- Under Proposed Development, Paragraph 5 states *Sheet SP-2 provides total parking required as 917 spaces with 1,176 spaces provided. Metz Engineers defers to the Code Enforcement Officer as to whether or not additional spaces are required per Z.O. 255.135 for Assembly/Auditorium B.(1); Stadium or other place of assembly B.(2) or Library B.(4). Concern goes to whether or not adequate parking exists for the library Building and Cafeteria in close proximity to the Learning Center. Number of spaces being lost is approximately 95.*
 - For the most part, students are only permitted to park at the main parking lot. Only employees who work at either of the two buildings may park there.. Parking permits for students who are presently parking there at the present time will be revoked. Intercampus students use a bus provided by the University. Those coming to campus via train are transported via a shuttle bus.

- Under Subdivision Ordinance, Paragraph 1 a., *a waiver is requested from the requirement of an improvement bond or other securities to be deposited with the Township in the form of an escrow guaranty which will insure installation and completion of the required improvements. Mr. Wert deferred to the Township Solicitor's judgment as to the form of surety required.*
 - The Commonwealth of Pennsylvania is funding the project, and they will require Temple to build what is on the plan.
 - Mr. Leonard said that the Township seeks surety regarding safety and health issues.
 - Mr. High said there are various means by which the Township can enforce failure to complete the project:
 1. Revoke permits
 2. Make use of the surety
 - Mr. High continued by saying that terms of an agreement may not involve posting money. He asked that Mr. Schnyer call his office for further discussions on this issue.
- Mr. Wert had no objections to any of the other waivers under Paragraphs 1 b. through 1 j.
 - Under Subdivision Ordinance, Paragraph 2, *no curb has been shown within the parking area, along the driveways or along the building. A waiver would be required to implement the plan.*
 - Mr. Leonard said the Township does require curbing, especially along the radius surfaces.
 - A blanket waiver for curbing may not be appropriate in this particular case.
 - Mr. Leonard noted two radii going in to the parking areas. This may be the time to learn a lesson from prior problems and rectify.
- Under Subdivision Ordinance, Paragraph 4, *the location size, type, depth and ownership of utility lines above and below ground should be added to the plans.*
- This issue will be worked out between the University and the Township Solicitor.
- Under General Comments, Paragraph 1 calls for *providing a site map of the complete Temple University property will all parcels included and shade the area of proposed construction at scale of 1" = 600" on Sheet SP-2 for recording purposes.*
 - A site map will be provided.
 - Under General Comments, Paragraph 2 *asks for revision or clarification of the location of the proposed fire hydrant location and how the waterline will connect to it.*
 - Resolving the issue with the Fire Marshal.
 - Under General Comments, Paragraph 7 and 8 *regarding providing Sheet PP1, Profiles, for review and adding the profile of the storm sewer run from the proposed trench grate to the bio-retention basin.*
 - Profiles were provided with their January 23rd resubmission.
 - Under General Comments, Paragraph 10 *Sheet SP-1 may require acknowledgements and certifications.*
 - A survey is being performed by Barton and Barton.

- Under General Comments, Paragraph 11 *to show the proposed roof drain locations and to what storm sewer they are tied.*
- Drawings will be submitted.

SuSanne Creveling, of Barry Isett and Associates, responded to Orth-Rodgers' traffic report dated January 23, 2002 as follows:

- She went through studies and investigated the three intersections in the area.
- She determined that one parking space per three seats will require 100 parking spaces.
- Based on the fact that the above figure is for off-peak hours, it was determined that there will be no effect on internal traffic occurring on the site. Therefore, the applicants have done nothing.

Adrienne Eiss, representing Orth Rodgers, pointed out:

- This project involves classrooms and auditorium space with 300 seats.
- There will be no increase in enrollment associated with the project.
- No additional traffic will be generated.
- Events in the auditorium will be held during off-peak hours.
- No information was rendered about the size of events.
- The intersection of Meetinghouse Road and Butler Pike does not require a traffic signal.

Ms. Creveling continued:

- The report was generated strictly from the learning side of the proposed improvements.
- Her firm has been asked to incorporate both projects, and the facts will be looked at.
- New counts will be taken.

Mr. Leonard asked the two ladies to work together to make sure the methodology is consistent. If their conclusions are still the same, it will be all the more valid. In his opinion, a traffic signal at Meetinghouse Road where it meets Butler Pike might make sense under certain situations.

Mr. Gerstein informed that the University is still undecided about using pervious vs. impervious surfaces in the parking areas. Likewise, they have not finalized landscaping and improvements around the building. They are presently working with their own Departments of Architecture and Horticulture to determine what is feasible.

Dresher Court (formerly Dresher Triangle) Preliminary Land Development Plan:

The applicant proposes the development of two new office buildings with new parking. An existing dwelling on the site will be converted to office use for a total of 30,019 sq. ft. The 3.49 acre site is located on Susquehanna Road and is zoned "A" Residential within the Dresher Overlay District. This application is pending as a Land Development with Upper Dublin Township. Subsequent to this initial plan filing, the developer submitted a revised conditional use plan with smaller buildings in light of the restrictive use covenant that had been recorded.

Marc Jonas, Esquire, and Tim Woodrow, P.E. represented the applicant.

A conditional use hearing before the Board of Commissioners is scheduled for 6:30 p.m. on February 11th.

Mr. Woodrow stated the following:

The plan has been revised considerably since December.

The architecture of the two rectangular buildings was changed and is more in keeping with the Dresher Overlay Plan.

- One of the key elements of the Dresher Overlay Plan is the requirement for articulated walls.
- The plans now show different concepts of architectural schemes including a series of five different indentations in the front of the building, pitched roofs, and vertically aligned windows.

Mr. Leonard asked for the following:

- The gentlemen should look at the specific requirements of the Dresher Overlay Ordinance before the conditional use hearing.
- Traffic engineers should present their findings.
- The question was raised as to how they will show consistency/concurency with regard to the zoning and subdivision development process?

Mr. Mermelstein noted that the driveway has a single lane in and a double lane going out of the property.

Mr. Wert asked DelVal Soil and Environmental Consultants to delineate wetlands on this site. He will inform the Committee members if they are different from the original submission.

Congregation Beth Or Preliminary Land Development Plan:

Congregation Beth Or plans to redevelop the former Spring Lake Farm located at the corner of Welsh Road and Butler Pike into a synagogue with school and associated parking. Conditional use approval was granted on September 10, 2002, for relocation of the detention basin, and site work in the floodplain. The 16.78 acre site is zoned "A" Residential. Religious facilities are permitted by special exception. Public sewer and public water will serve the site.

Steve Katz represented Congregation Beth Or and made the following comments:

- Both existing buildings are situated where the new building will be built.
 - The barn will be dismantled and moved to another location.
 - Beth Or has no plans to maintain or use the existing home.
 - Synagogues generally do not provide housing for clergy on site.
 - Beth Or is in the process of seeking someone who will dismantle and move the house even though several contractors in the area who do this type of work have determined that the building will fall apart because it was built in three sections.
 - The weight of the house is so substantial that there was concern about moving it across the road.
 - Estimates to move the house are \$400,000-\$500,000.
 - It is prohibitive to incorporate the existing home into their plans.
 - Their new building will be so expansive, and grading issues are so extreme that their architect has advised there is no viable alternative to keeping the home on the site. They have also been asked to keep the building away from neighbors' properties.
 - They have addressed comments of the residents, issues of topography and the floodplain.
 - Mr. Leonard asked that Mr. Katz put the above point in writing so that the Township has information to present to concerned citizens who question why the buildings cannot be moved/kept.

Responding to Metz Engineers' review letter dated January 24th, Mr. Katz said:

- Regarding parking spaces, Beth Or has more parking spaces than they need. They wish to defer some of the parking and keep in reserve for a later time.
 - Mr. Leonard noted that there is a reserve provision in the Code.
 - The applicants should meet with the Code Enforcement Officer to talk about numbers of parking spaces.
- Under Subdivision Ordinance, Paragraph 5 states *No one area of off-street parking in residential areas shall exceed 36 cars in capacity, unless physically separated from one another by a 10 ft. planting strip.*
 - The applicants are requesting a waiver. Beth Or would like to add plantings as shown on their rendering. They are well over requirements for trees to be replaced. Mr. Katz said they will be in compliance either way.
- Under Subdivision Ordinance, Paragraph 6 states *Butler Pike and Welsh Road are proposed as primary bike trail routes by the Montgomery County Bike Route Plan of 1998. Wider sidewalks or on-road bike lanes through pavement and shoulder widening should be provided.*
 - Concrete sidewalks are proposed along Welsh Road.
 - A bituminous path behind the trees on Butler Pike is proposed.
 - To retain what is there, they will provide maintenance and limning.
 - Mr. Wert preferred that the fence be setback and that a meandering bituminous path be placed beyond that.
- Under Subdivision Ordinance, Paragraph 7 states *Concrete curb has not been provided along Butler Pike.*
 - A waiver is requested to eliminate the concrete curb. Stormwater can be adequately handled without it.
- Under Subdivision Ordinance, Paragraph 8 states *Widening along Butler Pike has not been shown.*
 - Widening of Butler Pike would not be a benefit with regard to this site.
 - There are no drainage issues and they would not like to put in curbs, but keep a natural soft edge along Butler Pike.
 - While a waiver was requested, the applicant agreed to a deferral.
- Under Subdivision Ordinance, Paragraph 9 states *Concrete curb shall be installed along each side of every primary street and parking areas. Curb has not been shown within the parking area located under the school.*
 - There are some internal areas on the site where Beth Or does not want to install curbing for aesthetic reasons.
- Under Subdivision Ordinance, Paragraph 10 states *Coordination of improvements to Butler Pike should be achieved with the land development currently pending on the Eichenlaub (former Elizabeth Home) tract.*
 - The applicants have met with Mr. Eichenlaub. They are awaiting information from his engineer.
 - Beth Or will continue to coordinate drawings with Mr. Eichenlaub.

- Under Subdivision Ordinance, Paragraph 15 c. states *a maximum of 15 parking spaces in a row before a landscaped island is required. Said island is to contain a minimum of 300 sq. ft. and one shade tree. There are three instances where the plan is not in compliance.*
 - A waiver is requested.
- Under Subdivision Ordinance, Paragraph 16 states *A detailed review of the highway occupancy plans and traffic report will be provided . . . Coordination of the proposed highway occupancy plans with the Welsh Road corridor improvement study should be investigated. Additional lanes, widening, right-of-way and signalization changes may be needed.*
 - Beth Or has gathered all information to be submitted to PennDOT.
 - When Mr. Wert expressed concern that there will not be enough room for emergency vehicles to enter and exit, Mr. Katz assured that Beth Or will increase the size of the radius to give the Fire Marshal a greater level of comfort. The entrance will be modified based on everyone's comments.
 - Final submission will be ready when preliminary plan approval takes place.
 - Mr. Wert wants to review with the Joe DeSantis of McMahan Associates and Adrienne Eiss of Orth-Rodgers the widening of Welsh Road on the Horsham side and widening on the Beth Or site so that the through lane will eventually be aligned.
 - Mr. Leonard said the Township is seeking to optimize the operation of that intersection.
 - Mr. DeSantis said Welsh Road will be widened with a full curb lane, the right-of-way will be dedicated, and grading will be provided. The widening proposed on Butler Pike at that radius is the best they can do.
 - Mr. DeSantis pointed out that the hours of operation at the synagogue take place during off-peak hours except the Hebrew School which is held on Mondays and Tuesdays.
 - Adrienne Eiss asked for enough right-of-way on Beth Or's property so that if needed in the future, it will be available.
 - Mr. Leonard suggested that it might be appropriate to touch base with Horsham Township and Montgomery County to determine if they have any plans in this regard. Mr. DeSantis agreed.
 - Mr. Katz said what they will be doing on Butler Pike will not be affected by what happens at that intersection.
- Under Subdivision Ordinance, Paragraph 23 states *Welsh Road and Butler Pike are primary streets that need to be provided with a minimum paved width of 4 travel lanes.*
 - Although a waiver was sought, Mr. Katz agreed to a deferral.
- Under General Engineering and Drafting Comments, Paragraph 9 asks the question *Will land be provided for public park or Township development of a playground?*
 - The plan does not allow for any type of contribution of land to the Parks and Recreation Department or the Township in any way.
- Under General Engineering and Drafting Comments, Paragraph 13 states *The walking path around the lake is within the inundation area of a 100 year storm. At what level storm will it be flooded and should it be elevated to not be flooded? Our concern goes to the safety and preservation of the bituminous path.*
 - The applicants know the ramifications of putting a path in the floodplain area, but they think a path at that location is important.
 - Infiltration counts need to be done.

- Rick Stoneback, the applicant's engineer, said it is still possible that the pond will be built without aeration. If deemed necessary, aeration equipment could be installed at a later date.
- Mr. DeSantis said that a liner is proposed for the pond.

Elaine Hughes, a resident of Horsham Township, who resides on Butler Pike across from the Beth Or property, raised concerns about stormwater issues.

- Opposed to road widening, particularly in wetland areas.
- Would like to see other stormwater management done besides widening the pipes.
- Would like an idea of what the increased water volume will be.
- Concerned that stream banks are eroding.
 - Mr. Stoneback addressed her concerns as follows:
 - The roof drains dump water into the storm sewer.
 - Water from Welsh Road and the Eichenlaub property will go into the pond.
 - The applicant is meeting ordinance requirements regarding water volume.
 - Mr. Wert said the applicants are required to decrease site run-off by at least 25%.
 - The Township is not concerned about specific pollutant levels at this point in time.

George Winslow of Daisy Lane spoke of the good relationship Beth Or has with its neighbors.

- He was in favor of Beth Or having the flexibility to adjust the parking which abuts his property.
- He did not feel that the Butler Pike and Welsh Road intersection is a big issue. To leave it as is would be more than acceptable.

This plan will be discussed further at the February meeting of the Planning, Environment and Commerce Committee.

Christ Lutheran Church, Oreland, PA:

Mr. Leonard informed that John Knox, Esquire, representing the congregation, has asked for a waiver of curbs and sidewalks in place of a deferral. His argument is that the development they are putting in does not increase the number of people and does not present any safety issues.

This plan will be a discussion item for the Board of Commissioners at their February Stated Meeting. Mr. Knox will be asked to be present and address the members of the Board.

Twin Ponds Preliminary Subdivision Plan:

This plan proposed demolition of one existing home and construction of five new single family homes with public water and sewer. Underground seepage beds are proposed to address stormwater management. The 3.75 acre site is located between Broad Street and Catlin Way along Twin Pond Road and opposite Mondauk Common.

John Eichenlaub, the developer, and Tim Woodrow, P.E., were present to discuss the preliminary plan and respond to Metz Engineers' review letter dated January 24, 2003.

- The developer is working toward providing an additional access via a 25 ft. wide access easement across Lot 2 that will permit the Valenti property to connect to Catlin way, thus shortening the driveway length from 470 ft. to 1010 ft..

- There is a significant hedgerow on Twin Pines Road which Mr. Eichenlaub would like to preserve by not installing sidewalk.
- Sidewalk along Broad Street would not connect to any other sidewalk. A stone path exists on the Mondauk Common side of Broad Street. The Shade Tree Commission is in support of preserving existing vegetation. The plans show the caliper of trees but not the species.
 - Mr. Leonard said the ordinance calls for sidewalks.
 - Sidewalks would be an asset because of their proximity to Mondauk Common.
 - Mr. Woodrow said that Broad Street is fully developed at this point. It would take a concentrated effort on the part of the developer to force property owners to put in sidewalk.
- Mr. Eichenlaub has reached a stalemate in dealing with the Greenfields who reside on the other side of Twin Pond Drive to obtain a small triangular piece of land so that it can be combined with Lot 3.
 - Mr. Leonard said the proposed imposition of sidewalks might change the Greenfields' minds.
 - Mr. Eichenlaub felt it would be better to go back to the Greenfields for an easement.
 - Mr. Leonard suggested pursuing the above so that the driveway for Lot 3 would exit on Twin Pines Road, a lower volume street.
 - Matthew Schelly of MCPC was in favor of sidewalks, particularly along Broad Street.
 - Mr. Schelly informed that the Open Space and Recreation Plan also identifies the entire length of Broad Street for both sides of Broad Street.
- Mr. Leonard recommended that Bucks County Water and Sewer Company be approached for their consent for a sewer easement for Lot 1.
- Mr. Shelly listed several trees on each lot that might not necessarily be removed.
- Mr. Wert suggested an easement on Catlin Way so that gravity pumps can be used on all properties.

The developer will comply with all other comments raised in Metz Engineers' review letter.

This plan will be discussed further at the February Meeting of the Planning, Environment and Commerce Committee. A one day extension of time will be granted to March 11, 2003.

1818 Butler Pike Preliminary Subdivision Plan:

The site is 4.55 acres located between Butler Pike, Welsh Road and Norristown Road with a planned entrance, a common driveway, from the east side of Butler Pike approximately 1,000 ft. North of its intersection with Norristown Road. It is currently utilized as a personal care facility that will be demolished. The Applicant is proposing to develop the site with five single family detached lots in the "A" Residential zone district. Lots 2, 3, 4 and 5 are interior/lane lots with a common driveway to Butler Pike. A sixth lot will access Norristown Road. It is noted to be developed under separate application. Public water and sanitary sewer will serve the proposed development.

John Eichenlaub, the developer, and Tim Woodrow, P.E., were present to discuss the preliminary plan and respond to Metz Engineers' review letter dated January 24, 2003.

- A homeowners association will be established.
- Sewer water will be conveyed to Butler Pike through a pipe under Norristown Road.

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- All homes will be sprinklered.
- There is an existing fire hydrant.
- The driveway width will be such that emergency vehicles will have easy access.
- There will be a net reduction in impervious surface after all of the Elizabeth Home buildings and parking lots are removed.
- The developer proposed to work in cooperation with Beth Or and extend the curb line in the southwesterly direction on Butler Pike for the full width of their property.
- Regarding the width of the ultimate right-of-way on Butler Pike, Mr. Woodrow suggested a waiver of the 40 ft. dimension.
 - Mr. Wert agreed because it does match the widths of the Meadow Wood Development.
 - Mr. Leonard pointed out that MCPC seeks wider ultimate rights-of-way.
 - Messrs. Eichenlaub and Woodrow will look at the configurations of Lots 1 and 2 and make changes, if possible.

ACTION ITEMS:

Temporary Sign Ordinance:

Mr. High explained that the ordinance for consideration was prepared to permit temporary signs in the form of banners on private property and to revise the language which imposes more favorable regulations on political signs than other temporary signs. As to the banners, this ordinance is an adjunct to the ordinance passed by the Board of Commissioners on December 10, 2002 allowing banners in public rights-of-way.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the Temporary Sign Ordinance by the Board of Commissioners.

VOTE ON MOTION

ALL YES

MOTION CARRIED.


ADJOURNMENT:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 10:30 p.m.

Respectfully submitted,


 Louise S. Birett, Recording Secretary

Attest:


 Jules Mermelstein, Chairperson

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A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, February 25, 2003, in the Township Building, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold. Also present were Paul Leonard, Township Manager; Gilbert High, Township Solicitor; Jeff Wert, Township Engineer; Matthew Schelly, Montgomery County Planning Commission (MCPC); Stan Robski, Environmental Protection Advisory Board (EPAB); and Charles Haering, Planning Agency Advisory Board (PAAB).

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM THE MEETING HELD IN JANUARY 2003:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of January 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Environmental Protection Advisory Board:

On behalf of the EPAB, Stan Robski discussed the following:

- Temple Ambler Campus Learning Center Preliminary Plan:
 - The EPAB asked Temple to consider the use of pervious surface rather than impervious surface wherever possible for water control.
 - Temple has indicated that they have funding restrictions, and the use of pervious surface would be too costly.
- Popper Minor Subdivision – 1390 Pinetown Road:
 - The Popper Minor Subdivision Plan does not raise any environmental issues.
- Community Energy Company:
 - Byron Widman, a representative of Community Energy Company, presented the following information to the EPAB at their last meeting:
 - Mr. Widman asked that the Township consider purchasing its electricity from Community Energy Company at wholesale rates at a considerable savings.
 - Stanley Krakour is in the process of writing up the information gleaned from Mr. Widman.
 - A written proposal was requested for perusal by Township staff.
 - A meeting with the Planning, Environment and Commerce Committee will be scheduled after receipt of the written proposal.

In regard to energy savings, Mrs. Herold informed that she visited several booths at the Fort Washington Expo Center Home Show, and was impressed with a system similar to solar energy which can be applied to roofs the same way as shingles are installed.

- **Presentation from Ambler Environmental Group:**
 - This group received funds for purchasing labels to be affixed to storm sewer manhole covers to indicate whether the water flows toward clean water runoff or into treated water.
 - Said labels are available for purchase by Upper Dublin Township.
 - The EPAB is looking into this matter to label sanitary sewer manhole covers properly in Upper Dublin Township..
- **Annual Stream Clean-up:**
 - The EPAB wishes to purchase 20 shirts for distribution to volunteers during the annual stream clean up. This will be handled administratively.
- The EPAB thanked the Township for providing them with cabinet space for EPAB files.
- Township forces were thanked for the fabulous job of removing snow during the recent blizzard.

DISCUSSION ITEMS:

Temporary Sign Ordinance:

Mr. High explained that his office was asked to modify the amendment to the temporary sign provisions in the code to distinguish between non-commercial and commercial speech, and to remove the restrictions heretofore imposed on the former. Temporary signs not involving commercial speech would no longer be subject to limitations on the length of time they can be erected or the period of time they can be erected in relation to the event being announced. The requirement that no temporary sign can be erected in the sign setback area remain for all signs.

Mr. High further informed that he could not find a definition for “commercial speech.” Temporary signs are defined elsewhere in the code.

Mr. Leonard said the clearer a definition is, the better it will be for the Township Enforcement Officer.

Mr. Mermelstein noted that non-commercial signage will not have time or size restrictions.

Mr. High noted that there are many “for profit” entities that are regarded as non-commercial entities, i.e., the Montessori School.

Mr. High was asked to set forth guidelines to protect non-commercial speech.

ACTION ITEMS:

Temple Ambler Campus Learning Center Preliminary Plan:

Proposed construction calls for a three floor, 72,056 sq. ft. learning center, 86 parking spaces, interconnecting walkways between existing buildings, a loading dock, a guardhouse, stormwater management system, utilities and landscaping.

Marvin Gerstein, SuSanne Creveling, PE, and Tracy Schnyer, Architect, represented Temple University.

Responding to Metz Engineers' review letter dated February 21, 2003, Mr. Gerstein made the following comments:

- Regarding pervious materials which could be used for paving, Mr. Gerstein said it was previously mentioned that Temple plans include bulk landscaping around the new learning center by their own architectural landscaping classes. Several alternative plans were presented this past week including the following:
 - Poured pervious material. This will be looked into to determine wear, cost, etc.
 - Significant amounts of softscaping.
 - There will be a great deal of pervious surface even if it is not in the form of paving.

Mr. Schnyer responded to various sections of the Metz review letter:

- Under Zoning Ordinance, Paragraph 2 states: *Two separate parcels with Deed Book/Pages are shown. A Plan of Reverse Subdivision has been filed with the Township for the purpose of combining Tract "A" and Tract "B" and eliminating zoning conflicts.*
 - Deed consolidation is in its final stages of preparation.
- Under Zoning Ordinance, Paragraph 3 states: *We defer to the Code Enforcement Official's determination as to the requirement for buffers per Zoning Ordinance 255-89.G to separate the proposed Learning Center from the existing dormitory spaces.*
 - The University feels that the design provided allows for sufficient building separation between the learning center and the residences.
- Under Zoning Ordinance, Paragraph 4 states: *Sheet SP-2 provides total parking required as 917 spaces with 1,176 spaces provided. We defer to the Code Enforcement Official as to whether or not additional spaces are required. . .*
 - The SP 1 sheet will be updated to ensure that the 14 additional parking spaces will be indicated on this plan. Sheet SP-2 refers to this sheet. By reference, the 14 spaces will be part of the recorded plan. Temple has made every attempt to address the Township ordinances. They believe the 14 spaces meet the spirit of the ordinances. The University feels that it would be detrimental to add more parking.
 - The Code Enforcement Officer is of the opinion that additional parking is not needed.
- Under Subdivision Ordinance, Paragraph 1-a states: *The applicant requests a waiver for the requirement of an improvement bond or other securities to be deposited with the Township in the form of an escrow guaranty which will insure installation and completion of the required improvements.*
 - After speaking with the Solicitor, Mr. Gerstein said a letter will be forthcoming indicating that the appropriate funds have been set aside.
- Under Subdivision Ordinance, Paragraph 1-b states: *The applicant requests a waiver for the requirement for provisions to be made for suitable open space for walkways, malls, sitting areas, etc.*
 - All of the area surrounding the building will be open space.

- Under Subdivision Ordinance, Paragraph 1-c states: *The applicant requests a waiver for the requirement of all guaranties.*
 - Messrs. High and Gerstein conferred, and the Solicitor is satisfied with the above request.
- Under Subdivision Ordinance, Paragraph 1-d states: *The applicant requests a waiver for the requirement to show the location, with measured distances from roads and property lines, and the character of existing buildings and man-made structures on or in the ground.*
 - Because the campus is 40 acres in size and the learning center is only a small piece of it, the environmental engineering drawings prepared only indicate the buildings that are adjacent to this project. It is requested that this item be accepted as provided.
- Under Subdivision Ordinance, Paragraph 1-f states: *The applicant requests a waiver for raised continuous concrete curbing around all planting islands.*
 - The University has provided additional curbing on both entrance driveways. A waiver is requested for the balance of the curbing because it would impede stormwater flow.
- Items 4 and 5 under Subdivision Ordinance are being discussed with the Solicitor.
- There are no outstanding issues with respect to stormwater management.
- Under General Comments, Paragraph 1 states: *Our review of the Traffic Report indicates no analysis of warrants for traffic signals at either Meetinghouse Road/Butler Pike or Butler Pike/Temple driveway as requested. We defer to the detailed review by Orth-Rodgers & Associates, Inc. A revised Traffic Report should be provided to this office for review.*
 - SuSanne Creveling said that the newest traffic study calls for a traffic signal at the intersection of Meetinghouse Road and Butler Pike.
 - Mr. Wert said that PennDOT should issue a permit if a signal is applied for.
 - The Township will provide standards to the University.
- Under General Comments, Paragraph 4 states: *Add a note to the Lighting Plan that "Reasonable lighting level adjustments shall be made by Temple University upon request of Upper Dublin Township."*
- Proposed lighting is in compliance with the ordinance.
 - When Mr. Wert informed that all light fixtures should be back shielded, Mr. Gerstein assured that the fixtures will be placed toward the center of the campus and will not impact the neighbors.
 - Mr. Leonard said the words "reasonable lighting" should be added to the plan.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend the approval of the Preliminary Land Development Plan for the Temple University Learning Center (Upper Dublin Reference No. 02.020) to the Board of Commissioners subject to comments in Metz Engineers Review Letter dated February 21, 2003 and subject to a Reverse Subdivision Plan.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Popper Minor Subdivision Plan – 1390 Pinetown Road:

The applicant proposes a two-lot subdivision of a 1.65 acre lot located at the west corner of Pinetown Road and Susquehanna Road. Lot No. 1 will consist of 26,010 sq. ft., will retain the existing two story dwelling, and will

be served by a new sanitary sewer force main. Lot No. 2 will consist of 28,520 sq. ft. and will be serviced by public water and sanitary sewer. The site is zoned "A" Residential.

The applicant has no issues concerning Metz Engineers' review letter dated February 21, 2003.

Mr. Leonard suggested a note be placed on the plan stating "No Parking" on Pinetown Road.

The Code Enforcement Officer will provide information regarding the proper steps to be taken in the abandonment of the existing absorption field on Lot No. 1.

The former owner will be contacted to determine the age of the house.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the Popper Subdivision Plan (Upper Dublin Reference No. 02-032) subject to the comments in Metz Engineers' review letter dated February 21, 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Pileggi Tract/Twin Ponds Preliminary Land Development Plan:

John Eichenlaub, applicant, has purchased a 2,600 sq. ft. parcel from the Greenfields which is now reconfigured to that the building lot and the driveway now fronts on Twin Pond Drive.

Joe Valenti, who resides at 1415 Limekiln Pike adjacent to the property, discussed his plans for the 25 ft. driveway easement with the Code Enforcement Officer.

He would like to continue using the driveway for emergency purposes.

At the present time, the current gravel driveway is not on his property.

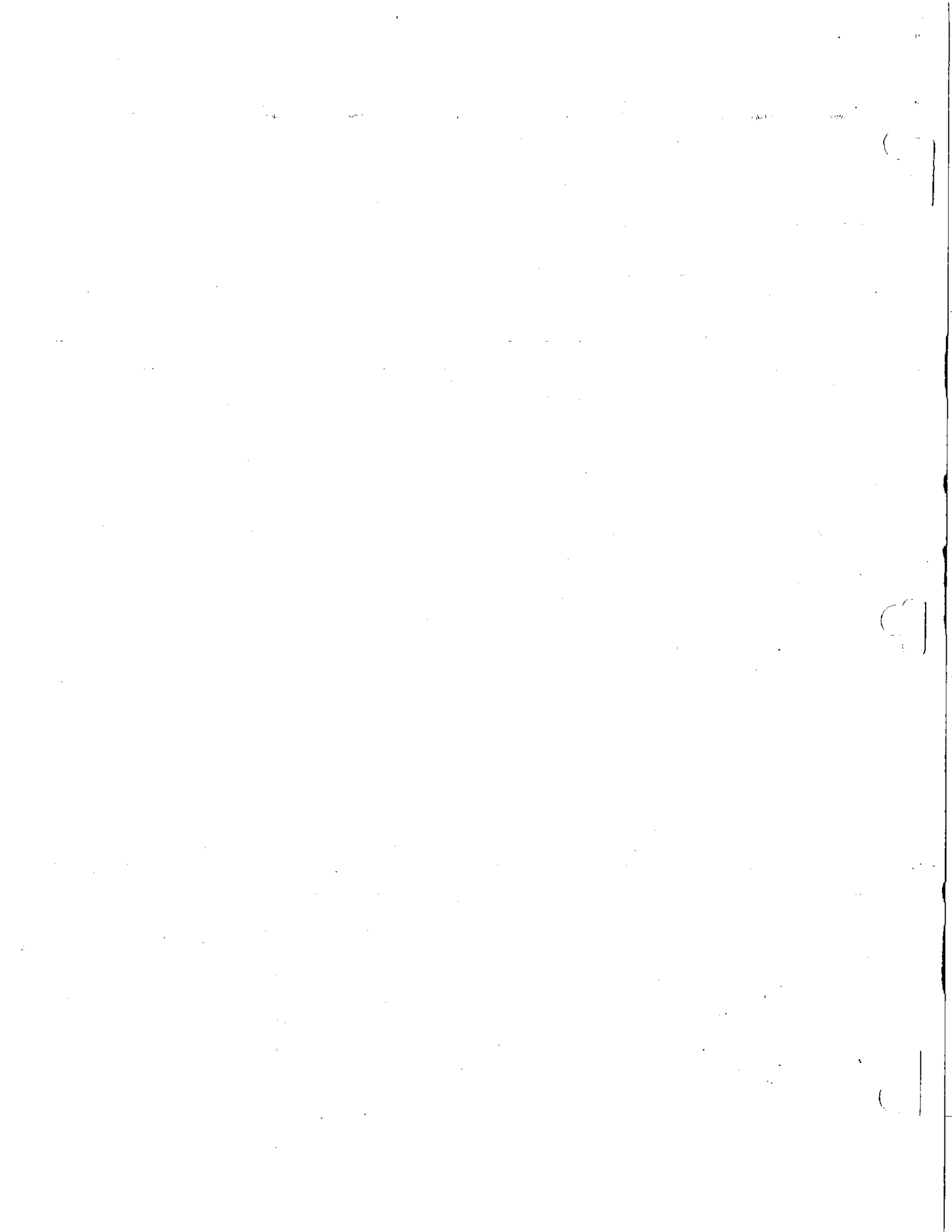
- Mr. Wert suggested that he move the driveway to the easement area.
- Mr. Leonard suggested that he consult with an attorney.

Mr. Eichenlaub proposed three options:

- Purchase of the Valenti property.
- Give Mr. Eichenlaub a parcel in the right corner out to Catlin Way in exchange for getting the easement removed.
- Do nothing at all and allow the Valenti's an access easement.
 - Mr. Wert suggested the cleanest way to handle this situation is to move the driveway over to the 25 ft. easement area and remove all additional stone.
 - Mr. Leonard suggested that the Township vacate the 50 ft. easement on the property.

Mr. Eichenlaub informed that two water companies service this site – Philadelphia Suburban Water and North Wales Water Company.

- Lots 2, 3, 4 and 5 are serviced by Philadelphia Suburban Water Company and they will only run individual taps to the new homes from the street. It is their policy not to enter a main extension agreement onto private property.
- North Wales Water territorially owns the rights to Broad Street. They want Mr. Eichenlaub to extend the 8 inch main. The main currently stops 150 ft. to the north at the intersection of the Juliano and Weiss properties.



- In order to provide water to Lot 1 only, Mr. Eichenlaub must extend the main approximately 285 ft. at a cost more than \$15,000.

Mr. Leonard suggested that the Township vacate its 50 ft. easement on the property.

Mr. Eichenlaub informed of two meetings with Jeff Wert, Gary Smith, Tim Woodrow and Bob Jordan to discuss storm water management at the site. When he submitted a stormwater management report and the physical plan, there was a positive response. The plan in its entirety should be acceptable for preliminary plan approval.

Mr. Leonard felt that a waiver for sidewalks is not justified because the Jarrettown area is likely to change significantly in light of the homes to be built. He also feels the homes should have several accesses available to them. However, if there are legitimate reasons not to install sidewalks at this time, a deferral should be required so that when sidewalks are installed in the future, the funds will be available to do so.

To install sidewalks, Mr. Eichenlaub explained that 60 trees would have to be removed and new ones planted. He is opposed to more impervious surface throughout the Township.

Mr. Leonard countered that Mr. Eichenlaub knew that sidewalk would be an issue when he purchased the property. He has not heard a persuasive argument for a waiver. In addition, the MCPC advocates that sidewalks build communities.

Mr. Eichenlaub then agreed to install sidewalks. He will talk with Woodrow Associates regarding the cartway and other engineering issues concerning the right-of-way.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend that the Board of Commissioners approve the Preliminary Land Development Plan for Twin Ponds (Upper Dublin Reference No. 02-27 according to the comments in Metz Engineers' review letter of February 21, 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

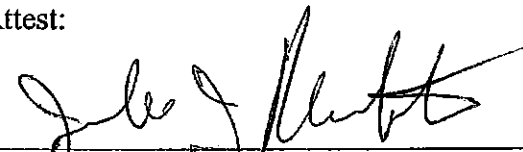
ADJOURNMENT:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting.

Respectfully submitted,


Louise S. Birett, Recording Secretary

Attest:


Jules Mermelstein, Chairperson

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A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, March 25, 2003, in the Township Building, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold. Also present were Paul Leonard, Township Manager; Gilbert High, Township Solicitor; Paul Erfle, representing the Township Engineer; Matthew Schelly, Montgomery County Planning Commission (MCPC); Israel Milner and Wayne Zachary, representing the Environmental Protection Advisory Board (EPAB); and Charles Haering, representing the Planning Agency Advisory Board (PAAB).

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM THE MEETING HELD IN FEBRUARY 2003:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of February 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Environmental Protection Advisory Board:

Israel Milner discussed the following:

- Stream Clean-up:
 - Planning for the annual May stream clean-up (a belated observation of Earth Day) will be discussed at the EPAB's April 1st meeting.
- Wawa Preliminary Subdivision Plan:
 - Representatives of Wawa attended the March 4th meeting of the EPAB to describe their proposed additions to the present facility as follows:
 - There will be no additional impervious surface on the site when construction is completed.
 - Parking for 16 vehicles will remain the same, although the parking spaces will be reconfigured.
 - No parking spaces will be designated for employees.
 - Wawa already has parking and traffic problems that will only get worse during construction. The EPAB raised concerns regarding safety hazards and localized air quality because vehicles will be idling in halted traffic.
 - The EPAB asked whether contaminated soil still exists from the former Sonoco site, and if so, would it be stirred up during construction?
 - Wawa has no knowledge of the results of any soil testing performed in 1984.
 - Assuming no tests were done, the EPAB recommends that Wawa do so now under the present environmental conditions, and they should use past practices methods.
 - All stormwater should drain toward the path of least resistance.
 - Wawa will be seeking stormwater waivers.
 - Members of the EPAB will visit the site after the next rain to observe the drainage conditions on their parking lot. How water will flow and how it should be treated must be taken into account.

Wayne Zachary informed that the Township has received two awards and a check in the amount of \$500 from the Environmental Action Council for minimizing stormwater runoff and reducing flooding.

Members of the EPAB are invited to attend the April 8th Stated Meeting at which time the awards and check will be presented to the Board of Commissioners.

DISCUSSION ITEMS:

Dresher Commons Conditional Use:

Michael Markman of BET Investments explained the history of the proposed project:

- The original plan called for two restaurants and possibly using the existing house.
- A large daycare center (46,000 sq. ft.) was proposed at the rear of the property.
- A green area was proposed to create addition buffering for the neighbors.

The new plan calls for the following:

- A streetscape will be created along Susquehanna Road to hide parking areas.
- Parking will be located toward the rear of the property.
- Heavy landscaping is proposed.
- Preservation of existing trees.
- The developer will come to terms with Mr. Kukor, a neighbor, before the April 8th Stated Meeting.
- An access point off of Susquehanna Road with an entry feature would be required.

The plan proposed by the planner hired by the Township is acceptable to the developers including:

- Each of the restaurants will have 5,500 sq. ft.
- A daycare center is a good use of the rear of the property.

Mr. Leonard made the following observations:

- Hopes the site can be developed in a "nature-friendly" manner.
- The Conditional Use Hearing stands as it is.
- This is a very important time for Dresher.
- The Board of Commissioners is also considering other applications.
- There is some indication that the Board of Commissioner would deny this plan.
- The Township has problems with the amount of "cut and fill."
- The Township had hoped for a mechanism to tie the three properties together as well as tie it into the Dresher Overlay District.

Mr. Mermelstein expressed frustration. He made the following comments:

- All entities must work together to establish something even if the ordinance would have to be amended.
- Stephen Katz, a developer, has suggested that the ordinance be opened up to look at age-restricted housing.

Mr. Markman continued:

- He, himself, is a community planner and chairs the planning commission in the township in which he resides.
- Cannot establish architecturals because there are three separate users.
- The restaurant owners have told him they will comply with the ordinance, but will not provide a prototype at this time.
- The daycare center has not provided any sketch plans.

Mr. High informed that the standard for conditional use approval is that the request must be reasonable and related to health, safety and welfare. If a provision is to be attached to a land development plan, it must stem from a specific provision in the Code.

Mr. Markman then said:

- BET Investments intends to build something aesthetically pleasing
- The Developer can only have a limited say on what the tenant wishes to do.
- He pointed out that there is presently 25% vacancy in the Fort Washington Office Park.
- Adding the two restaurants to the Office Park will attract people and encourage office conversion.
- An upscale daycare center is a less intense use for the neighbors.
- There is a 50 ft. driveway in the front of the lot. The Developer could make it 90 ft. by subdividing the property in the rear.
- The buildings on this property will have residential architectural details and fit in well with the neighborhood.

When Mr. Mermelstein questioned whether any thought had been give to a smaller daycare center to comply with the ordinance, Mr. Markman said he would lose the daycare client who is interested and probably get one that is not as good.

When Mr. Leonard observed that the plan shows detention basin down toward the Limekiln Pike intersection, Mr. Markman assured that most detention will be under ground.

Wawa Preliminary Subdivision Plan -106 Bethlehem Pike:

No representation. Discussion tabled.

Temporary Sign Ordinance:

Mr. High explained that his office was asked to modify the amendment to the temporary sign provisions in the code to distinguish between non-commercial and commercial speech. He will insert the appropriate language into the ordinance for consideration by the Board of Commissioners at the Stated Meeting in May.

Age Restricted Housing:

Matt Schelly said that MCPC feels that this type of housing may be a benefit to Upper Dublin Township. Current 2000 U.S. Census data indicates that there are 6,327 residents within Upper Dublin that are age 55 and over. This figure translates into approximately 24.4% of the total residents of the Township. Many of the potential residents would like to find smaller, more manageable types of housing while remaining within Upper Dublin Township.

Mr. Schelly discussed MCPC's recommendations regarding location, zoning, design, roads, parking, walkways, ancillary facilities and open space. He specifically spoke about the following:

- Very few negative impacts on the Township.
 - No earned income tax from residents.
- Pro impacts may actually be helpful.
 - Residents active in Township organizations.
 - Alternative lifestyle to standard situations.
 - Volunteerism
 - Less traffic concerns. Drivers to not travel during peak hours.
 - No school-aged children.

- Increase in density.
- Residents are quiet due to lifestyle.
- Quality developments
- Increased overall value of land per acre.
- Taxable private property.
- Residents do not use as many public services as other types of development.
- Possible amendment to certain zoning districts may be necessary.
- Upper Dublin has the 8th highest median age (40-41) in Montgomery County.

It was noted that 50% of new construction in Lower Gwynedd Township is age restricted. Mr. Leonard will contact Lower Gwynedd's manager for advice.

MPCP does not have a model ordinance for age restricted housing at the present time.

Stephen Katz made the following comments:

- Suggested that the Dresher Overlay District be opened up for this type of potential use before opening up as a use throughout the Township.
- The language in the documents of age 55 and over restricted developments allows the minimum age to go down to 50 years of age when one spouse is 55 or older.
- Visitation by grandchildren must be qualified in the documents.
- Age restricted communities tend to be well managed, well maintained, and well enforced.
- This type of development is self-policed.
- Residents want restrictions

Mr. High was asked to start a file on age restricted issues.

ACTION ITEMS:

Congregation Beth Or Preliminary Land Development Plan:

Congregation Beth Or plans to redevelop the former Spring Lake Farm located at the corner of Welsh Road and Butler Pike into a synagogue with school and associated parking. Conditional use approval was granted on September 10, 2002, for relocation of the detention basin, and site work in the floodplain. The 16.78 acre site is zoned "A" Residential. Religious facilities are permitted by special exception. Public sewer and public water will serve the site.

Stephen Katz represented Congregation Beth Or:

- Beth Or will comply with all issues set forth in Metz Engineers' review letter dated March 21, 2003.
- Messrs. Wert, DeSantis and Katz met at the site to observe traffic conditions.
- Beth Or has decided that they will only do what has been shown at the Butler Pike and Welsh Road intersection. Traffic through that intersection will be made better simply by adjusting traffic timing.
- It is not necessary to do any work on the Horsham side of the property.
- Plans have now been updated to submit for highway occupancy.
- Bucks County Water and Sewer has indicated they have more than ample capacity and discussions are ongoing regarding EDUs needed.

When Mr. Leonard asked about the status of applications for combined permits and things that might involve the Army Corp of Engineers, Mr. Katz said required submissions and sewer modules cannot be made until preliminary plan approval.

Mr. Schelly asked if the Army Corp of Engineers requires preliminary approval before submission, does that indicate the need for Township approval of some of the issues that may arise regarding a timeline or removal of the existing home? Mr. Katz said the Army Corps of Engineers will not review the house and structures. They merely have noted in their books that a written review was received from the Pennsylvania Historic Museum Commission. Beth Or has found little or no way to utilize the structures on the site.

Mr. Leonard said that between now and April 8th, it might be prudent for Mr. High to advise the Board of Commissioners about the statements made by Mr. Katz above.

Mr. Schelly explained that the Historic Museum Commission is the agency in Pennsylvania that deals with structures that might be historic and when there are no alternative plans therefore.

Mr. Leonard commented that involvement with the Pennsylvania Historic Museum Commission may represent an opportunity to save the house.

Mr. Katz informed that the barn will be dismantled and reassembled at another location.

Mr. Leonard suggested that Mondauk Common would be an appropriate relocation for the barn.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend preliminary plan approval to the Board of Commissioners for Congregation Beth Or (Upper Dublin Reference No. 02-021) subject to comments in Metz Engineers' Review Letter dated March 21, 2003

VOTE ON MOTION

ALL YES

MOTION CARRIED

ADJOURNMENT:


Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 7:55 p.m.

Respectfully submitted,



Louise S. Birett, Recording Secretary

Attest:



Jules Mermelstein, Chairperson

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A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, April 22, 2003, in the Township Building, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold. Also present were Paul Leonard, Township Manager; Gilbert High, Township Solicitor; Jeff Wert, Township Engineer; Matthew Schelly, Montgomery County Planning Commission (MCPC); Stan Krakour and Stan Robski, representing the Environmental Protection Advisory Board (EPAB); and Charles Haering, representing the Planning Agency Advisory Board (PAAB).

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM THE MEETING HELD IN MARCH 2003:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of March 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Environmental Protection Advisory Board:

Stan Krakour discussed the following:

New Life Presbyterian Church Preliminary Land Development Plan:

- Representatives from the church met with the EPAB. Some of the changes to their plans warrant review by the Township Engineer.

• 33 Morris Road Preliminary Plan:

- The applicant should take care that development does not intrude into the land that is part of the Wissahickon Natural Land Trust.
- o Mr. Leonard interjected that PennDOT may be acquiring the land for wetland mitigation.

• WaWa – 106 Bethlehem Pike – Preliminary Subdivision Plan:

- The EPAB is still not satisfied about resolution of outstanding matters.

• 1818 Butler Pike Preliminary Subdivision Plan:

- The developer is eager to cooperate with the EPAB's desires.

Stan Robski discussed the following:

• Stream Clean-up:

- The annual stream clean-up is scheduled for May 3, 2003 from 9:00 a.m. until noon.
- All interested volunteers are asked to meet at 1050-60 Virginia Drive. Parking privileges on the Verizon property has been granted.
- This clean-up is being done in celebration of Earth Day.
- Volunteers are free to come and go as their time permits.

- 2003 Earth Day tee shirts will be distributed to workers on a first come basis.
- Alicia Volpe's high school class recently attended an EPAB meeting and volunteered to participate in this event.

DISCUSSION ITEMS:

New Life Presbyterian Church Preliminary Land Development Plan:

The plan proposes to construct a 45,500 sq. ft. church with 224 parking spaces and 13 reserve spaces included. The existing one-story stone dwelling and farm stand are scheduled to remain in use subject to zoning considerations. Public water and sewer are to be provided. The tract is zoned "A" Residential. The Church Use was permitted according to the variance granted by the Upper Dublin Township Zoning Hearing Board on November 27, 2000. Jeffrey Drake represented the church.

At a meeting held with Township staff in January regarding whether the church and farm stand can operate at the same time, it was determined that two uses cannot operate on the property at the same time. However, the Township has indicated that the farm stand may continue to operate until a Certificate of Occupancy is issued to the church.

Janet Santoro, the owner of the farm stand, said she has had an agreement with the church regarding the life estate of her mother and the operation of the farm stand. When she asked if there is any possibility of obtaining a variance to continue using the farm stand, Mr. High said the agreement with the church is not in compliance with Township Code. He advised her to apply to the Zoning Hearing Board for a variance. As part of the application, she will have to prove a hardship.

Mr. Leonard said the Township is aware that the farm stand has a great reputation. The life estate portion is something that Township Staff could accommodate. He noted that the farm stand is a non-conforming use on the property. The Zoning Hearing Board does not administer the entire ordinance. The Zoning Officer can issue a permit for multiple uses under the Code.

The applicant's engineer, Mr. Knudsen, addressed Metz Engineers' review letter dated April 17, 2003. He stated the following:

- The property is comprised of seven acres.
- The plans call for a 35,000 sq. ft. building consisting of a sanctuary, a one-story gymnasium, a central lobby, and three stories for offices and class room usage.
- Parking has not changed.
- The gymnasium will be used for religious services while the sanctuary is being constructed.
- The retention basin located at the lower end of the property will be retained.
- The second driveway into the property has been eliminated.
- The plans show full widening along Limekiln Pike.
- The applicant would like to begin construction near Labor Day or early fall.
- Opening of the church is planned to be completed by spring/summer 2004.
- The sanitary sewer likely will be extended up Limekiln Pike so that upstream properties will be able to connect in the future.

The following sums up discussion on the waivers requested:

- A waiver is requested from the requirements of streets (Limekiln Pike) regarding pavement width.
- A waiver or deferral is sought from putting in sidewalk along the frontage because there are no other sidewalks adjacent to this property. There are also no sidewalks from the street into the church site.
 - Mrs. Herold pointed out that the neighbors have long frontages with no sidewalks.
 - Mr. Leonard said sidewalks make sense from a safety standpoint.
 - Mr. Mermelstein said the church might attract more members who live in this location if sidewalks are installed.
- Mr. Knudsen agreed to the installation of sidewalk.
- Mr. Shelly informed that the property across the street is being considered for age restricted housing. In his review of the property, he suggested that sidewalks and a crosswalk be provided for residents to use to cross Limekiln Pike.
- A waiver is requested from putting in curb in the taper area.
- A waiver is requested to permit concrete curb with a six inch reveal for internal parking areas.
 - Mr. Wert had no objections because most of the curbing has sidewalk immediately behind it.
- Slopes are shown as more than 33 1/3%. The developer is proposing to use sod ground cover and other methods of controlling erosion.
 - Mr. Wert was in agreement.
- The applicant wishes to put in sixteen parking spaces in a row in lieu of 15 spaces as required by Code.
 - Mr. Wert had no objections.

Other concerns were addressed as follows:

- The applicant will comply with all other concerns raised in the engineer's review.
- Plans will be submitted to PennDOT with a cover letter (a standard template will be provided by Mr. Leonard).
- Responding to concerns from the PAAB, the applicants will meet with the Fire Marshal regarding emergency access.
- A traffic study will be completed in May.
- The applicants will meet Township regulations in terms of building regulations.

Mr. Wert's comments included:

- The applicants should confirm with the Code Enforcement Officer that the height of the building will not be a problem.
- Timing is an issue. How will the farm stand remain open while the roadway is under construction?
- There is concern regarding steep slopes. Instead of 20%, the slopes are now proposed at 30-40%. This could cause additional drainage problems for the neighbors. He suggested using retaining walls instead of using extra steep slopes to resolve the problem.
 - Mr. Knudsen said the land is graded such that there is a large area that drains on to the Della Vecchia property. He plans to intercept the flow with curbing and piping the water away to the detention basin away from the Della Vecchia property. He is concerned about putting in retaining walls because that is also the section where the sanitary sewer will be constructed. That area will be limited to a 3-1 slope and should be maintainable.

- Regarding the access driveway, it is important to align it with the existing drive on the Selas property.
 - Mr. Knudsen said if a driveway were to be moved further south, the shorter the stacking will become (moved to the north, there would be issues with the curb along Limekiln Pike.

Mr. Schelly noted that impervious coverage has been reduced from 43% to 30% and there will still be the same number of parking spaces as originally proposed. He wondered how that can happen. Mr. Knudsen will double-check his calculations.

The applicants are willing to provide striping for a bicycle route. Mr. Leonard suggested they confer with PennDOT for input.

Mr. Schelly suggested "best management practices" throughout the site to reduce the water that goes into the retention basin and beyond.

33 Morris Road Preliminary Plan:

The latest revised plan was submitted on May 16, 2002. The Planning, Environment and Commerce Committee recommends denial unless the applicant withdraws.

Wawa Preliminary Subdivision Plan -106 Bethlehem Pike:

The Planning, Environment and Commerce Committee recommends denial unless the applicant grants an extension.

1818 Butler Pike Preliminary Subdivision Plan:

The applicant was asked to grant an extension of time. This plan will be further discussed at the May Planning, Environment and Commerce Committee meeting and the June Stated Meeting of the Board of Commissioners.

Mr. High was asked to draft an ordinance modifying the preliminary plan process and time frames.

Mr. Haering suggested classifying applicants as "major" or "minor."

Age Restricted Housing:

Mr. Leonard informed that there are three properties that could be developed with age-restricted housing:

- Mele Tract in Dresher
- Selas Property in Ft. Washington
- Loeb Tract in Maple Glen

When Mr. Mermelstein asked if it would be construed as discrimination by mandating that one person in a house be 55 years of age or older, Mr. High suggested creating an apartment or townhouse district and then providing requirements if it is age-restricted.

Mr. Leonard commented that the Dresher Overlay District would become more like a village if people lived there. He would like to see the Dresher Overlay Ordinance amended to allow age restricted housing and then extend it to other parts of the Township (some by overlay). Higher density in the Dresher Overlay District makes sense.

Mr. Mermelstein suggested possibly extending the Dresher Overlay District as far as the Selas property. In turn, that could allow age restricted housing on the Selas property.

Mr. Leonard asked the MCPC to suggest an amendment. Mr. Mermelstein agreed and said anything MCPC could do to require more specificity as to land use and landscaping would be beneficial.

Pileggi Tract (Twin Ponds) Subdivision Plan:

This plan proposes demolition of one existing home and construction of five new single family homes with public water and sewer. An underground stormwater system is proposed to address stormwater management. The 3.75 acre site is located between Broad Street and Catlin Way along Twin Pond Road opposite Mondauk Commons.

Mr. Eichenlaub made the following comments:

- He is waiting for Woodrow Associates to revise the plans for presentation at the May Planning, Environment and Commerce Committee meeting and the June Stated Meeting of the Board of Commissioners.
- There are eight items under Subdivision Ordinance in Metz Engineers' review letter dated April 17, 2003. The sixth item no longer applies because Mr. Eichenlaub made settlement with the Greenfields and Mr. Pileggi on April 21st.
- Under Zoning issues, A 25 ft. wide access easement was given to the Valenti property which satisfies the Township's requirements.
- Excess stone will be removed from the property.
- No trees will be removed.
- The plan will be changed to show existing conditions.
- A note will be added to the Record Plan for the triangular shaped parcel of land to be combined in common deed with the balance of the tract.
- Land to be vacated by the Township has been shown on the Subdivision Plan.
- A deferral of sidewalks along Broad Street and Twin Pond Road was granted with the approval of the Preliminary Plan.
- Adjustments were made to the boundaries of the three adjacent properties.
- There are no problems with road issues.
- Stormwater management information was submitted to the Township Engineer's Office.
- Issues with the Storm Sewer Authority have been addressed. Negotiations with Philadelphia Suburban Water Company and North Wales Water Company are ongoing.

Mr. Wert made the following comments:

- Cross sections with spot elevations over 25 ft. should be shown.
- Legal descriptions to be submitted to Mr. Wert's office.
- An additional light should be installed on Broad Street directly opposite the entrance to Mondauk Common.
- Drainage must be correct on Broad Street.

Mr. Leonard asked for the following:

- The plan should be provided to the Parks and Recreation Department for their perusal. Public Works and the Police Department should weigh in regarding street lights.

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- Carroll Engineering's review letter must be addressed.
The report from the Montgomery County Conservation District must also be adhered to.

Elizabeth Home Tract:

Mr. Eichenlaub consented to a 60 day verbal extension and will follow up with consent in writing.

There has been a tremendous amount of engineering and stormwater management work done which has been causing delays.

ACTION ITEMS:

Home Occupations Zoning Ordinance Amendment:

The Solicitor amended the Code to define "home occupations" the way it is defined in the statute.

Mr. Leonard said a permit should be required when a home business generates traffic.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval to the Board of Commissioners of the Home Occupations Zoning Ordinance Amendment.

VOTE ON MOTION

ALL YES

MOTION CARRIED

ADJOURNMENT:

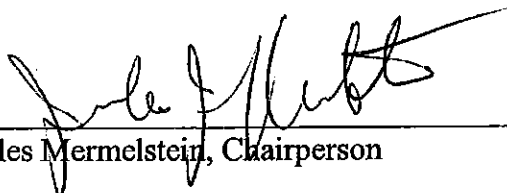
Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting.

Respectfully submitted,

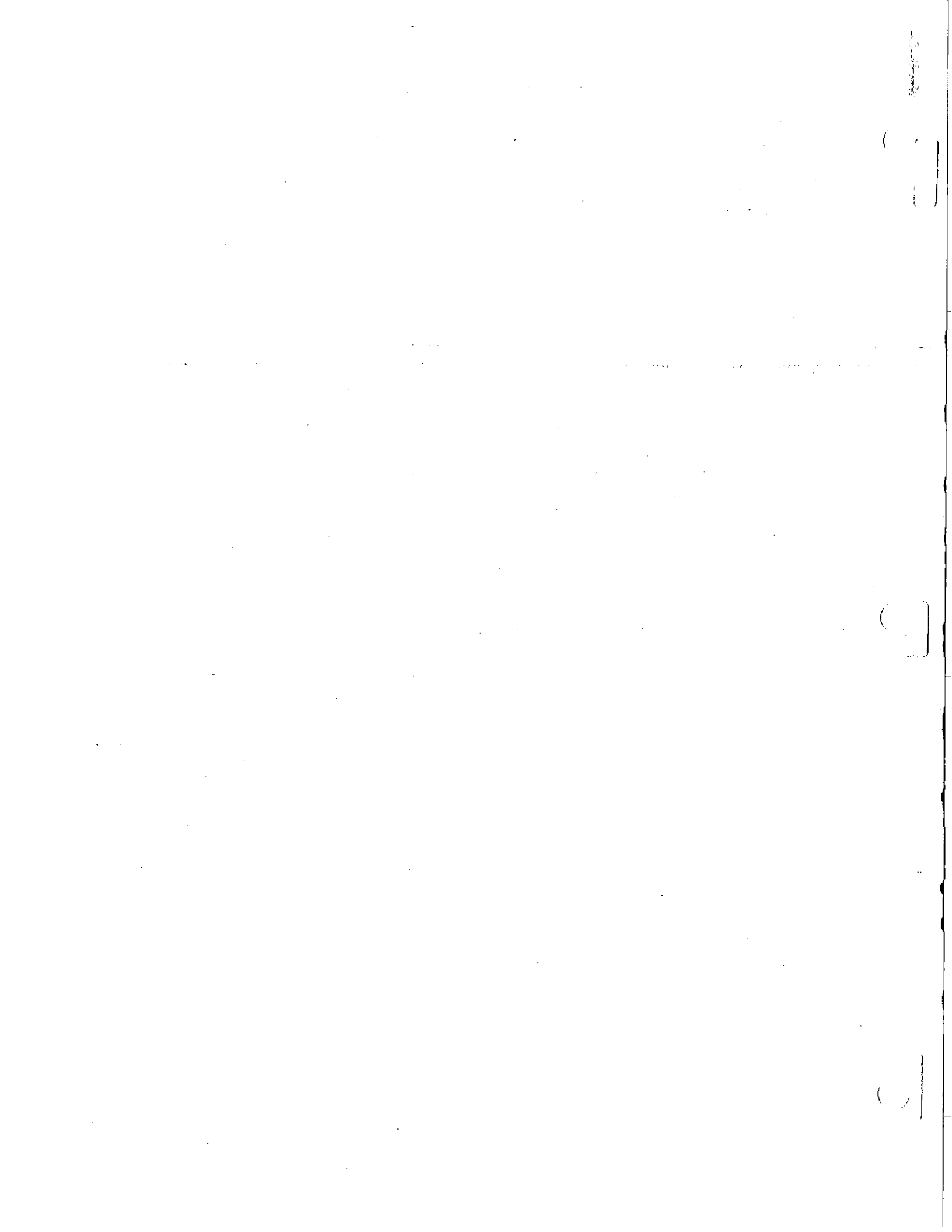


Louise S. Birett, Recording Secretary

Attest:



Jules Mermelstein, Chairperson



meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, May 21, 2003, in the Township Building, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Pesavento. Also present were Paul Leonard, Township Manager; Alan Flenner, representing the Township Solicitor; Jeff Wert, Township Engineer; Matthew Schelly, Montgomery County Planning Commission (MCPC); Stan Ropski, representing the Environmental Protection Advisory Board (EPAB); and Charles Haering, representing the Planning Agency Advisory Board (PAAB).

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM THE MEETING HELD IN APRIL 2003:

Mr. Pesavento motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of April 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Environmental Protection Advisory Board:

Stan Ropski discussed the following:

Berensman – 1162 Fitzwatertown Road – Minor Subdivision Plan:

- The EPAB is concerned about the number of mature trees that will have to be removed as well as the steepness of the slope which could present erosion problems. It was suggested that the Agreement of Sale should include verbiage that the driveway should be shared until the point where the new driveway would join the established area and language that future homeowners will be restricted from putting in an additional driveway.

• Stream Clean-up:

- The annual stream clean-up took place on May 3, 2003 from 9:00 a.m. until noon.
- Nine students from Alicia Volpe's high school class and eleven adult volunteers (including four board members) gave of their time to rid the stream of litter and plastic.

• Impervious Surface Ordinance:

- The proposed ordinance will be reviewed at the June meeting of the EPAB.

• Recycling:

- The Public Works Director contacted Tim Hartman of the Waste System Authority of Montgomery County and learned that they will establish a drop-off program for old computer equipment in the near future similar to the hazardous waste program.

Pileggi Tract (Twin Ponds) – Final Subdivision Plan:

- John Eichenlaub, the developer, has been working to please all of his neighbors. There are no environmental issues at this time.

DISCUSSION ITEMS:

1818 Butler Pike Preliminary Subdivision Plan:

Tim Woodrow, the applicant's engineer, informed of the following:

- He will work out all engineering issues with the Township Engineer.
- Regarding the impervious coverage on the lot that fronts Norristown Road, seepage beds will be provided.
- There is a waiver added to the plan requesting an 80 ft. right-of-way width for Butler Pike. This request for 80 ft. is consistent with other properties on Butler Pike.
- A letter dated April 22, 2003 from the Fire Marshal indicates that he is satisfied with respect to the common driveway access.

Mr. Leonard stated that the Board of Commissioners is concerned with over-development in Upper Dublin Township. He suggested that the Committee direct the Montgomery County Planning Commission and the Solicitor to look at current ordinances concerning flag lots. The Board of Commissioners might want to know what the range of options is. The Township may want to strike a balance between a reasonable flag lot and one that is not. The Committee agreed.

Mr. Schelly was asked to look at the range of regulations of other communities in comparison to Upper Dublin.

Mr. Leonard asked that the old building be torn down as quickly as possible because it is neither sprinklered nor alarmed any more. Mr. Eichenlaub was asked to evaluate with the Fire Marshal whether the sprinkler system can be reactivated.

Berensman – 1162 Fitzwatertown Road – Minor Subdivision Plan:

The applicants are proposing to subdivide a 2.16 acre property into two lots. Lot No. 1 will retain the existing dwelling, and Lot No. 2 will contain a new dwelling. Both lots will be serviced by public water and sewer. The site is zoned "B" Residential.

Scott McMackin, PE, said most of the issues in Metz Engineers' review letter dated May 21, 2003 are minor. He informed of the following:

- Lot No. 2 is a fully wooded flag lot. It is steep and drains to the rear.
- The applicants are asking for three waivers:
 - Waiver from installing sidewalk and widening Fitzwatertown Road.
 - Waiver from showing existing features and topography within 100 ft. of the subject property.
 - Waiver from a leveling area of 25 ft. in length at a slope of 6% to limit the amount of trees that will have to be taken down. The driveway slope on the plan exceeds the allowable 20% maximum.
 - Mr. Wert suggested they consider having the connection for the combined driveways up higher.
- Regarding stormwater management, the applicants are proposing a swale on one side of the driveway and putting in a benched arrangement in the swale to reduce the velocity of water coming down the driveway.
- The house on Lot No. 2 will be sprinklered.

Mr. Wert suggested the applicants look at pervious paving alternatives. He also stressed that the curvature of the driveway must be capable of accommodating fire trucks and the weight thereof. The applicants granted the Township a 60 day extension of time to review this plan.

The applicants will comply with the comments made by the Planning Agency Advisory Board.

Discuss Wind Energy Analysis:

Byron Woodman, a representative from Community Energy, Inc., discussed a wind energy analysis for Upper Dublin Township.

- Community Energy's goal is to build new wind farms in the Mid-Atlantic region.
- Community Energy will look over the energy usage of the Township and determine how much energy could come from wind turbines.
- If the Township would purchase wind energy for one year to satisfy 10% of the Township's energy usage, there would be a premium cost of \$3,000.
- Most colleges and universities are purchasing 5% wind energy. Penn State is purchasing 10%. Radnor Township purchases 60%.

Mr. Pesavento said this is a good thing to think about at budget time. He feels wind energy is a reasonable idea with which to move forward.

Mr. Mermelstein suggested establishment of some kind of fund and obtaining contributions from the community with the Township contributing matching funds. Wind energy is an environmental benefit.

Mr. Leonard suggested that the Township take some of Community Energy's marketing information to determine if it can be developed into something that could be reviewed by the residents. In his opinion, the Board of Commissioners would be more likely to consider wind energy if they saw some support from the community.

Discuss Rain Barrels:

The Township is in possession of sixty 55-gallon rain barrels available to residents free of charge on a first come, first serve basis provided that the residents live within the Sandy Run Watershed. Anyone interested may contact the Township Manager's office and put their name on the list.

Impervious Surface Ordinance:

The Solicitor's office prepared suggested language to provide special relief/special limitations in the application of impervious surface regulations.

Impervious Surface is defined as "any material placed on or above the earth which substantially reduces or prevents the natural percolation of water. Examples include but are not limited to structures, including eaves, roofs and roof overhangs; parking areas; driveways; sidewalks; patios and decks; sport courts; and pools."

Where a non-conforming building is being expanded by right, "impervious surfaces are uses regulated by this section which utilizes an existing structure and which limits the size of the expansion to no more than 50% of the floor area of the existing structure measured on all floors at or above ground level may exceed the impervious surface provisions by up to 5%. The additional volume of storm water runoff generated during a one hundred year storm event for this increase shall be fully recharged in a system approved by the Township Engineer."

Mr. Wert submitted a spreadsheet to the Township showing the Zoning Districts in Upper Dublin Township along with the current building and impervious coverage limits. There are only four of 17 districts with limits place.

For comparison, he showed Abington Township, Horsham Township and Lower Gwynedd Township with their respective current ordinance limits. While some townships do not have specific ordinance limits, in certain districts, they accomplish impervious coverage limitations through required parking, required buffers, required green space and minimum distances from building to parking.

Mr. Leonard noted that the Solicitor is suggesting an incentive arrangement. The Township has a recharge facility at the Township Building site. Those are the types of things for which an incentive is provided.

Mr. High's memo defines nonconforming properties in relation to impervious surface as follows: "A lot legally in existence on October 17, 1990, which was then legally covered with an impervious surface within 5% of the maximum impervious cover permitted by this chapter, or which then became nonconforming to such impervious cover provisions, may expand the impervious cover on such lot by a maximum of 5% of the lot area for the purpose of constructing a pool and/or wooden deck over a porous surface, provided that 100% of the volume of stormwater generated by the new construction is recharged for a 100 year storm event. The benefits of this expansion shall not be available with respect to any lot created or modified after October 17, 1990. The impervious surface expansion will be subject to the following requirements:

- (1) The area of impervious surface expansion for a pool shall include only the area of water surface and shall not apply to coping and/or patio areas. Expansion of coping and/or patio areas may be permitted by conditional use.
- (2) The area of impervious surface expansion for a wooden deck shall apply only if the deck is constructed with a space between each plank and if the deck is constructed over a porous surface.
- (3) The design and location of the recharge system must be approved by the Director of Building Regulations. The Director of Building Regulations may require that a percolation test be submitted with the permit application showing rates sufficient to empty the system within 24 hours. Construction may not disturb steep slopes, woodlands or trees six inches in caliper or larger.
- (4) If site conditions prohibit on-site recharge, the expansion shall not be permitted.
- (5) A covenant running with the land shall be recorded requiring the property owner to maintain the recharge basin at all times so that it will operate as designed."

Age Restricted Housing:

In a memo dated May 20, 2003, Matthew Schelly, Senior Community Planner with MCPC, stated: "Based on the existing conditions in the Dresher Overlay District and around its perimeter, as well as the intents for the district, we suggest an average density of between 12-15 dwelling units per acre. At this density in this area, building heights should be at least two stories and may be up to 4-5 stories, but not at the edges of the district adjacent to (or across the street from) other residential properties.

The PEC Committee also requested us to suggest what other provision may be appropriate for age-restricted housing in the Dresher Overlay District. Although age-restricted housing is one of the lowest impact uses, to protect neighboring properties, we also suggest adding some zoning provisions regarding buffering, architectural design, and parking. For the benefit of the older residents of such development, provisions for recreation, pedestrian and transit amenities, and open space should also be included. The intent already in the Dresher Overlay District for interconnected developments throughout the district could be strengthened with more specific requirements for walkway and crosswalk connections.”

Mr. Pesavento was curious as to when age restricted housing will be overturned by the courts. Mr. Flenner had no answer, but said it might rise in the future as more and more of these developments come on line.

Mr. Schelly raised two issues:

- (1) What does the Committee recommend as the density in the Dresher Overlay District? He suggested an average density of 12 residences per acre.
- (2) What kind of provisions might be included in the ordinance for this use?

Mr. Leonard asked the Solicitor to draft an amendment to the Dresher Overlay District to provide for age restricted housing as a conditional use.

Mr. Leonard informed that there are three properties that could be developed with age-restricted housing:

- Mele Tract
- Nelson Tract
- Gitlin Tract

Mr. Pesavento stated:

- The Dresher Overlay District was conceived to encourage a village concept.
- A four-story building is not what was envisioned in the Dresher Overlay District.
 - Mr. Schelly commented that by adding extra stories, you gain more ground space.
 - Mr. Leonard suggested consideration of architectural standards. The concept of many units joined together to look like a “mini’ mansion” would not be appropriate in the Dresher Overlay District.
- Including a minimum size per dwelling in the Dresher Overlay District was suggested.

Mr. Wert suggested that the Board of Commissioners look at age-restricted communities in outlying townships. He will provide the Township with names and locations.

Mr. Mermelstein suggested a restriction in the ordinance that one age-restricted development cannot abut another one.

Mr. Leonard informed that there are five residences in the Dresher Overlay District. He believes that residential use is essential for the overlay concept.

Mr. Schelly will work together with Messrs. High and Wert to work on concepts for the Dresher Overlay district.

ACTION ITEMS:

Temple Ambler Learning Center – Final Land Development Plan:

Proposed for construction is a three floor 72,056 sq. ft. learning center, 86 parking spaces, interconnecting walkways between existing buildings, a loading dock, stormwater management system, utilities and landscaping.

Pursuant to the review letter from Metz Engineers dated May 15, 2003, corrections were made to some technical issues on the drawings. It is believed that there are no outstanding issues to restrict final approval of the site plan.

All necessary paperwork was submitted to Bucks County Water and Sewer Authority and a sewer agreement was issued.

The Fire Marshal had one issue regarding feeding of a fire hydrant on the property. Due to the fact that there was a significant cost to feed it from a loop, the Fire Marshal has acquiesced to feeding it directly from one source. If a secondary source is required, water from the swimming pool could be used.

Mr. Leonard said that sprinklers would be the best guarantee for fire safety in the building.

Mr. Wert asked to be provided with a digital copy of the plans for the overall campus.

A traffic signal will be installed.

Mr. Mermelstein noted that 12 waivers are being requested.

Mr. Pesavento motioned, with Mr. Mermelstein seconding, to recommend approval of the Temple Ambler Learning Center Final Land Development Plan (Upper Dublin Reference No. 02-20) to the Board of Commissioners subject to the comments in Metz Engineers' review letter dated May 15, 2003.

VOTE ON MOTION ALL YES MOTION CARRIED

Pileggi Tract (Twin Ponds) Subdivision Plan:

This plan proposes demolition of one existing home and construction of five new single family homes with public water and sewer. An underground stormwater system is proposed to address stormwater management. The 3.75 acre site is located between Broad Street and Catlin Way along Twin Pond Road opposite Mondauk Commons.

Michael Clement, Esquire, represented John Eichenlaub, Developer of the Pileggi Tract.

- They have gone through the issues with the Solicitor with respect to the community association documents.
- Two changes were made.
- All outstanding engineering issues have been completed.

Tim Woodrow, Architect, also represented the Developer.

Improvements to Broad Street and the issue of facilitating a better entrance to Mondauk Park have been addressed.

The design is now adequate

Impervious and pervious coverage issues have been resolved.

- A permit from the Montgomery County Conservation District is expected shortly.
- Sidewalk on Broad Street was a big topic of discussion. Sidewalk is shown all along Catlin Way, but has not been shown on the northeast side and frontage on Broad Street.
- The developer has provided a crosswalk and an additional trail in Mondauk Park.
- The applicant proposes to install curbing on the Mondauk Park side of Broad Street.
- The developer intends to improve the frontage on the southeastern side of Broad Street and dedicate the right-of-way for that frontage.

Mr. Wert said:

- The Department of Environmental Protection requires a letter from the Township and the Bucks County Water and Sewer Authority before they issue a waiver.
- He asked the developer to pave a few feet of curbing up to the Assisted Living entrance and also provide a painted crosswalk in the area. Mr. Eichenlaub agreed.
- Both recharge and water quality will be addressed in one underground area.

Mr. Pesavento motioned, with Mr. Mermelstein seconding, to recommend approval of the Twin Ponds Final Subdivision Plan (Upper Dublin Reference No. 02.027) to the Board of Commissioners subject to the comments of Metz Engineers' review letter dated May 15, 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

ADJOURNMENT:

Mr. Pesavento motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 8:20 p.m.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Respectfully submitted,


Louise S. Birett, Recording Secretary

Attest:


Joseph J. Mermelstein, Chairperson

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A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, June 17, 2003, in the Township Building, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold. Also present were Paul Leonard, Township Manager; Gilbert High, Township Solicitor; and Jeff Wert, Township Engineer.

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM THE MEETING HELD IN MAY 2003:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of May 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

DISCUSSION ITEMS:

New Life Presbyterian Church Preliminary Land Development Plan:

The plan proposes to construct a 45,500 sq. ft. church with 224 parking spaces and 13 reserved spaces included. The existing one-story stone dwelling and farm stand are scheduled to remain in use subject to zoning considerations. Public water and sewer are to be provided. The tract is zoned "A" Residential. The Church Use was permitted according to the variance granted by the Upper Dublin Township Zoning Hearing Board on November 27, 2000.

The applicant's engineer, Richard Knudsen, addressed Metz Engineers' review letter dated June 4, 2003. He stated the following:

- Sidewalk has been added along Limekiln Pike all the way along the church frontage.
- The Fire Marshal has requested a second means of access to the site for emergencies. Plans have been revised to show a second access a bit south of the main driveway and constructed in accordance with the Fire Marshal's requirements. Said entrance will be chained off from public use.
- Responding to the Township Engineers' comments as well as NPDES regulations for storm water management, a detention basin will be provided to store the difference in runoff for a two-year storm.
- Signage has been addressed.
- Curb is not shown for the entire interior parking area. The plans do show curbing around the interior of the parking lot and along the edges where it is needed for drainage. The driveways are curbed. A waiver is required for those areas where the church does not want to install curbing.
- The sewer will be extended to the legal right-of-way line. The grading will not be changed nor will any major grading be added.
 - Mr. Wert insisted that they secure a grading easement.
- Mr. Knudsen will look into exactly where inlets will be positioned.
- No traffic problems are anticipated. The applicants have met with PennDOT and a supervisor for Montgomery County, and there are no outstanding issues.
- Permit requests have been submitted to the Montgomery County Conservation District and the NPDES. The plans show a retaining wall on the east side of the building. They anticipate a concrete extension or segmental masonry wall that goes through the building. The applicants' architects will deal with this issue.

- Mr. Knudsen will provide a plan to Mr. Wert regarding the proximity of the parking lot because Mr. Wert was not comfortable with the drainage in the area where the applicant is showing it could be built.
- The applicants are awaiting a written report from the Bucks County Water and Sewer Authority.
- The applicants are showing the sanitary sewer line of the Nak Won Church connecting into the New Life Presbyterian Church's system.
 - Mr. Wert was concerned about undermining the building.

Mr. Leonard brought up the following concerns:

- The use of the existing home might be a zoning issue.
- A hazard tree exists on the right of the plan in a paper street. A neighbor is concerned that it would hit the house if it fell. New Life Presbyterian's property line is 20 ft. away from the paper street. He will follow up to make sure some action is taken.

Mr. Mermelstein suggested and the applicants agreed to a pervious surface for the emergency access drive. Whatever decision is made regarding the surface must be approved by the Fire Marshal.

Jeff Drake, the applicant's architect, made the following comments.

- Items 1,2 and 7 of Metz Engineers' review letter under Zoning Issues are all related. They are as follows:
 1. This tract was the subject of a Zoning Hearing Board Decision No. 1618 for construction of the church. The existing one-story stone dwelling and farm stand are scheduled to remain in use subject to zoning considerations. Is the Zoning Hearing Board decision current?
 2. We defer to the Code Enforcement Official for the use of the "adjunct residential dwelling."
 7. Disposition of the Farm Stand should be addressed
- Mrs. Lorenzo is still residing on the property and has a life estate in that house.
- The farm stand must be operated in such a way that it does not interfere with the church.
- The permit for the farm stand is valid until December 31, 2003 or until the church obtains its certificate of occupancy.

Mr. Leonard said the family has indicated its intention to appeal to the Zoning Hearing Board to allow them to remain on the property. In the alternative, the family is considering relocating the farm stand across the street on the Schmidt nursery property.

Mr. Drake informed:

- After speaking with Mrs. Lorenzo's daughter, it is the church's understanding that the farm stand will indeed be moved to the Schmidt property.
- The church is considering running a potentially limited program for preschool children during the week.
- The church will make its property available for community-based programs.
- The applicants will comply with the signage ordinance or ask for a variance.
- The worship center will also be used as a multi-purpose center.
- The church plans to add a sanctuary in the future, and parking as planned will accommodate the future addition.

Mr. Wert had no problems with any of the waivers requested.

The applicants will come back in July with a request for Preliminary and Final Approval of their Plans.

Development – Selas Property – Proposed Change of Zoning:

Hearing date will be established at the Stated Meeting in July.

IDN Development – Selas Property – Sketch Land Development Plan:

A large packet of information was submitted to the Board of Commissioners at their Stated Meeting in June. They are in the process of reviewing.

The Solicitor was asked to look at the issue of spot zoning.

Age Restricted Housing:

The Township is awaiting a recommendation from the Montgomery County Planning Commission regarding age-restricted housing and the Dresher Overlay District.

Wind Power Option:

The Township is awaiting public relations material to be shown to the public.

ACTION ITEMS:

1818 Butler Pike Preliminary Subdivision Plan:

The site is 4.55 acres located between Butler Pike, Welsh Road and Norristown Road with a planned entrance, a common driveway, from the east side of Butler Pike approximately 1,000 ft. north of its intersection with Norristown Road. It was utilized as a Personal Care Facility that will be demolished. The applicant is proposing to develop the site with 5 single-family detached lots in the "A" Residential zoning district. Lots 2, 3, 4 and 5 are interior/lane lots with a common driveway to Butler Pike. Lot 6 will access Norristown Road. It is noted to be developed under separate application. Public water and sanitary sewer will serve the proposed development.

Tim Woodrow, the applicant's engineer, informed of the following:

- In general, the plan is in good shape.
- Permit applications for NPDES Permit and Roads and Bridges were submitted to Montgomery County.
- Bucks County Water and Sewer Authority have no issues.
- Application has been made to North Wales Water Authority.
- The applicant is willing to install sidewalk or set aside escrow funds for sidewalk down to Dogwood Lane to complete the link to Meadowview and the Congregation Beth Or property.
- The applicant is trying to contact the Homeowners Association.
- The existing stormwater pipe under Norristown Road is undersized. The applicant will replace the existing 18 in. pipe with 36 in. pipe.

Mr. Wert had no problems with the four waivers requested.

Mr. Leonard noted that the development will be formally named "Sycamore Run."

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Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend Preliminary Subdivision approval for Sycamore Run (Upper Dublin Reference No. 02.028) subject to the comments in Metz Engineers' review letter dated June 13, 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

ADJOURNMENT:

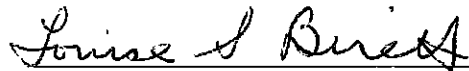
Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 7:35 p.m.

VOTE ON MOTION

ALL YES

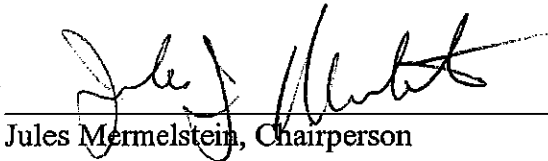
MOTION CARRIED

Respectfully submitted,



Louise S. Birett, Recording Secretary

Attest:



Jules Mermelstein, Chairperson

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A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, July 15, 2003, in the Township Building, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold. Also present were Gilbert High, Township Solicitor; Jeff Wert, Township Engineer; Tolson De Sa, representing the Montgomery County Planning Commission (MCPC); Stan Ropski, representing the Environmental Protection Advisory Board (EPAB); and Charles Haering, representing the Planning Agency Advisory Board (PAAB).

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM THE MEETING HELD IN JUNE 2003:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of June 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORT OF THE ENVIRONMENTAL PROTECTION ADVISORY BOARD:

Stan Ropski was elected the new Chairman of the EPAB. New members are Mark Bianchi and George MacKenzie.

- Regarding the Popper Minor Subdivision Plan – 1506 Limekiln Pike – Both Mr. Popper and Mr. Deacon attended the last EPAB meeting and expressed their eagerness to satisfy all issues.

Mr. Ropski was of the opinion that sidewalks are not necessary because there are no sidewalks on one side of Jarrettown Elementary School and the other side has a 2 ft. wide macadam path.

- There are issues with parking with respect to the Wawa Preliminary Land Development Plan – 106 Bethlehem Pike.

The EPAB requested that Wawa do soil testing because the property was previously a Sunoco Gasoline Station. There is a possibility that contaminants would be a problem during construction.

It was suggested that Wawa install a stormwater sewer in the adjacent small creek and utilize that space for parking.

- In regard to the Sycamore Run Final Subdivision Plan – 1818 Butler Pike – the EPAB is awaiting receipt of plans.
- Due to a small number of attendees at the June EPAB meeting, discussion on impervious surfaces was postponed. The question was raised as to how the Township will enforce exceeding impervious surface percentages? Decks and pools must also be dealt with when considering impervious surfaces.

Information on age-restricted housing has not been presented to the EPAB as yet. Conceivably, with flat roofs, the way the draft is written, there could be a three-story building with a 20 ft. front yard.

- Discussion on stormwater practices was postponed.
- The EPAB discussed the use of pervious paving if soil can handle it.
- Mr. Ropski demonstrated how to use the rain barrels being offered to residents along the Sandy Run Watershed. Interested residents are invited to attend a seminar at the Boys and Girls Club of Roslyn on July 31, 2003 at 7:30 p.m.

DISCUSSION ITEMS:

Popper Minor Subdivision Plan – 1506 Limekiln Pike:

A two lot subdivision is proposed for the 2.22 gross acre property. Creation of a rear lot will provide for a second dwelling unit on the property zoned "A" residential. Conditional use approval is required for the rear lot which will be served by public water and sewer.

Herbert Sudfield, Esquire, and Patrick Deacon represented the applicants.

- The applicants are asking for waivers with respect to the existing features of the curbs and sidewalks
 - Mr. Mermelstein objected to waiving curbs and sidewalks because the property abuts School District property.
 - Mr. Haering asked for reconsideration of the request for a landscaping waiver along the School District's property line, and that a policy of notification be adopted for those who reside within 500 feet of a property that wishes a zoning change.
- The existing apartment above the garage on Lot 1 will be dismantled.
- The Township put in a second sewer line. The applicant will pay for a second EDU and connect the rear house to the sewer lateral.
- Sprinklering is required for both lots.
- A conditional use hearing will be held in August before the Stated Meeting.

The PAAB asked for adequate turn around for emergency vehicle on Lot 2 because of the length of the driveway.

Tolson DeSa said the MCPC has a problem with the status of the existing septic tank on Lot 1. He deferred to the Township Engineer on the matter.

Wawa Preliminary Land Development Plan – 106 Bethlehem Pike:

Wawa, Inc. proposes to expand its store in Fort Washington on Bethlehem Pike north of Pennsylvania Avenue. Two additions of 75 sq. ft. and 696 sq. ft. are proposed with resulting site changes and lighting changes. Parking will remain at 16 spaces. The Wawa store is a non-conforming use in the "MD" Zoning District.

Neil Stein, Esquire, and John Bosco, Engineer, represented the applicants.

- In addition to 16 parking spaces, the existing Wawa food market has two access points onto Bethlehem Pike.
- Two small additions are proposed: (1) 696 sq. ft. on the right side; and (2) 75 sq. ft. on the left side of the building.

- The dumpster located on the right side of the building will be eliminated, and an indoor compactor provided in the 696 sq. ft. proposed addition.
- The left side addition will allow more food service preparation area and walk-in cooler space. With the additions, it is estimated that deliveries to the property will be cut down.
- There will be some increase in aisle space.
- The number of parking spaces will remain the same.
- The applicants met with the Fort Washington Rescape Committee and agreed on a planting scheme and sidewalk along the frontage of the property together with historical-type street lamps. No additional lighting is proposed. For security purposes, because the Wawa store is open 24 hours a day, the applicant is proposing no change in the intensity of the lighting.
- Water quality improvements will be made.
- An oil/water separator and two dry wells will be located on the south side of the property to accommodate roof drainage.
- The tanks from the former Sunoco Gasoline Station were removed in 1984/85.
- The applicant will determine what is on record with the Department of Environmental Protection (DEP).
- The applicant's architect will be asked to look into the feasibility of adding trees.

Mr. Wert made the following comments/observations:

- The applicants were asked to check for waivers that may have been granted with the Volvo Auto Dealership approval.
- Impervious coverage calculations may need to be changed.
 - Mr. Bosco confirmed 14.2% impervious coverage with the new additions.
- A status of the shrubs along Route 309 was requested. Mr. Wert asked that the shrubs be kept low for site distance purposes.
 - Mr. Bosco has attempted to keep a dialogue going with the Fort Washington Rescape Committee.
- The applicants were asked to look into the condition of the existing 36" x 72" pipe.
 - Mr. Bosco said the 15" diameter twin pipes on the Volvo property have not been incorporated as yet.
- It makes sense for the applicants to place their two pit areas outside the parking lot.
 - Mr. Bosco informed that the applicant prefers to keep the pits as close to the building as possible. If properly constructed, there should be no problem.

Mr. Mermelstein noted that the applicants are asking for 4 ft. sidewalks so they will not encroach on the right-of-way. Mr. Wert agreed with the request so that the number of parking spaces will not have to be lessened.

Mr. Leonard will be asked to communicate with Somerset House regarding additional parking.

Impervious Surface Ordinance:

The Solicitor was asked to draft an Impervious Surface Ordinance which will provide limitations in all districts.

Mr. Wert was of the opinion that 60% of impervious surface is a better standard and provides enough green space.

Age Restricted Housing:

Mr. Mermelstein asked the PAAB to comment on the proposed age restricted housing ordinance by next month. He also wants to talk about possibly extending the Dresher Overlay District to include the Selas property.

ACTION ITEMS:

New Life Presbyterian Church Preliminary Land Development Plan:

The plan proposes to construct a 45,500 sq. ft. church with 224 parking spaces and 13 reserve spaces included. The existing one-story stone dwelling and farm stand are scheduled to remain in use subject to zoning considerations. Public water and sewer are to be provided. The tract is zoned "A" Residential. The Church use was permitted according to the variance granted by the Upper Dublin Township Zoning Hearing Board on November 27, 2000.

The applicant's engineer, Richard Knudsen, addressed Metz Engineers' review letter dated July 10, 2003. He stated the applicants have no issues with said review.

Four waivers are being requested and Mr. Wert agreed therewith.

Adrienne Eiss of Orth-Rodgers Associates, Inc. made the following comments regarding traffic impact:

"Our only question would be related to use of the church for daycare or other use that would generate traffic on a weekday. The two-way volume on Limekiln Pike on a Sunday during church hours ranges from 500-750 vehicles per hour. On a weekday commuter hour, volume ranges from 1,200-1,500 vehicles per hour. The main issue would be the left turn into the site from southbound Limekiln Pike since there is no left turn Lane."

"Limekiln Pike has a single lane in each direction with a 6 ft. shoulder. This width can allow a southbound through vehicle to get by a southbound left turn vehicle and is sufficient for Sunday conditions. However, if any significant volume will be turning left into the church driveway during the weekday, the southbound shoulder may need to be widened, as it is at Jeffrey Drive just to the south."

Mr. Knudsen said the church does not know what is anticipated regarding daycare. The applicants will re-evaluate the situation as the project goes forward. They will also talk with Ms. Eiss regarding traffic impact.

Mr. Wert asked if there are warrants for a traffic signal on Limekiln Pike? The applicants will also talk with Ms. Eiss regarding this issue.

It was noted that the lighting manufacturer supplied the applicants with a new illumination plan. Mr. Wert asked if the applicants would agree to a limitation on the Land Development Plan regarding lighting adjustments as set forth by the Township. Mr. Knudsen answered in the affirmative.

The applicants are in the process of discussing plantings for the detention basin.

Mr. Knudsen informed that the walls to be constructed would be of segmental masonry. A railing will be added each side of the building near the main entrance.

The appropriate submissions were sent to PennDOT a month ago. Representatives for the applicant will meet with PennDOT on July 22nd at the site.

Mr. Wert stressed that the designer should verify existing grade and rock elevations in the Boring and Test Pipe Summary as some existing grade elevations do not match topography and finished paving elevations are below rock refusal.

The applicants have obtained a commitment from Bucks County Water and Sewer Authority that they will service the project.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend Preliminary Land Development Plan approval for New Life Presbyterian Church (Upper Dublin Reference No. 01.006) subject to Metz Engineers' review letter dated July 10, 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Sycamore Run Preliminary Subdivision Plan – 1818 Butler Pike:

The site is 4.55 acres located between Butler Pike, Welsh Road and Norristown Road with a planned entrance, a common driveway, from the east side of Butler Pike approximately 1,000 ft. north of its intersection with Norristown Road. It was utilized as a Personal Care Facility that will be demolished. The applicant is proposing to develop the site with 5 single-family detached lots in the "A" Residential zoning district. Lots 2, 3, and 5 are interior/lane lots with a common driveway to Butler Pike. Lot 6 will access Norristown Road. It is noted to be developed under separate application. Public water and sanitary sewer will serve the proposed development.

Tim Woodrow, the applicant's engineer, informed of the following:

- The applicant will comply with all of the issues raised in Metz Engineer's review letter dated July 10, 2003.
- Conversations have taken place with the Solicitor regarding easements.
- There is a small differential in the landscaping proportion. The applicant hopes that 55% evergreens will be acceptable for the additional buffering.
- All features requested by Mr. Wert have been set forth on the plan.
- The applicant has met with representatives of Beth Or regarding coordinating the roadway and stormwater improvements on Butler Pike.
- Lampposts are suggested as streetlights.
- A homeowner's document talks about maintenance of the stormwater system.
- The homeowners association will be responsible for grass-cutting and snow-removal.
- A written review has been received from the Montgomery County Department of Roads and Bridges.
- MCPC is requesting curb and drainage to Butler Pike.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the Sycamore Run Final Subdivision Plan (Upper Dublin Reference No. 03.003) to the Board of Commissioners subject to Metz Engineers' review letter dated July 10, 2003.

VOTE ON MOTION ALL YES MOTION CARRIED

Amendment to Flag Lot Provisions:

Mr. High noted that the Zoning Hearing Board has approved the number of flag lots significantly. Flag lots are seen in older communities where properties have been largely built out.

Mr. High prepared a draft ordinance which does not eliminate flag lots, but sets forth that in order to have a flag lot, there must be enough frontage on the lot to make two conforming legitimate lots.

The MCPC will be asked to review the draft amendment.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend the approval of the Board of Commissioners of the draft amendment to clarify the conditions and requirements for the grant by the Board of Commissioners of conditional use approval to create a rear lot by subdivision, including the addition of a provision that no such rear lot can be created if it would increase the number of conforming lots otherwise permitted.

VOTE ON MOTION ALL YES MOTION CARRIED

Notification for Zoning Change:

Mrs. Herold motioned, with Mr. Mermelstein seconding, that a policy of notification be adopted for those who reside within 500 feet of a property that wishes a zoning change.

VOTE ON MOTION ALL YES MOTION CARRIED

Outdoor Storage Ordinance:

Mr. High prepared a draft ordinance to amend the Zoning Code to prohibit outdoor storage, including storage of, within or upon a trailer (except for contractors) in the "CR" Commercial District, except where specifically permitted.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the Outdoor Storage Ordinance by the Board of Commissioners.

VOTE ON MOTION ALL YES MOTION CARRIED

JOURNALMENT:

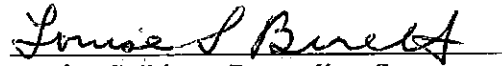
Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 7:35 p.m.

VOTE ON MOTION

ALL YES

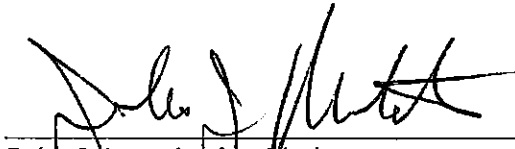
MOTION CARRIED

Respectfully submitted,



Louise S. Birett, Recording Secretary

Attest:



Jules Mermelstein, Chairperson

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A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, August 19, 2003, in the Township Building, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold. Also present were Gilbert High, Township Solicitor; Jeff Wert, Township Engineer; Tolson De Sa, representing the Montgomery County Planning Commission (MCPC); Stan Ropski, representing the Environmental Protection Advisory Board (EPAB); and Charles Haering, representing the Planning Agency Advisory Board (PAAB).

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM THE MEETING HELD IN JULY 2003:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of July 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORT OF THE ENVIRONMENTAL PROTECTION ADVISORY BOARD (EPAB):

Stan Ropski discussed the following

- A meeting was held between the EPAB and residents at the Queen of Peace Church on July 17, 2003 to inform of a planned flood relief construction project... The results of that meeting will be brought before the EPAB in September. It was noted that the majority of the residents present were in favor of the project.
- Regarding the draft Impervious Surface Ordinance, the draft will be presented to the EPAB in September.
- The EPAB is very pleased with what the owner plans to do regarding stormwater improvements at 525 Virginia Drive
- Regarding the Wozniak Minor Subdivision Plan for 1200 Camp Hill Road, the plans will be presented to the EPAB in September.
- With regard to the PNC Bank - Upper Dublin Shopping Center Minor Land Development Plan, the EPAB agrees with the comments in Metz Engineers' review letter dated August 15, 2003 regarding landscaping the area between the existing drive through lane and the second proposed drive through lane.
- Regarding the Popper Minor Subdivision Plan at 1506 Limekiln Pike, a waiver is being requested for landscaping along the school grounds. The EPAB opposes the waiver and desires landscaping as a noise buffer.
- With regard to possible purchase of wind energy, Mr. Ropski said to purchase 10% wind energy will cost the residents of the Township 10 cents per person.

Mr. Mermelstein will attend the September meeting of the EPAB to explain the benefits of wind energy.

- The EPAB will discuss integrated pest management using less toxic chemicals at their September meeting.

Mr. Ropski recommended the following measures for a beautiful lawn:

- Do not remove grass clippings from lawn.
- Cut grass 4 inches above soil level.
- Core aeration provides air to the roots.
- Use Malorganite as fertilizer.
- Control white grubs by applying one of the following:
 - Milky spores
 - Merit (least toxic pesticide)P
 - Sevin (used as a last resort if the lawn is dead)

Mr. Ropski invited the public to e-mail him with questions pertaining to the above.

DISCUSSION ITEMS:

Wozniak – 1200 Camp Hill Road – Minor Subdivision Plan:

The Applicant is proposing a two lot subdivision of a 1.95 gross acre property located at 1200 Camp Hill Road. The Applicant plans to demolish an existing house and construct two new dwellings, both of which are served by public sanitary sewer and water. The property is zoned "A" Residential.

The Applicant has had preliminary discussions with the Township Manager regarding rearranging the lot to add open space to Mondauk Park.

Prudential Resolution to Modify Phasing Schedule:

The Solicitor has prepared a resolution for the PEC to discuss at its September meeting.

Age Restricted Housing:

Mathew Schelly of the MCPC will put together a packet of examples of various types of age restricted villages and density models. They will be ready for discussion by the Board of Commissioners at their special meeting scheduled for September 23, 2003 at 7:00 p.m.

Mr. Haering suggested removing age-restricted housing from the Dresher Overlay District and adding it to "ML" Multi-Dwelling.

ACTION ITEMS:

PNC Bank – Upper Dublin Shopping Center – Minor Land Development Plan:

This Minor Land Development proposes to add a second drive-thru lane, canopy, striping and signage to the existing PNC Bank. Parking spaces are being reconfigured (13 spaces will be eliminated and moved to the rear of the property) to restore truck circulation area lost due to the second drive-thru lane. This property was initially developed in 1993 and renovated in 1997.

Bruce Goodman, General Partner of the Shopping Center, presented a letter from the Willow Grove Baptist Church attesting to their approval of what is being proposed.

There are no outstanding issues with regard to the contents of Metz Engineers' review letter dated August 15, 2003.

The PAAB requested PNC to investigate installing an underground seepage bed to properly dispose of storm water from the roof drain on the side of the existing building where construction will take place. The down-spout is located on the south corner of the building. The Applicant will check the roof drain and pipe it across the existing paving and install perforated pipe in a trench. Mr. Wert felt this is a good option.

The PAAB asked that the Applicant provide details of the proposed canopy on the drawing. The Applicant advised that while the details are not readily available, they will be shown on the architectural drawings and building permit plans. The canopy will be in character with the existing colonial style of the bank.

In response to MCPC's review letter dated August 18, 2003, the Applicants would like to avoid the expense of additional topographic surveying that is requested in Paragraph 2 of the Metz review letter under the heading "Comments."

The Applicants are proposing a more appropriate solution than using bioretention methods. Mr. De Sa was in agreement.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the PNC Bank – Upper Dublin Shopping Center – Minor Land Development Plan (Upper Dublin Reference No. UD03-009) to the Board of Commissioners subject to the comments in Metz Engineers' review letter dated August 15, 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Popper Minor Subdivision Plan – 1506 Limekiln Pike:

A two lot subdivision is proposed for the 2.22 gross acre property. Creation of a rear lot will provide for a second dwelling unit on the property zoned "A" residential.

Marc Jonas, Esquire, represented the applicants.

A conditional use hearing was held regarding a conservation easement and remains open for the Applicants to submit additional information to the Township Engineer. The conservation district has been sketched on the plans.

A Declaration of Covenants was submitted to the Solicitor.

The PEC Committee favored deferrals for street widening and installation of curbs, sidewalks and drainage along the tract frontage until the entire stretch of roadway is developed.

The Applicants have asked for a waiver from installing additional landscaping along the school property beyond that which has already been proposed. The decision was made to leave the decision up to the property owners whether they want buffering or not.

Mr. Wert noted that there are three large trees on the property line and the plans should show that they will remain.

The existing garage will be dismantled.

The PAAB asked the Applicants to revisit the issue of the two seepage beds, identify the length of the driveway on Lot 2, and assure the adequacy for emergency vehicles.

The MCPC suggested deferring additional street lighting. Mr. Wert suggested a lamp post at the end of the new driveway.

Although MCPC suggested combining the two driveways, the Applicants are not in favor of such a move because it might impede the marketability of the properties.

The MCPC suggested either adding a new extension to the end or side of the existing driveway or removing the existing driveway and adding a new driveway along the "Flagpole" with a branch into the existing lot. This second option would effectively move the existing driveway away from the existing home and gain some valuable outdoor space around the house. If the driveway was shifted toward or straddling the common property line, five trees could be retained for a tree-lined driveway. Mr. Jonas said this is something the Applicants would rather not do.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the Popper Minor Subdivision Plan for 1506 Limekiln Pike (Upper Dublin Reference No. UD 03-007) to the Board of Commissioners subject to the comments in Metz Engineers' review letter dated August 13, 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Impervious Surface Ordinance:

The Solicitor drafted the Impervious Surface Ordinance, and the MCPC suggested a few slight amendments thereto to cover two overlay districts.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the Impervious Surface Ordinance to the Board of Commissioners.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Resolution in Support of NewWind Energy:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend adoption of a resolution in support of NewWind Energy by the Board of Commissioners. Said resolution commits a minimum of \$2,000 and a maximum of \$15,000 over the Township's normal energy purchasing amount as a challenge match to residents for contributions toward the purchase of NewWind Energy. For every dollar contribution from non-township government funds in excess of \$2,000, Upper Dublin will contribute one dollar to the maximum of \$15,000 of Township governmental funds. NewWind Energy (meaning energy sources which are 100% wind powered) is 100% emissions-free and regionally generated within the Pennsylvania, New Jersey, Maryland energy grid.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Minor Home Occupation Ordinance:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval by the Board of Commissioners of the Minor Home Occupation Ordinance.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Amendment to Subdivision and Land Development Setback Ordinance:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to send the draft Amendment to Subdivision and Land Development Setback Ordinance to the Board of Commissioners for their consideration.

VOTE ON MOTION

ALL YES

MOTION CARRIED

ADJOURNMENT:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 8:00 p.m.

VOTE ON MOTION

ALL YES


MOTION CARRIED

Respectfully submitted,



Louise S. Birett, Recording Secretary

Attest:



Jules Mermelstein, Chairperson

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A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, September 16, 2003, in the Township Building, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold. Also present were Paul Leonard, Township Manager; Gilbert High, Township Solicitor; Jeff Wert, Township Engineer; Tolson De Sa, representing the Montgomery County Planning Commission (MCPC); and Charles Haering, representing the Planning Agency Advisory Board (PAAB).

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM THE MEETING HELD IN AUGUST 2003:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of August 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

DISCUSSION ITEMS:

Fort Washington Estates (ACTS) Land Development Plan:

The 11.3 acre site is located along Susquehanna Road and Fort Washington Avenue. The Applicants are proposing an addition to Wing "D" and a new building with a corridor connection to the existing building. Ten apartments plus 12 skilled care beds will be added to the complex. This phase will increase the bed count from 62 to 74 and add 10 apartments.

Jeff Rathfon and Joe Hanna represented the applicants.

Mr. Rathfon made the following comments:

- All approvals sought from the Zoning Hearing Board were granted.
- Two entranceways are shown on the plan in addition to a gatehouse.
- The property will be serviced by a loop road.
- Additional parking areas will be reserved for the future, but the area will remain grass for the time being.
- The proposed detention basin will be landscaped with a high degree of buffering.
 - Mr. Leonard said the detention basin is not the most attractive feature as a lead in to the property.
 - He suggested a design that would permit Upper Dublin Township to purchase capacity in the basin from the neighboring former Bub Farm now owned by the Township.

Mr. Rathfon said that ACTS has always considered itself to be a part of the community. They have cooperated with local governments in the past, and there is no reason why they would not cooperate in the matter suggested by Mr. Leonard.

- Mr. Wert proposed placing the detention basin in the upper right corner, but to do so will not be as easy to connect back to the stream in the rear of the property.
- As an alternative, Mr. Wert suggested locating the detention basin in the panhandle even further downstream.

The Applicants are concerned about timing. Because the Township does not have established plans for the Bub property, they submitted the present plan for approval. They feel the best place for collecting detention water is the location they have chosen.

While ACTS is in favor of installing a traffic signal, their traffic use at the Fort Washington Estates site will not gain approval from PennDOT. It will take the cooperation of the School District and Township to sign a joint application for a traffic signal for submission to PennDOT.

Mrs. Herold suggested that ACTS put money into escrow for a traffic light.

Mr. Leonard suggested that ACTS have their traffic engineer design the traffic pattern so that it does not represent a cut-through.

Mr. Leonard will explore this issue with PennDOT because the Township prefers traffic light installation immediately. ACTS traffic engineer was asked to discuss the matter with Adrienne Eiss of Orth-Rodgers.

Tolson De Sa made the following comments:

- He noted that the Applicants have not shown sidewalks along Susquehanna Avenue. The MCPC favors installation of sidewalks. In the alternative, he suggested a deferral rather than a waiver if the Township does not require sidewalks.
- Internal sidewalks should connect to the public sidewalks.
- The Bub Farm is likely to become a public park, and the property in the rear of the facility is the Upper Dublin High School with its athletic fields. The Applicants should provide good walkway connections to these areas.
 - The Applicants agreed to put in sidewalk wherever the Township indicates.
 - The Applicants pointed out that there are no sidewalks on Fort Washington Avenue between Susquehanna Avenue and Johns Lane.
- The MCPC suggests a naturalized detention basin regardless where it is placed.

The Applicants agreed to grant an extension of time to the Township of the 90 day review period.

Wozniak – 1200 Camp Hill Road – Minor Subdivision Plan:

The Applicant is proposing a two lot subdivision of a 1.95 gross acre property located at 1200 Camp Hill Road. The Applicant plans to demolish an existing house and construct two new dwellings, both of which are served by public sanitary sewer and water. The property is zoned "A" Residential.

Mr. Wozniak plans stated:

- He and his family wish to live in the existing home while the new one is being constructed.
- The Applicant redrew lot lines to keep the frontage of Mondauk Park undisturbed.
- Waivers are requested for road widening, sidewalks, curb and drainage will be brought to the attention of the Board of Commissioners.
- There is some concern that an old cemetery might be located on the property. A title search shows no ownership of that portion of the property back to the 18th century. Mr. Wozniak prefers a driveway easement through that portion of the property.
- Each of the two properties will have their own driveway.

Age Restricted Housing:

Wilson DeSa distributed a diagram of parcels of four acres or more that are undeveloped in Upper Dublin Township.

The present ordinance only relates to age restricted housing in the Dresher Overlay District.

Mr. Mermelstein asked that Matthew Schelly of MCPC think about age restricted usage in the entire Township and make suitable recommendations.

Amendment to Subdivision and Land Development Ordinance:

The draft amendment will be ready for discussion at a special meeting of the Board of Commissioners scheduled for September 23, 2003.

ACTION ITEMS:

Berensman – 1162 Fitzwatertown Road – Minor Subdivision Plan:

The Applicant is proposing to subdivide a 2.16 acre property into two lots. Lot 1 will retain the existing dwelling, and Lot 2 will contain the new dwelling. Both lots will be serviced by public water and sewer. The site is zoned "B" Residential. Lot 2 will require conditional use approval for the flag lot.

Todd Meyers of Cowan Associates represented Mrs. Berensman and said:

- Metz Engineers' review letter dated September 12, 2003, states that a softening buffer should be provided along the proposed driveway for the benefit of the adjoining Leger property. Mr. Meyers assured that only 11 trees will be taken down to put in the driveway. The utilities will be laid in the bed of the driveway so that less trees will be disturbed. The existing lot is wooded with many mature trees. The Applicant feels said trees provide sufficient buffering for the neighbor and asked that additional buffering not be required. The Applicant will put the request for waiver on the plan.
- The driveway has been revised on the plan to 12 ft. as requested by Mr. Wert and in compliance with the wishes of the Fire Marshal.
- A separate sprinkler line will be installed in the new house.
- The Applicant has no problem with complying with recommendations made by the PAAB in their review letter dated September 11th.
- The Applicant is amenable to a deferral for sidewalks and street widening.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the Berensman Minor Subdivision Plan at 1162 Fitzwatertown Road (Upper Dublin Reference No. 03.006) subject to the review letter of the Township Engineer dated September 12, 2003 and subject to the sidewalk issue being resolved before the Stated Meeting in October.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Wawa – 106 Bethlehem Pike – Preliminary Subdivision Plan:

Wawa, Inc. proposes to expand its store in Fort Washington on Bethlehem Pike north of Pennsylvania Avenue. Two additions of 75 sq. ft. and 696 sq. ft. are proposed with resulting site changes and lighting changes. Parking will remain at 16 spaces. The Wawa store is a non-conforming use in the "MD" Zoning District.

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Neil Stein, Esquire, and John Bosco, Engineer, represented the applicants and informed of the following:

Revised Plans were submitted to and reviewed by Jeff Wert.

- The Applicants met with the PAAB and there are no objections to their comments.
- The height of shrubbery will be limited to less than 3 ft.
- The Applicants will be requesting a waiver for the width of the right-of-way.
- Infiltration pits for the two roof drains are proposed.
- A water quality inlet will be installed in the south parking area of the store.
- There will be no increase in impervious coverage.
- The easement for the drainpipe leading into the site from Bethlehem Pike will be shown on the record plan. Said drainpipe has been found to be in good condition. A letter stating same will be submitted by the Applicant to the Township.
- The Applicants are requesting that the existing lighting levels remain for security purposes.
- PennDOT intends to install 36 lights on Bethlehem Pike. They are already shown on the plan. The Applicants will comply with the Lighting Ordinance.
- A note will be placed on the plan that the old sign standard will be removed from the property.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to recommend approval of the Wawa Preliminary and Final Subdivision Plan for 106 Bethlehem Pike (Upper Dublin Reference No. 03.003) subject to the comments in Metz Engineers' review letter dated September 12, 2003 and conditioned upon outstanding items regarding zoning interpretation of the rear yard and the lighting levels being cleared up.

VOTE ON MOTION

ALL YES

MOTION CARRIED

ADJOURNMENT:

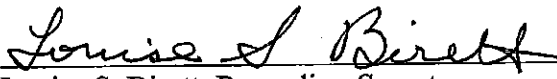
Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 8:20 p.m.

VOTE ON MOTION


ALL YES

MOTION CARRIED

Respectfully submitted,


Louise S. Birett, Recording Secretary

Attest:


Mermelstein, Chairperson

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A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, October 21, 2003, in the Township Building, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold. Also present were Paul Leonard, Township Manager; Gilbert High, Township Solicitor; Jeff Wert, Township Engineer; Tolson De Sa, representing the Montgomery County Planning Commission (MCPC); Stan Ropski and Stan Krakower, representing the Environmental Protection Advisory Board (EPAB); and Charles Haering, representing the Planning Agency Advisory Board (PAAB).

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM THE MEETING HELD IN SEPTEMBER 2003:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of September 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

RECOGNITION OF PRIVATE CONTRIBUTION FOR NEW WIND ENERGY:

Mr. Mermelstein publicly recognized and thanked Robert and Nancy Rosenthal of Dresher, PA for being the first private contributors of \$100 for new wind energy.

The Board of Commissioners has authorized the Township to commit \$2,000 to this effort with matching funds for every private contribution received. The public is invited to contribute to this worthy endeavor by sending air donations to:

Upper Dublin Renewable Energy
c/o Jonathan Bleemer, Finance Director
Upper Dublin Township
801 Loch Alsh Avenue
Fort Washington, PA 19034

REPORTS:

Report of the Environmental Protection Advisory Board:

Stan Ropski made the following comments:

- All water barrels on hand were given away. Another supply is expected to be distributed to interested residents in November.
- The Township staff was thanked for their efforts on behalf of plastic recycling. Disposal of No. 1 and 2 plastic containers is now permissible at the recycling center.
- The EPAB was concerned about many issues involving the BET development. They cautioned the Township to go slowly in its deliberations.

DISCUSSION ITEMS:

Twin Spring Farm – Minor Land Development Plan:

The Applicant is proposing to construct a two-story classroom addition and combine all of the six parcels, under common deed, of the Twin Spring Farm located at 1632 East Butler Pike. The lots are located within the "A" Residential District on a 16.33 acre tract. Butler Pike, a County highway, and Norristown Road, a State highway, border the site. The site is accessed from Butler Pike by a common shared driveway.

Tim Woodrow, P.E.; Bernadette Kearney, Esquire; and Richard Hood, Applicant; were present.

Ms. Kearney said:

- A special exception from the Zoning Hearing Board was obtained to expand the non-conforming use.
- The Applicant only intends to do a slight expansion.
- The two properties involved are land-locked.
- Land development should not be applied because Butler Pike and Norristown Road are not a part of the expansion.

Mr. Woodrow commented:

- The Applicant has no objections to the comments in the Township Engineer's review letter dated October 17, 2003.
- The Applicant is faced with a situation where the cost of the land development process will not render this project financially feasible.
- It is important to note that the planned expansion will not generate any new student population.
- The campus has put together a capital campaign to build a structure that will improve the quality of education for the students.
 - Mr. Leonard countered that this is a major development by definition.
- The Applicant is asking the Commissioners to use discretion and apply some degree of reasonableness to the improvements that the Applicant can afford.
- The addition will be built on existing impervious surface.
- Demolition of the pool house will take place to make room for the new classrooms.
- Because the impact to the community is not great, the Applicant feels that many of the normal requirements could be waived.

Mr. Wert interjected:

- There has been more than one expansion over the years.
- The Applicant must be diligent in its approach to fire protection and safety.
- The new addition must hook up to public water.
- The fact that all of the school buildings are sprinklered should be shown on the plan.
- Stormwater management has expanded substantially over the years. The Applicant must account for the additional runoff.
 - Mr. Hood said his property is experiencing runoff from the development directly behind it, and it is that runoff that goes further downstream.
- Regarding traffic issues, it was noted that there is very little frontage on Butler Pike.

Age Restricted Housing Ordinance:

The draft Ordinance is being worked on by the Solicitor.

Fort Washington Conservation Overlay District:

- The Fort Washington Conservation Overlay District runs from Summit Avenue almost all the way to Commerce Drive.
- The area is being considered as a conservation district because there are some older historical properties that could be helped with upkeep.
- The district deals with lot line consolidation and the creation of buildable lots.
- The plan is to try to get away from auto dealership usage.
- There are no plans to demolish existing structures in the district.
- It is hoped that some of the businesses can be shifted from the top of the hill on Summit Avenue down toward Route 309.
- The neighborhoods in old Fort Washington, near the train station, and improvements to the Bethlehem Pike Bridge could be sustainable communities.
- The key issue of the Township is to take a look at the "hodge-podge" of zoning districts that would be appropriate for conservation.
- It is hoped that the overlay district will encourage redevelopment.
- Matt Schelly of MCPC is looking for feedback from the Board of Commissioners and other boards and committees of the Township.
- MCPC has been in close contact with the Whitemarsh planner in their office.
- Whitemarsh wants to reduce auto-oriented uses.
- Whitemarsh also is in favor of sidewalks.

ACTION ITEMS:

Amendment to Flag Lot Provisions Ordinance:

- The draft amendment was discussed at a public hearing on September 23, 2003.
- Minor changes were made by the Solicitor according to the discussion at the hearing.
- Buffering requirements have been added.
- Plans for flag lots should show that two conforming lots could be created of the property by a registered surveyor as well as a registered engineer.

Mrs. Herold motioned, with Mr. Mermelstein seconding, to send the draft ordinance on to the Board of Commissioners for discussion and passage at the Stated Meeting in November.

VOTE ON MOTION

ALL YES

MOTION CARRIED

ADJOURNMENT:

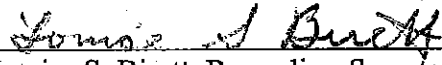
Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 7:50 p.m.

VOTE ON MOTION

ALL YES

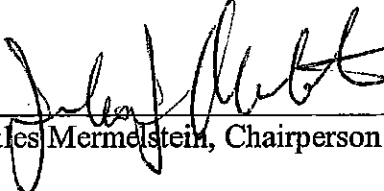
MOTION CARRIED

Respectfully submitted,



Louise S. Birett, Recording Secretary

Attest:



Jules Mermelstein, Chairperson

A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, November 18, 2003, in the Township Building, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold. Also present were Paul Leonard, Township Manager; Gilbert High, Township Solicitor; Jeff Wert, Township Engineer; Tolson De Sa, representing the Montgomery County Planning Commission (MCPC); Stan Ropski, representing the Environmental Protection Advisory Board (EPAB); and Charles Haering, representing the Planning Agency Advisory Board (PAAB). Commissioner Bryers participated as part of the audience.

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM THE MEETING HELD IN OCTOBER 2003:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of October 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Report of the Environmental Protection Advisory Board:

Stan Ropski made the following comments:

- He was pleased to note that the Open Space Purchase Referendum for Montgomery County was passed by the voters on election day. The EPAB is willing to assist the Township in purchasing open space.
- An application was submitted along with the Wind Energy Resolution to the Environmental Council for consideration for its Achievement Award. The EPAB plans to publish a newsletter on wind energy and have copies placed in local stores and businesses. Mr. Ropski suggested that Mrs. Volpe's high school class might want to assist by distributing them.
- The EPAB is concerned about carpool drop-offs at Maple Glen Elementary School.
 - Mr. Leonard said the Township Ordinance requires a traffic study. He will ask the School District to look at the original plan and determine if they are operating accordingly.
- Representatives from Fort Washington Estates failed to visit the last EPAB meeting. The EPAB wants to make sure that the owner is communicating with the School District since their water runs off onto School District property.
- B.E.T. Investments addressed the EPAB concerning stormwater management issues.
- Regarding the proposed Age Restricted Housing Ordinance, the EPAB advises the Board of Commissioners to proceed slowly to assure that all issues have been addressed satisfactorily.

DISCUSSION ITEMS:

Carter Van Dyke Presentation – Maple Glen Overlay District Zoning Ordinance:

Mr. Van Dyke made the following comments:

- In 2000, Mr. Van Dyke's office prepared the Maple Glen Action Plan.
- Architectural design guidelines and streetscape enhancements were set up.

- Based upon the above, he was asked to prepare a draft overlay zone which would incorporate all of the attributes of the plan into the Maple Glen area.
- The draft document sets forth the following:
 - Legislative intent
 - Definition of an overlay district
 - Permitted uses
 - Conditional uses
 - Dimensional regulations based upon acreage of the tract. The goal is to keep the entire site condensed.
 - Extensive design regulations
 - Building design requirements
 - Sign design requirements
 - Parking standards
 - Special use standards
 - Streetscape enhancements
- A subcommittee should be formed to finalize the plans for:
 - Street lights and street trees
 - Landscape buffering for the trash facility
 - Noise abatement solutions for rear loading area
 - Stormwater management (recommended that it be underground)
 - Provisions for handling regional water runoff
 - Conditional use standards

Mr. Van Dyke was asked to provide copies of the draft plan to the PAAB, EPAB, Maple Glen Business and Professional Association, Board of Commissioners, the Township Engineer, the Township Solicitor, and Adrienne Eiss of Orth-Rodgers.

Mr. Van Dyke continued:

- He sees Maple Glen on the cusp of becoming a village.
- Key goals are required to make Maple Glen pedestrian-friendly as follows.
 - A. Create a center for Maple Glen by enhancing and improving the pedestrian-friendly streetscape image of the Village Center in accordance with the recommendations of the Maple Glen Action Plan of November 2000, through roadway improvements, sidewalk improvements, landscaping, building façade enhancements, and new infill buildings.
 - B. Provide the Maple Glen area of the Township the ability to incorporate new suitable land uses, for which the area is not currently zoned.
 - C. Permit new development on vacant land and encourage the redevelopment of existing structures that will create a traditional village town center with development patterns that maintain the adjacent neighborhood building scale, are compact in size and small in scale, and are sensitive to

placement that will encourage customers to park once and walk to multiple businesses.

- D. Permit development and redevelopment in such a way that it will create a link to adjacent residential neighborhoods with pedestrian paths, focal points, gathering places, and inviting green areas that will provide visual and environmental amenities for the community.
- E. Require the shared use of access driveways to reduce the number of existing or future driveways and their related congestion.
- F. Require parking in the side or rear yard areas and encourage all properties within the Maple Glen Overlay District to share off-site parking.
- G. Require sufficient, safe and inviting pedestrian access from the street to the various uses and their related parking, while striving to create a district-wide streetscape enhancement network. Establish a pedestrian friendly village setting where all properties are accessible to each other without the need of a motor vehicle.
- H. Require architectural and landscape design standards that develop a village theme for the Maple Glen Overlay District.

E.T. Investments – Virginia Drive @ Slip Ramp – Sketch Land Development Plan:

The Applicant is proposing to construct a restaurant (5,700 sq. ft.) and a bank (3,669 sq. ft.). This site was formerly proposed as a hotel. The subject property is 4.03 acres and is located in the "EC" Employment Center Zoning District. Access to the site is provided from Virginia Drive, crossing the Pine Run, a floodplain conservation area.

Michael Yanoff, Esquire; Sam Blank, of B.E.T.; and Brian R. Zappala, P.E.: represented the applicants.

Mr. Zappala said:

- The same improvements and technical aspects are proposed as were discussed when this property was being considered as a hotel.
- Two buildings with two separate uses are proposed.
- The buildings will be elevated well above the flood elevation along Virginia Drive.
- The same culvert is proposed for the access driveway.
- This plan does not require obtaining extra land as was anticipated in the hotel plan.
- The bank will be located on the right side of the site.
- A restaurant offering casual dining will be located on the left.
- Deliveries will take place in the morning.

Mr. Yanoff continued:

- The applicants will make sure that the Traffic Impact Study findings for the hotel will be applied to this new application.

- A cueing area is planned for the bank, but not a separate dedicated left turn.
- Significant approvals for conditional uses were approved for the former hotel plans, and this plan calls for constructing a culvert to cross the Pine Run.
- The applicants are well aware of the floodplain constraints.
- Side yard parking is no longer an issue.
- Appropriate signage must be looked at.
- A license agreement with the Pennsylvania Turnpike Commission will be sought across the slip ramp if the area becomes flooded (i.e., the same as the license agreement obtained by LA Fitness).
- No conditional uses are required.
- The applicants have no problems with the items listed in Metz Engineers' review letter dated November 14, 2003.

Mr. Leonard felt that the internal pedestrian issue will be a problem because there will be four drive-up windows at the proposed bank.

Tolson De Sa said the MCPC would like a cross walk in the rear of the restaurant. He also suggested a railing along the sidewalk to protect people from the stream bank.

Congregation Beth Or Final Land Development Plan:

Congregation Beth Or plans to redevelop the former Spring Lake Farm located at the corner of Welsh Road and Butler Pike into a synagogue with school and associated parking. Conditional use approval was granted on September 10, 2002 for relocation of the detention basin and site work in the floodplain. The 16.7 acre site is zoned "A" Residential. Religious facilities are permitted by special exception. Public sewer and public water will serve the site.

Steve Katz represented Beth Or and said:

- The buffer area will be thickened along Daisy Lane.
- Minor modifications are planned for the shape of the pond and definitive lines to the building.
- John Eichenlaub, the developer of the neighboring tract, asked for an easement. Congregation Beth Or was happy to cooperate with him.
- A six ft. wide bicycle path on Butler Pike will be provided in lieu of a concrete walkway.
- The sidewalk will be extended to the property line with the Eichenlaub tract.
- Montgomery County Roads and Bridges Commission requested that they install curb and stormwater conveyance. Plans were submitted to the County with the request that they examine what is being proposed.
- If curb and sidewalk is put in, an entire row of trees will be lost.
 - Mr. Leonard suggested that they determine whether Montgomery County is willing to flesh out this requirement. The application should press them for their vision of the roadway.
- The Fire Marshal felt that negotiating the site would be difficult for emergency vehicles. Therefore, Beth Or widened the driveway and increased the size of the radius.
- A fire hydrant will be located along the driveway near the Butler Pike entrance.

Mr. Wert commented:

- More details of the retaining walls are required before building permits are issued.

- There is concern about lighting along the residential district. He suggested that Beth Or look into lower level lighting on the wall rather than on the top.

Beth Rubin, a neighbor residing in Meadowview, said that she and all others in her development would hate to see the trees removed.

A 90 day extension of time was asked for by Mr. Wert and will be granted by Beth Or.

Fort Washington Estates Land Development Plan:

An extension of time has been granted until the end of January 2004.

The Township was asked to provide an endorsement letter for a proposed traffic signal.

Twin Spring Farm – Minor Land Development Plan:

The Applicant is proposing to construct a two-story classroom addition and combine all of the six parcels, under common deed, of the Twin Spring Farm located at 1632 East Butler Pike. The lots are located within the “A” Residential District on a 16.33 acre tract. Butler Pike, a County highway, and Norristown Road, a State highway, border the site. The site is accessed from Butler Pike by a common shared driveway.

Tim Woodrow, P.E.; represented the applicant, and made the following comments:

- Regarding stormwater management, an underground seepage bed will be installed in the area near the swimming pools and will discharge into the wetlands area.
- The Applicant is working with North Wales Water Company to add a fire hydrant to the fire pumps that draw water from the swimming pool.
- A viable turnaround for emergency vehicles will be provided on Orchard Lane adjacent to the property.
- Regarding widening along Butler Pike and Norristown Road, the traffic generated by the school does not coincide with regular traffic at peak hours.
 - Mr. Leonard said that Adrienne Eiss of Orth Rodgers should be contacted regarding traffic counts. The Board of Commissioners requires a traffic study.
 - The Township would like to obtain additional rights-of-way now.

Wozniak – 1200 Camp Hill Road – Minor Subdivision Plan:

No representation this evening. The Applicant is not prepared to move forward at this point in time.

Logan Town homes Preliminary Subdivision Plan:

No representation this evening. The Applicant is not prepared to move forward at this point in time.

Tai – 1635 North Limekiln Pike - Approval Status of Minor Subdivision Plan:

Because this plan was approved last year and not acted upon, Mr. Leonard suggested that the Board of Commissioners be asked to discuss and establish a timeline.

Redevelopment of Jarrettown Hotel Site:

Stuart Hill and Stuart Rosenberg represented the developers. They informed of the following:

- Peter Freedman is purchasing the 2.2 acre property located in a residential zone from the existing owner. The property contains the historic Jarrettown Hotel as well as several commercial buildings.

- The Developer wishes to rejuvenate the property keeping its historic perspective.
- The proposal consists of a modest retail center totaling 20,000 sq. ft. and a 5,000 sq. ft. hotel.
- The plans call for a small village-type atmosphere (similar to that of Peddler's Village in Lahaska, but on a smaller scale).
- The hotel building will be used as a day spa, where hair, nails, massage therapy, etc. will be offered.
- It is hoped the other buildings will be used for small shops such as a restaurant, coffee shop, small boutique stores, etc.
- A kiosk building is planned for the center of the property.
- Parking spaces will total 97.
- Nothing will be built in the 100 year floodplain.
- The access easement will be maintained to residents on the south side.
- Zoning relief will be required.
- Sidewalk is proposed on all sites of the buildings, cross walks, and pedestrian ways through the parking lots.
- The Applicants are willing to connect Jarrettown Road with Broad Street.

Mr. Leonard said:

- The Township is concerned about the amount of investment and restoration to be done to the hotel itself.
- He noted that many of the original interior details are still in tact.
- He asked about and was assured that the buildings will be sprinklered.
- The large barn building represents a fire risk.
- The strip center proposed represents a change from residential. It will be a significant deviation from current zoning.
- Aliza Green, a chef, consultant and writer, proposes to open the restaurant and provide a high quality Mediterranean menu.

Commissioners Mermelstein and Herold liked the concept presented.

Age Restricted Housing Ordinance:

Mr. High informed that the MCPC proposed additions to the draft ordinance. He is now awaiting comments from the Board of Commissioners.

Plan Submission Ordinance:

The proposed ordinance requires the submission of a final subdivision or land development plan, meeting all applicable requirements within 12 months of the approval of the preliminary plan, unless an extension is requested in writing for cause and is granted by the Board of Commissioners.

A public hearing date will be set in the near future.

Montgomery County Vision Plan – Preliminary Endorsement Resolution:

MCPC is seeking the Board of Commissioners' comments on the draft Vision Plan which they have been preparing over the past two years. The plan is based on input from 14 workshops held around the county, a survey sent to all municipal officials and made available to the general public, and other general input received from communities and the public.

The Board of Commissioners is asked to pass a resolution that:

Recognizes that protecting the county's high quality of life depends on cooperative planning efforts; and

Endorses the basic goals, actions and concepts outlined in the *Vision Plan: Shaping Our Future, a Comprehensive Plan for Montgomery County*; and

Agrees to work cooperatively with Montgomery County to resolve any concerns with the specifics in the Vision Plan, including the location of proposed designated growth areas, rural resource areas, and open space.

ADJOURNMENT:

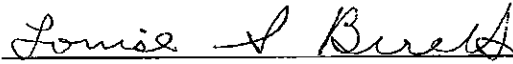
Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 8:35 p.m.

VOTE ON MOTION

ALL YES

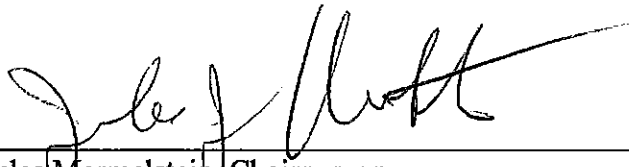
MOTION CARRIED

Respectfully submitted,



Louise S. Birett, Recording Secretary

attest:



Jules Mermelstein, Chairperson

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A meeting of the Planning, Environment and Commerce Committee of Upper Dublin Township was held on Tuesday, December 16, 2003, in the Township Building, Jules Mermelstein presiding.

In attendance were Commissioners Mermelstein and Herold. Also present were Paul Leonard, Township Manager; Gilbert High, Township Solicitor; Tolson De Sa, representing the Montgomery County Planning Commission (MCPC); Stan Krakour, representing the Environmental Protection Advisory Board (EPAB); and Charles Haering, representing the Planning Agency Advisory Board (PAAB).

Mr. Mermelstein convened the meeting at 6:30 p.m. by asking those present to pledge allegiance to the flag.

MOTION TO ACCEPT THE MINUTES FROM THE MEETING HELD IN NOVEMBER 2003:

Mrs. Herold motioned, with Mr. Mermelstein seconding, to accept the Minutes of the Planning, Environment and Commerce Committee for the month of November 2003.

VOTE ON MOTION

ALL YES

MOTION CARRIED

REPORTS:

Report of the Environmental Protection Advisory Board:

Stan Krakower made the following comments:

- Age Restricted Housing Ordinance:
 - The EPAB does not see a great deal of difference in the usage when compared to any other type of housing.
 - Unlike assisted living housing for seniors, many of those living in age restricted communities are still employed, they have the same number of cars, and have the same environmental problems, etc.
 - The EPAB advised the Board of Commissioners to carefully look at any plans for age restricted housing due to the substantial increase in density that will occur.
- Act 167:
 - Storm water management is of great concern in Upper Dublin Township. The EPAB will make every effort to educate the public in this regard.
 - They will work with the schools and leaders in the Fort Washington Office Park regarding the need for storm water controls.
 - As plans for developments come before the EPAB, they will look at the effects of said developments on storm water management.
 - Impervious surface increases, etc. should be examined as part of the overall program.
 - It is expected that the Commonwealth of Pennsylvania will provide funding.
 - Montgomery County should provide assistance pertaining to engineering.
 - It is hoped that Channel 22 can be utilized to promulgate activities in storm water areas.
- Mark Bianci is the newest member of the EPAB.
- Open Space Program:
 - The EPAB is in agreement with the basic concept of the Township to preserve green space for the future.
 - Mr. Mermelstein informed that all owners of undeveloped land in the Township have been asked if they would give the Township the right of first refusal. If interested, the Township will enter into negotiations.

DISCUSSION ITEMS:

Relocation of Lorenzo's Roadside Stand to Schmidt Nurseries:

Richard Knudsen represented the applicants, Mr. and Mrs. Santoro, and Fred Schmidt of Schmidt Nurseries:

- Plans will be submitted on January 8th for Minor Plan review.
- Negotiations are ongoing with PennDOT.
- The Farm Stand will be 30 x 24 ft. It will be a temporary structure with a 10 ft. deep canopy in front to shelter the outdoor display area.
- The existing driveway will be widened and will service the farm stand and Schmidt Nurseries. The first 20-30 ft. will be blacktopped with the remainder topped with bituminous paving.
- The Board of Commissioners is being asked to allow a gravel parking lot that would be more absorbent and add to the flavor of a farm stand.
- A small catch basin will be provided where water can percolate into the ground.
- Parking will be provided in front of the farm stand even though the property is in the "EC"-Employment Center District, and the Township Code does not permit parking in the front. A ruling from the Zoning Officer will be sought.
- Water and electric are available on the property.
- A porta-potty will be used in lieu of a restroom.

Because food handling will be involved, Mr. Leonard asked that the Santoro's explore the issue with the Health Officer regarding health requirements.

Mrs. Herold was in favor of a gravel driveway and parking lot to enhance the ambiance of the farm stand.

Mr. High noted that the setbacks are currently shown within 25 ft. of the ultimate right-of-way line.

Mr. Haering supported the idea of the farm stand use on the Schmidt property because the two uses are compatible.

Mr. Krakower asked that a presentation be made to the EPAB regarding percolation and storm water runoff. He felt that there are benefits to not having hard paving on the property. He likes the idea of the farm-like quality of the property.

Age Restricted Housing Ordinance:

Mr. High prepared the draft ordinance. He commented as follows:

- Age Restricted Housing can be added to any district.
- There have been several developers who want to create a more intense age restricted environment.
- There are only two or three properties developed according to the "MD"-Multiple Dwelling District. In the draft ordinance, rezoning will permit that use and then permit age-restricted housing in addition thereto.
- Age restricted housing is not intended for people who are continuing to work. It is intended to meet the needs of a couple or single person who no longer have children and who are looking to retire or are retired.
- If a bonus density is permitted, recreation and pedestrian access to the property will be required.
- Architectural guidelines will be similar to the Dresher Overlay District and be residential in character.
- Senior Assisted Living permits 14 units per acre.
- High-rise apartments for senior citizens are permitted 20 units per acre.
- The number of dwelling units per acre in the draft ordinance is ten.

- The size of apartment units would be proportionately smaller than regular apartment housing.
- A centralized facility should be provided to encourage people to use the recreation area rather than their own quarters.
- A covenant will be placed on the ground to preserve it for age restricted housing.
- Parking requirements will be exactly the same as for an apartment complex. Some spaces will be reserved.
- Responsibility for snow removal and lawn care will be up to the Homeowners' Association which must be established.
- The draft ordinance contains provisions for impervious surfaces, street widths and sidewalk widths of 6 ft.

Mr. Mermelstein objected to the term "apartments" rather than "homes." He and Mrs. Herold favored leaving the option open to developers for all types of buildings (townhouses, apartments, high-rises, duplexes, etc.), but limiting the number of units per acre.

Once this Committee is satisfied, the draft will be submitted to various interested developers for their input.

Fort Washington Conservation Overlay District:

Tolson De Sa informed of the following:

- Matt Schelly, a County Planner, has written the overlay district ordinance for Pennsylvania Avenue and Summit Avenue.
- Through the conditional use process, it will provide for retention and rehabilitation of any existing structures that may be historic or identify with a certain feel in the area while also allowing private development to come in.
- It prohibits uses that are automobile-oriented (such as, drive-throughs, vehicle sales, car washes, etc.). Bonuses will be provided to developers who choose to come into a historic building and provide a more modern use while preserving the outward look.
- The draft will provide stipulations regarding the architectural character of a building, street lighting, guidelines for widening and reuse of pre-1953 buildings.
- It allows and encourages new development while having a strong preservation aspect.
- The draft was developed with the input from property owners and citizens groups.

A hearing on this matter will take place on the third Tuesday in January.

ADJOURNMENT:

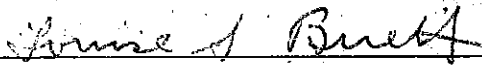
Mrs. Herold motioned, with Mr. Mermelstein seconding, to adjourn the meeting at 7:30 p.m.

VOTE ON MOTION

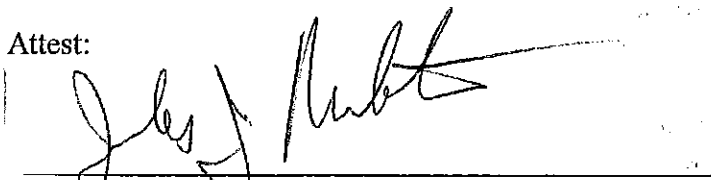
ALL YES

MOTION CARRIED

Respectfully submitted,


 Louise S. Birett, Recording Secretary

Attest:


 Jules Mermelstein, Chairperson

