

February 26, 2009

The monthly meeting of the Lower Moreland Township Planning Commission was held on the above date in the meeting room of the Township Municipal Building. Present were Messrs. Krebs, Chapman, Lombardi, Potok, Ms. Friedrich Fogel, Ms. Souder, Planner Driscoll, Commissioners Devinney, Assistant Manager Elton and Clerk Matyas. Messrs. Costello and Pollock arrived late.

Vice Chairman Chapman called the meeting to order at 7:30 P.M. The Pledge of Allegiance was recited.

The minutes of the January 22, 2009 Planning Commission meeting, were approved as submitted.

ZA 08-02 Philmont Country Club- Mr. Chapman briefly explained that the applicant is asking the Board of Commissioners to allow part of their property to be re-zoned for residential use.

Mr. James Garrity, Esquire, represented the applicant and the applicant, Philmont Country Club owner, Cary Sangler was also present. Mr. Garrity had the proposed plans put on the projector screen. Mr. Garrity briefly described Philmont Country Club's property and talked about the financial difficulties facing the club. Mr. Garrity showed the section of the Club's property that would be re-zoned noting that it is only 20% of the property. Mr. Garrity noted the tennis courts and maintenance buildings would be torn down and re-built elsewhere.

Mr. Garrity explained that the Country Club is trying to create an attractive development for the community and their own Club.

Mr. Garrity discussed the issues with developing this property including traffic improvements, stormwater and the new Temple University Floodplain Study. Mr. Garrity showed a previous plan that had more homes proposed and a smaller floodplain which is what would be allowed with the rules of Lower Moreland Township now. Mr. Garrity explained the new plan was created taking the Temple University Floodplain Study into consideration. Mr. Garrity noted the last issue would be the sewer system, there are a couple alternatives but neither are attractive or inexpensive.

Mr. Garrity explained that the proposal will be carriage houses, 3 units per building. Mr. Garrity noted the density would be 2.6 units per acre; each home could be 2,600-3,000 square feet with a value of \$700,000 to \$800,000. Mr. Garrity talked about the concept of age-targeted community which by design, price, all exterior maintenance being taken care of by the community and restriction on the use of the outside grounds will result in a population with almost no school aged children.

Mr. Krebs questioned Mr. Garrity's phrase of almost no children and Mr. Garrity explained that this development would not be age-restricted. Mr. Garrity noted that right now age-restricted communities are experiencing hard times and a couple who are both 53 years old with no children can not buy a unit due to the restriction. Mr. Garrity explained that a lot of age-restricted communities are asking to remove the age-restriction so there are more possible buyers.

Mr. Garrity talked about Mr. Tim Woodrow's review letter and his suggestion about language in the Homeowners Association papers restricting swing sets, shed and things of that natural to create a more age-targeted community.

Mr. Garrity noted that Montgomery County Planning Commission suggested Lower Moreland Township look at better definitions for age-target communities in the codes of the Township.

Mr. Garrity continued to discuss Mr. Woodrow's letter including environmental issues, better definition of age-targeted and suggestions to create an age-targeted community and Mr. Garrity noted they would try to incorporate Mr. Woodrow's suggestions. Mr. Garrity explained that Mr. Woodrow and Mrs. Randee Elton, Assistant Township Manager, have noted that there are 5 other "L" Residential properties in the Township that could theoretically utilize this type of zoning. Mr. Garrity talked about fixing this problem by creating a minimum lot size on this type of zoning of 30 acres and that would rule out all other properties. Mr. Garrity also suggested creating a totally separate zoning district for this use so the Township would have control over which properties could utilize the age-targeted zoning. Mr. Garrity noted that Mr. Woodrow suggested limiting the development to carriage homes only and the applicants are willing to make that agreement assuming the environmental issues do not restrict any development.

Mr. Garrity explained that Philmont Country Club held a meeting with the neighbors to discuss any issues or potential problems with the proposal and they came up with all the issues the Township has also raised. Mr. Garrity noted that a major concern for neighbors was traffic; it is bad now. What will happen with a new development? Mr. Garrity acknowledged that the Country Club will have to put some money into road and traffic conditions.

Mr. Chapman noted that letter written by the President of the Philmont Country Club was very well done.

Mr. Woodrow discussed his review letter noting that Philmont Avenue is under review for re-zoning and that Philmont Country Club would be a part of that. Mr. Woodrow explained that stormwater is an issue but not so bad that development is not possible. Mr. Woodrow talked about the Philmont Avenue, Pine and Tomlinson Roads intersection noting it has been looked at for a long time. Mr. Woodrow stated Philmont Country Club would need to help make some corrections to the intersection.

Mr. Chapman questioned the difference between a townhouse and a carriage house? Mr. Garrity replied that townhouses usually have 4-8 units in a row, windows front and back with only the end units having side windows, all doors face front, all garage doors face front. Mr. Woodrow explained that he sees carriage homes being 3 units attached and not so urban. Mr. Garrity added that carriage homes have more windows, have as much square footage as a single family home and usually with two car garages for each unit.

Mr. Costello questioned the exterior of the homes and Mr. Garrity replied he was not sure but assumed it would be some kind of accent materials incorporated into siding or stucco.

Mr. Costello questioned if an activity center would be included in this proposal or will it be part of the club? Mr. Garrity replied that the proposal will not be part of the club per se, but membership will be encouraged. Included in the proposal could be a community room or a swimming pool with minor amenities.

Mr. Chapman questioned if stormwater runoff can be adequately controlled not to create a greater problem? Mr. Woodrow noted it is possible to control, but he is more concerned with the slopes on the property and the overall plan.

Mr. Costello questioned if retaining walls will be used and Mr. Woodrow replied it is possible. Mr. Woodrow noted he addressed that issue in his letter that the two-dimensional plan does not show all the possible problems the property can create.

Mr. Krebs clarified that tonight the applicant is here for a Zoning Amendment and Mr. Pollock noted that planning/building details are not getting discussed tonight but rather the concept.

Mr. Paul Driscoll, Township Planner, explained his letter, noting this is a two step project, first securing the appropriate zoning and secondly a subdivision/Land Development plan. Mr. Driscoll stated that right now the zoning amendment is being dealt with.

Mr. Driscoll explained the applicant is requesting to change 61 acres of their property to "L" Residential District along with certain revisions to the "L" Residential District criteria. Mr. Driscoll noted the main change would be to add age-targeted housing to the "L" Residential District as a conditional use, which requires approval from the Board of Commissioners. Mr. Driscoll explained the questions to consider are whether this is an appropriate use, what other properties would be affected by this amendment and clarification on the terms of the agreement.

Mr. Driscoll noted the proposal is intended for older people not younger families with children and revising the amendment would be needed to help clarify age-targeted and he gave some suggestions to help the amendment.

Mr. Driscoll suggested putting the definition of carriage house in the amendment to assure clarification.

Mr. Driscoll noted that adding criteria to the amendment or reformulating the amendment can help to control other eligible properties that could use this amendment.

Mr. Costello questioned if building in the floodplain is allowed and Mr. Woodrow noted this is the floodplain fringe and with some zoning relief and requirement criteria it can be built upon.

Mr. Driscoll questioned if anything should be done in regards to the balance of the tract and maintaining it as an open space use.

Mr. Garrity explained that he is agreeable with Mr. Driscoll's comments except with any form of a deed restriction on the rest of the club; they are not legally or financially in a position to

make that representation. Mr. Garrity noted that it is the intention of the Philmont Country Club to use the proceeds from this proposal to help maintain the club for another 100 years.

Ms. Fogel was agreeable with the size of units but would also like to see some smaller and more inexpensive units to attract all different types of people, not just the super rich.

Ms. Souder noted that another proposed community had a variety of houses and prices which is more appealing and makes it possible for current residents to move into them.

Mr. Garrity explained it can be looked into, but feedback has been torn between larger homes to increase property values and smaller more affordable homes.

Mr. Costello noted that the Philmont Country Club needs to be helped as much as possible but stormwater and viability of the remaining tract need to be considered.

Mr. Chapman agreed with Mr. Driscoll's recommendation, number 4, option A, setting the minimum base site higher than 10 acres.

Mr. Pollock noted he would like the Philmont Country Club to stay because it is a part of the community and if it were to leave who knows what would be put there.

Mr. Potok stated that money from this project will help the club a lot and targeting a development that would attract people more likely to join the club is smart too. Mr. Potok believed this project should be approved to help the club. Mr. Potok mentioned that a variety of homes and prices would be nice so residents could stay in Lower Moreland Township.

Mr. Pollock questioned age-restriction verse age-targeted and Mr. Driscoll stated that the current definition requires age-restriction but with correct wording age-targeted is possible to be added.

Mrs. Elton explained that the Planning Commission will make the recommendations for the amendment tonight for the Board of Commissioners because it will not come back to the Planning Commission and Mr. Pollock asked the amendment come back before going to public hearing.

Mrs. Elton noted that amendment can come back in front of the Planning Commission if they want and Mr. Pollock said they would like to see it again.

Mr. Pollock stated that clarity on definitions, like a carriage home and age-targeted will need to be added to the amendment so there is no confusion as to what the Township wants.

Mr. Driscoll noted that those issues are discussed in his and Mr. Woodrow's review letter.

Mr. Potok mentioned that a good example of carriage homes is at Huntingdon Pike and Meetinghouse Road.

Mr. Costello questioned if our age-restricted ordinance allows children and Mr. Driscoll replied that the only criteria for age-restricted is one person must be 55 years old in the

home. Mr. Costello mentioned that a 55 year old could then have 4 children and Mr. Driscoll said yes. Mr. Garrity noted that is for age-restricted communities which this is not what they are proposing, they are asking for an age-targeted community.

Mr. Driscoll explained that with age-targeted there would be no mandate in the ordinance language that someone 55 years old or older must live on the property. Mr. Driscoll noted that provisions will be added to encourage older people not younger families with children.

Public Comment

Mr. Conrad Kraus, 284 Brae Bourn Road, explained that he spoke to the owner of Philmont Country Club about the proposal and thought it was ambitious. Mr. Kraus noted he has been a builder for 30 years and this property has a lot of development issues. Mr. Kraus stated that this proposal will be a lot of money for the Philmont Country Club. Mr. Kraus noted this is not a good time to develop property due to the cost and the economy. Mr. Kraus asked the Philmont Country Club to consider making the course public to help with the financial situation.

Mr. Cedric McKeever, 255 Brae Bourn Road, questioned the number of families that can live in a house and Mr. Garrity replied that just one family per house. Mr. McKeever questioned if the 3,000 square feet is each unit or the whole building and Mr. Garrity noted he said it could be up to 3,000 square feet per unit. Mr. McKeever stated that lowering the price of the homes would bring more children into the development which would negatively impact the school district.

Mr. Keith Dranzik, 3120 Manor Road, questioned if the driveway location can be relocated and Mr. Woodrow explained that this plan is only a possibility and not to look too much into it. Mr. Woodrow further explained that this property would be sold to a developer who would have to submit a land development plan to the Township. Mr. Dranzik would like some speed bumps or stop signs put in to help with traffic. Mr. Woodrow noted that at some point a traffic study would be done with a land development process.

Mr. Pollock noted a required setback and buffer could be built into the ordinance and Mr. Garrity explained that it is already in the ordinance. Mrs. Elton clarified that this amendment is just adding and deleting portions of the existing "L" Residential District ordinance. Mr. Pollock interjected that he sees spot zoning with the amendment and would still like to see a buffer to increase the open space between the houses and the street.

Mr. Potok questioned the distance between Pine Road and the first house and Mr. Garrity noted it is more than 100 feet which is a big setback.

Mr. Robert OKane, 3251 Pine Road, questioned the location of the driveway and Mr. Garrity reiterated that a developer will have to propose a plan to the Township and the driveway would be discussed then. Mr. OKane discussed his concern about the increase in traffic and how the water flow will be affected and will a retaining wall be used? Mr. Garrity explained it is possible for some retaining walls to be used but not to hold back water. Mr. OKane questioned if he would be looking at a retaining wall from his house and Mr. Garrity said no.

Mr. Pollock mentioned that discussing some possible scenarios for this property is helpful for what could be put on this property. Mr. Garrity noted this is why they created a plan.

Mr. OKane questioned if a builder could come in and change from carriage homes to townhouses and Mr. Garrity explained that the Township staff wants to make that a condition of the ordinance. Mr. OKane noted he wants the homes to be as attractive and costly as possible to increase his property value.

Mr. Christopher Kirk, 294 Brae Bourn Road, expressed his concern over the water because the property slopes on both sides and he has a significant water issue currently. Mr. Kirk explained he would like to see the Country Club stay but in order to receive the zoning amendment the rest of the property should be deed restricted so the remaining property can not be developed at a later time. Mr. Kirk questioned the location of the proposed development and the applicant noted most of the property is floodplain so this location is the best option. Mr. Kirk questioned if the zoning amendment can wait until the proposed traffic/road improvements were done in case the developer does not follow through with the improvements? Mr. Kirk noted that this proposal is not the actual plan, but rather a possibility which is scary because the zoning amendment will change the area from recreational to residential housing creating a lot of questionable situations.

Mr. Pollock explained that when a developer proposes a project, they will have to follow the rules of the Township which would require certain improvements. Mr. Pollock further explained that with this kind of development a traffic study would be done.

Mr. OKane questioned what the traffic/road improvements would be and Mr. Pollock replied in the future a traffic study will be done and recommendations made. Mr. Pollock talked right now about deciding if it is the right time for development for this property and allowing a zoning amendment, but the actual improvements are a future issue.

Mr. Potok mentioned that the issues with the water flow will less than now because the Mr. Woodrow and Mr. Driscoll will have the developer implement stormwater management systems to help with water.

Ms. Cindy Ahern, 2457 Dale Road, expressed concerned about the created wetlands and flooding by developing on this property and this needs to be looked into a little bit more carefully. Ms. Ahern noted that houses are going into the floodplain and anytime impervious surfaces are added to a property more water flow is created. Ms. Ahern mentioned that stormwater management does not exist; it only moves the problem somewhere else. Ms. Ahern suggested looking at another plan for this property that would compliment the proposed Greenway Study. Ms. Ahern mentioned a miniature golf course or rock wall would be nice, has anyone looked into that as a possibility?

Mr. Costello noted that the Township does not have the money to purchase this property for that type of use, this is a small Township and to put that burden on the tax payers is unrealistic. Ms. Ahern explained that developers build recreational facilities as well; it would be nice for the Township to have.

Mr. Tony Piccari, 3173 Manor Road, expressed concern with traffic and there are no stop signs or yielding. Mr. Piccari questioned if Pine Road and Philmont Avenue are state highways and Mr. Woodrow noted both are state roads. Mr. Piccari noted that traffic issues will have to be reviewed by the state as well and if they require road widening that will take away from the buffer being proposed. Mr. Piccari mentioned that the buffer should be increased to include any widening of the street.

Mr. Driscoll noted the Township staff would look at that issue.

Mr. Piccari questioned who would maintain any retention or detention basins and Mr. Woodrow replied that the Homeowners Association would.

Mrs. Donna Piccari commented that she would like the houses to be of higher value not varied prices.

Mr. Piccari questioned about the owner of the houses needing to be at least 55 years old and Mr. Driscoll interjected that this proposal is not asking for that but the Township's current ordinance mandates that requirement. Mr. Piccari questioned if the older person needs to live there or own the house and Mr. Driscoll explained it is meant for the person who lives there but knows it is hard to enforce.

Mr. Garrity noted that all this feedback will help the applicant create a better ordinance and try to make everyone reasonably happy.

Mr. Costello noted that this project will not happen overnight but the Township needs to support the Country Club.

Ms. Fogel noted the items to be added to the proposed ordinance are as follows: a better definition of age-targeted, a minimum base greater than 10 acres, definition of what a carriage house development is and clarification of density. Ms. Fogel noted that the buffers and setbacks are already defined in the existing ordinance.

Mrs. Elton noted that buffers and setbacks can be looked at to see if any changes need to be included.

Mr. Pollock mentioned that he wouldn't want some big stormwater basin close to an intersection and maybe it needs to be mentioned in the ordinance.

Mr. Woodrow explained that there are current DEP regulations imposed on stormwater management that has been adopted by the Township which will make future basins look much different than current basins being used in Lower Moreland Township.

Mrs. OKane questioned if a big basin would create more mosquitoes and Mr. Woodrow replied no because there will be no stagnate water in which to breed them.

The Planning Commission recommended the following items for the Zoning Amendment application:

- Definition of age-targeted be clarified
- Require a minimum acreage, larger than 10 acres
- Definition of carriage house be clarified
- Clarify the desired density, buffers & set-backs
- All issues raised in Mr. Tim Woodrow and Mr. Paul Driscoll's letters.

Philmont Corridor Re-Zoning Mr. Driscoll discussed the re-zoning proposal including ways to encourage redevelopment and revitalization.

A resident questioned how a stop sign put up in his neighborhood and he was told to write a letter to Mr. Richard Mellor, Township Manager.

Mr. Driscoll continued his discussion noting the problems on Philmont Avenue, including abandoned properties, unplanned development and no pedestrian friendly area. Mr. Driscoll talked about the goals of the re-zoning project and having a clear vision that everyone agrees with. Mr. Driscoll explained there would be a zoning district that would encourage desired development and there could be development incentives like real estate tax abatement, but initially the focus in on an overlay zoning district. Mr. Costello questioned the term overlay and Mr. Pollock explained that the primary zoning district would be given a different set of standards. Mr. Driscoll explained further that the overlay would give the prospective redeveloper the option to follow the new rules or continue what currently exists. Mr. Driscoll noted that incentives could be provided to help redevelopers use the new rules instead of the current use, such as allowing building heights to be higher than normal and additional allowed density. Mr. Pollock noted that he liked the idea of tax abatement but Mr. Driscoll noted that can be more difficult because the School District must sign off on that.

Mr. Driscoll mentioned that the proposed Greenway Study talked about making the corridor more pedestrian friendly so the overlay district should use mixed development. Mr. Driscoll explained there can be neighborhood type of commercial on the first floor and apartments/residential on the top floor. Mr. Driscoll noted that tonight's goal was to update the Planning Commission on the direction of the proposal and get some ideas. Mr. Driscoll talked more about the types of possible development that would be created with the new zoning.

Mr. Driscoll explained that incorporating design guidelines can be done by including incentives that encourage a developer to build how the Township wants for building location and parking. Mr. Driscoll talked about having the building location closer to the street and creating parking on the side and rear of the building. Mr. Driscoll noted that buffering, landscaping and amenities for transit should also be included.

Mr. Driscoll showed an aerial view of the corridor and a brief discussion ensued.

- Mr. Potok questioned how the floodplains would be dealt with and Mr. Woodrow agreed it will be a problem, but some properties like 2637 Philmont Avenue could get a rights transfer deed so that property rights are moved to another location but the actual property would be kept open because it is in floodway.

A brief discussion of the floodplain map for Philmont Avenue occurred.

Mrs. Souder questioned if the old Orleans property is a part of this proposal and Mr. Driscoll replied that it is. Mrs. Souder questioned how deep the lots are and Mr. Driscoll noted most properties go from Philmont Avenue to the railroad tracks. Mrs. Souder noted that putting parking lots in the front of buildings creates an unattractive look so pushing the buildings toward the street would be the best. Mrs. Elton explained that properties vary throughout Philmont Avenue so not every building would be able to be close to the street. Mrs. Souder stated that a plan will need to be created to help overcome the issues of the properties.

Mr. Costello stated that Lower Moreland Township is lacking commercial properties and he has to purchase goods outside of the Township. Mr. Costello noted that Philmont Avenue must be used to redevelop the economic base of the Township to benefit the residents of the Township. Mr. Costello explained that there needs to be more of a balance of commercial and residential to help with the taxes.

Mrs. Elton noted this plan is in the beginning stages but once the ordinance is complete or close to completion it will be marketed to make developers aware and hopefully developers will take an interest.

Mr. Potok noted that a lot of the properties have environmental issues which can cause problems and property owners are selling the properties for too much.

Mr. Costello mentioned some developments in Warrington and Doylestown that would be nice for Lower Moreland Township.

Mr. Pollock stated that the Township will need to get creative with this proposal to really generate development and Mr. Woodrow noted that the Township will have to think like a developer.

Mr. Costello explained that discouraging development by water issues need to happen along with advertisement and tax breaks to help entice developers.

Mr. Pollock questioned the floodplains in this area and Mr. Woodrow explained that in the floodplain fringe building is allowed but with certain requirements.

Mr. Potok questioned what the plans are for widening the road? Mr. Costello noted that putting right hand turn lanes would make a big difference in the traffic flow.

Mr. Woodrow explained that the Township is looking into grant money to help with the culvert and the intersection.

Mrs. Souder questioned if any type of road, pedestrian or vehicular would be possible from the railroad track to Philmont Avenue throughout the properties? Mr. Pollock noted that mandating a walkway with any redevelopment could be an option. Mrs. Souder noted that residential/commercial space together would be nice along with dealing with the wetland issues with landscape. Mr. Pollock noted that parking needs to be provided if the commercial areas are bringing people in.

Mr. Costello questioned the control over the signage for Philmont Avenue and Mr. Driscoll replied that requirements for signs can be created to control location, size and other design issues. Mr. Driscoll noted that through incentives, the Township can have more control with sign design.

Mr. Costello explained that some buildings will need to be torn down due to their condition and Mr. Pollock questioned Mr. Costello on the percent of empty buildings on Philmont Avenue and Mr. Costello showed on the aerial map the different areas that had abandon buildings.

Mrs. Elton noted that the proposed Greenway Study trails will go along Philmont Avenue as well, so that the overlay district and the Greenway Study will overlap.

Mrs. Souder noted that one person needs to be the lead visionary to direct and organize all the ideas and thoughts.

Legislative Review

Mrs. Elton noted the Board of Commissioners are trying to purchase the land at Philmont Avenue and Red Lion Road to keep as open space but this is at the beginning stages.

Mrs. Elton questioned how involved the Planning Commission would like to be in the overlay re-zoning district ordinance and Mr. Pollock explained that he would like to see an overall idea in writing rather than a piece by piece design.

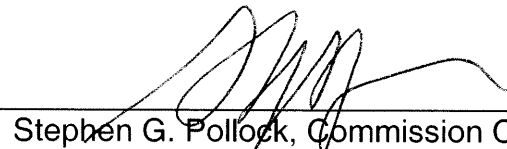
New/Old Business

Mrs. Elton noted that the applicant for 2637 Philmont Avenue is trying to work out some issues with Township staff and they could possibly have to revisit the Zoning Hearing Board.

The next meeting will be held March 26, 2009.

Adjournment

There being no further business to come before the Planning Commission, a unanimous vote for adjournment was in order at 10:00 P.M



Stephen G. Pollock, Commission Chairman