

December 16, 2010

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. Chapman, Hamburger, Krebs, Costello, Mayer, Mrs. Souder, Mrs. Friedrich Fogel, Engineer Woodrow and Clerk Matyas

Chair Friedrich Fogel called the meeting to order at 7:30 P.M. The Pledge of Allegiance was recited.

The minutes of the October 28, 2010 Planning Commission meeting were approved.

LD 10-03 Wawa Food Market/Philmont Avenue-Preliminary Plan- Presented by Mrs. Julie Von Spreckelsen, Esquire on behalf of the applicant. She talked about the proposal being presented tonight noting it was a Preliminary Land Development plan for a proposed Wawa at Red Lion Road and Philmont Avenue. Mrs. Von Spreckelsen discussed some of the background on this project noting that the Planning Commission has reviewed a Text Amendment prepared by the applicant. She stated that the Zoning Amendment did not receive the adequate number of votes from the Board of Commissioners to pass but noted that it was supported by the Township Planner and Engineer. Mrs. Von Spreckelsen explained that the feedback received by the applicant was that there were not enough details provided on the project especially with concern to traffic and improvements. She stated that tonight there are fully engineered preliminary land development plans prepared for view and that the applicant will be asking the Board of Commissioners to reconsider the Text Amendment.

Mrs. Von Spreckelsen explained that applicant is still convinced that this project at this location will jumpstart the revitalization of the corridor and fits the purposes of the Revitalization district for which it is located in.

Mrs. Von Spreckelsen turned the presentation over to Mr. Bruce Goodman, a real estate developer, who has extensive knowledge with development in this area.

Mr. Goodman noted his company is Goodman Properties which is located in Jenkintown, PA only a few miles from here. Mr. Goodman explained that there are updated views of the property being provided tonight. Mr. Goodman went into a little bit of background on the property including size, location and description of the proposal.

Mr. Goodman talked about with the approval of the T.D. Bank and how it was always contemplated there would be a second use since an access has been provided and easements recorded. Mr. Goodman noted the end result would be the development of the entire property.

Mr. Goodman explained the plan noting connecting sidewalks from neighboring sites, landscaping, screening, brick building and columns to match T.D. Bank. Mr. Goodman talked about the roof over the gas pumps being quieted down using a darker color rather than their usual light color. Mr. Goodman showed projected pictures of

the proposal. Mr. Goodman commented that the design of this proposal is taking in consideration the neighborhood in which it is located in.

Mr. Goodman turned the presentation over to Mr. Tony Dougherty, a Traffic Engineer with Traffic Planning & Design.

Mr. Dougherty handed the Planning Commission some information packets and proceeded to explain the traffic issues and proposed improvements. Mr. Dougherty noted there is a proposed right-hand turn signal for Philmont Avenue for turning onto Red Lion Road. Mr. Dougherty talked about how the intersection would operate with this right-hand turn lane verses how it operates now without it. Mr. Dougherty noted that with the added right-hand turn lane and adjustments to the traffic light, it helped with the flow of traffic after the Wawa would be built. Mr. Dougherty explained that there are current issues with the intersection that will still exist but implementing the right-hand turn lane will help.

Mrs. Friedrich Fogel asked Mr. Dougherty to show where the location of the proposed tune lane would be and Mr. Dougherty pointed it out on the map. Mrs. Friedrich Fogel has some questions about the information packet provided and Mr. Dougherty answered all her questions.

Mr. Hamburger noted that traffic turning left into the Wawa is not being considered and Mr. Dougherty explained that this study only looked into the intersection but realizes that a full traffic study will need to be completed. Mr. Dougherty talked about how the right-hand turn lane will also help with car stacking.

Mrs. Souder questioned where the traffic going westbound would enter the Wawa and Mr. Dougherty replied that there are two (2) entrances, a shared entrance with T.D. Bank and another entrance further down for Wawa or they can make a right onto Red Lion Road to use that entrance. Mrs. Souder questioned how the eastbound traffic would enter and Mr. Dougherty replied the same way. Mrs. Souder explained that it would be impossible for eastbound traffic to make that left into Wawa during rush hour traffic. Mr. Hamburger noted that the traffic will back up due to vehicles making a left into Wawa until there is a red light at the intersection.

Mr. Dougherty talked about how the street was widened and a center turn lane installed to accommodate left-hand turns. Mrs. Friedrich Fogel asked if it was a left-hand turn lane and Mr. Dougherty replied that one already exists.

Mrs. Souder asked when a vehicle exits the Wawa wanting to go east how would they do that and Mr. Dougherty replied they can come out the far entrance and make a left, the center entrance has restrictions on the left-hand turns during peak hours or a vehicles can exist out Red Lion Road and make a left at the traffic light.

Mr. Costello asked how far the right-hand turn lane would extend and Mr. Dougherty replied 517 feet.

Mrs. Souder talked about the striping at the intersection in front of the T.D. Bank being visually confusing now, especially at night. Mr. Dougherty explained that extra widening in anticipation of future development and improvements and the Wawa would clean up a lot of that with their improvements.

Mr. Tim Woodrow, Township Engineer, explained that a preliminary plan submittal triggers an opportunity for a traffic study. Mr. Woodrow talked about all the information that has been presented thus far by the applicant as they understand the conditions to be. He noted that tonight is the first time he believes the right-hand turn lane has been presented and that the applicant will cover the full cost of that and Mr. Goodman noted that the applicant will contribute more money than previously discussed. Mr. Woodrow talked about Lower Moreland Township code allowing him to recommend a traffic study when deemed necessary and he has done so with this application. Mr. Woodrow noted that Lower Moreland Township is unique in the respect that the Township uses their own Traffic Engineer to do the study and then bills the applicant for the cost. Mr. Hamburger asked if the Planning Commission had to approve the preliminary plan to trigger the traffic study be done and Mr. Woodrow replied no.

Mr. Woodrow talked about how a lot of questions being brought up about traffic tonight will be answered with a traffic study.

Mrs. Friedrich Fogel asked again what the answer to the Mr. Woodrow's question about Wawa covering the cost of the right-hand turn was and Mr. Mike Cooley, applicant/developer, replied that they are here tonight to address some of the major concerns brought up over the past few months. Mr. Cooley noted that those issues were a right-hand turn lane, pedestrian accessibility and site design so they are trying to find out what is the most important issue to the Township and then they will make that assessment for contributions. Mr. Cooley noted that if covering the entire cost of the right-hand turn lane can fit in the budget then they will bear the cost of it.

Mr. Woodrow asked Mr. Dougherty if the traffic study done for the T.D. Bank showed a right-hand turn lane and Mr. Dougherty replied yes. Mr. Woodrow explained that also a part of the full development of the intersection would be to widen the culvert over the Huntingdon Valley Creek and install sidewalks so the Township will have to find money for that because that will also help with the flow of the intersection.

Mrs. Friedrich Fogel questioned how many lanes would be at that intersection and Mr. Dougherty replied eastbound would have three (3) lanes, west bound would have one (1) through lane and auxiliary lanes leading to the site. Mr. Dougherty stated that the McMahan ultimate plan showed duel left lanes to receive from northbound Red Lion Road but that duel lane can not be done until the culvert is widened.

Mrs. Souder talked about having trouble making a left onto Red Lion Road coming westbound on Philmont Avenue and Mrs. Friedrich Fogel questioned if there is a left-hand turn signal there and Mrs. Souder replied no. Mr. Woodrow noted that McMahan's ultimate plan for the intersection has all those left turn phases and a duel

left but that takes money and acquisition of right-of-ways which the Township has from some of the properties as development has come along. Mr. Woodrow talked about the owner of the Fairway Plaza, 2600 Philmont Avenue, is talking with the Township about the right-of-way on his property and that is promising.

Public Comment

Mr. Raymond Mullen, 2227 Packard Avenue, questioned if the traffic study took into consideration the new drug company being built on Island Green Golf Course on Red Lion Road and Mr. Woodrow replied the study did not include the Teva Company for sure but did include for growth in traffic. Mr. Dougherty noted that when a traffic study is done future growth is always built in but he is unaware that the development of that particular parcel being included. Mr. Dougherty talked about a development plan being needed to include it in any type of traffic study. Mr. Woodrow noted that he would suggest that the McMahon study include the future development of that parcel.

Mrs. Lori Hanny, 2424 High Road, asked how the right-hand turn lane would be affected by the train, it will still back up and the lane will not help at all, Red Lion Road needs to have more lanes. Mr. Dougherty replied that the train will affect any situation but when the train is not there the traffic is improved.

Mr. Thomas McKenna, 2394 Dale Road, talked about the Teva Company development and how that will have 200 trucks a day with 500 employees and this development will be compounded by that severely with that traffic going up and down Red Lion Road.

Mr. Woodrow explained that Teva Company is proposing to develop on Island Green Golf Course which has land in Lower Moreland Township and Philadelphia. Mr. Woodrow noted that there is little information about what exactly is going to be done but what can be assumed is most of the development will happen in Philadelphia and Lower Moreland Township will remain open space but the Township is concerned with the impact this development could have. Mr. Dougherty noted that a traffic study would have to be done for that proposal and maybe they will work with Lower Moreland Township for street improvements and Mr. Woodrow noted that the Township's concern is that the development will work a deal with Philadelphia and Lower Moreland Township will get nothing.

Mrs. Friedrich Fogel commented that with revitalization any development will increase traffic so do we leave Philmont Corridor in disrepair or try and do something.

Mr. Ken Traub, owner of Bethayres Market, 651 Welsh Road, asked Mr. Dougherty if there was a business that created more traffic than a convenient store with gas and Mr. Dougherty replied Supermarket, Shopping centers and Fast-Food Restaurants. Mr. Traub questioned if how many trips are generated in a week and Mr. Dougherty replied he would have to do some calculating and Mr. Traub said it could be 20,000 trips a week. Mr. Dougherty noted that a large percent of the Wawa customers are pass-by traffic, meaning the vehicles are already on the road. Mr. Traub noted that some of the traffic is pass-by and Mr. Dougherty replied no a majority of the traffic is pass-by. Mr. Traub said with the number of trips generated the traffic will back up

even with a right-hand turn lane installed. Mr. Traub also noted that it is a dangerous situation to have vehicles making left-hand turns into the Wawa crossing on coming rush hour traffic.

Mrs. Friedrich Fogel noted that traffic has been discussed to death at this point and we need to wait and see what the traffic study shows.

Mr. Joe Botta, applicant/developer, talked about how they tried to show a traffic improvement and what it would do to affect that intersection and what the improvements of this development do to the overall picture. Mr. Botta noted that they were trying to bring in some facts about the improvements to the intersection not a complete traffic study.

Mr. John Derderian, 2385 Packard Avenue, asked for clarification on how much the Wawa will be actually putting towards the improvements to the intersection because he has heard two different answers from Wawa tonight.

Mr. Luis Rivera, 2525 Fetters Mill Drive, talked about how the zoning amendment did not pass so is the Township allowed to be hearing the preliminary land development plan. Mr. Woodrow replied that we turn a blind-eye to the previous zoning amendment hearing and focus on the land development plan and in his preview of the plan he noted the zoning issues. He explained that the application would need one of two things, one, seek zoning variance for the zoning issues or two, have the Board of Commissioners reconsider the text amendment. Mr. Woodrow stated that the Planning Commission can not approve the preliminary plan due to the zoning issues but the Township is getting additional information and most importantly the traffic study. He noted that floodplain was previously discussed and the applicant has a proposed solution that he feels could conceptually work and the applicant is willing to spend significant money to solve the issues. Mr. Woodrow talked about the Township just gathering more information and asking more questions to see if it puts any concerns to rest.

Mr. Rivera still questioned how the applicant can move forward with a preliminary plan when the zoning amendment was not passed and Mrs. Von Spreckelsen replied that zoning and land development can happen at the same time. Mrs. Von Spreckelsen noted that case law also states that a preliminary plan can be approved with the condition of needing zoning relief. Mrs. Von Spreckelsen talked about the main purpose for the preliminary plan was to provide more answers and show how the applicant would deal with the traffic issues. Mrs. Von Spreckelsen noted that she hopes to be able to have a reconsideration of the text amendment in front of the Board of Commissioners.

Mr. Hamburger explained that he understands the applicant wanting to provide more information but that normally when presented with a preliminary plan the Planning Commission would make recommendation to or for the application. Mr. Hamburger noted that he can not vote for a plan that has so many subjects to issues like Mr. Woodrow has discussed. Mr. Hamburger talked about how the zoning issues are more

complicated and that the Board of Commissioners did not deal with it at their meeting so we can not at this meeting.

Mrs. Friedrich Fogel stated that the Planning Commission can recommend a traffic study be done and Mr. Hamburger said he would vote for that.

Mr. Cooley talked about how it is not their intention tonight to avoid answering questions and not give direct information; they have been here for eight (8) months trying to provide as much information as possible. He stated that they are trying to globally assess the needs of the Township and all the issues that have been brought up. Mr. Cooley noted that they will do as much as they can but they do not have an unlimited budget to work with so they are trying to get a priority list of the most important issues so they can be addressed.

Mr. Krebs questioned if any of the proposed improvements help the culvert and Mr. Woodrow replied that all the improvements tonight would not help with the culvert. Mr. Woodrow noted that the Township has tried to do as many improvements as possible without touching the culvert because it is a costly project. Mr. Krebs asked if the culvert is the States responsibility and if so can they fix it and Mr. Woodrow replied yes but there is no project in the PennDot plan to fix the culvert so that leaves it to Lower Moreland Township to try and improve.

Mr. Rivera talked about wanting to preserve the history and character of Lower Moreland Township and that the applicant should consider their carbon footprint and going as green as possible.

Mr. Hamburger questioned where the stormwater would drain and Mr. Woodrow replied that it would drain onto the Fredrick's Company but they have been involved with this proposal and it keeps true to what they were looking for. Mr. Cooley noted that they made the stormwater management system with brick veneer for Fredrick's Company since they will be looking at it.

Commissioner Blumhardt asked if Wawa could talk about their environmental programs in relation to tanks. Mrs. Susan Bratton replied that they do manual monthly inspections on the ports, where the tanks are filled and the connections to the pumps underground. She talked about an alarm system in place if a tank would leak in which case four (4) different people are contacted. Mrs. Bratton talked about the installation of the equipment and how they choose to install the best equipment they could including wall tanks with brine solution, double wall pipes and sumps. Commissioner Blumhardt asked if they do a monthly tank-tightening test and Mrs. Bratton replied no, due to the alarms in place a monthly test is not needed.

Mrs. Carol Henderson, 3023 Sycamore Road, talked about two issues not being addressed; how much volume of traffic would be coming to the Wawa and how much money this would create in taxes. Is there another way for the Township to generate revenue? Mrs. Henderson also commented that she heard about pedestrian access from the schools and it is her hope that the children do not frequent the Wawa. Mr.

Goodman replied that real estate taxes now on the property are about \$7,000 a year and they anticipate, based on assessments of other Wawas in Montgomery County that number would jump to \$18-23,000 a year. Mr. Goodman noted that additional taxes would be paid based on gross volume and the average Wawa in Montgomery County pays where there is a mercantile tax about \$20-25,000 would go directly to the Township not the school. Mr. Dougherty talked about the volume of traffic and said he doesn't have a number of volume but he has the new traffic trips during peak hours and AM is 47 and PM 58 new trips. Mr. Traub commented that a total number of trips for a year should be provided and Mr. Dougherty said the Board can request whatever information they feel is appropriate.

Mr. Botta talked about how it cannot be avoided that High School students will go to Wawa so the sidewalks would be for their safety. Mrs. Bratton commented that she hopes that some of the students will be working at the Wawa on a part-time basis.

Mrs. Souder talked about how Wawa is a hangout for kids because her sons used to hangout at the Wawa on Philmont Avenue and Byberry Road except this Wawa would have a gas station which creates more traffic at the Wawa. Mrs. Souder noted that at the last Planning Commission meeting they were persuaded to not talk about the land development issues because that would be decided after the zoning was passed and now the zoning has not been passed and now we are discussing all the land development issues so she is confused. Mrs. Souder is not sure what is needed to pass the new zoning ordinance. Mrs. Von Spreckelsen talked about when they submitted the text amendment all this information was not needed but then they heard feedback that this information was wanted so they submitted land development plans to provide that information. Mrs. Von Spreckelsen noted this was done so that the text amendment would be reconsidered by the Board of Commissioners. Mrs. Von Spreckelsen reiterated that the only way to provide the information requested was to submit a land development plan but we are in no way trying to push through a land development plan in lieu of zoning, they are aware that zoning needs to be resolved. Mrs. Souder commented that normally when a preliminary plan is submitted the zoning is already dealt with so now dealing with an application that does not is confusing. Mrs. Von Spreckelsen talked about the Township Planner and Engineer felt this use would fulfill a need for the Township and help to revitalize this area, which is the point of the Revitalization District. Mrs. Von Spreckelsen talked about the difference between text amendment and receiving Zoning Hearing Board relief. Mrs. Souder felt that it was not the lack of information that made the Board of Commissioners deny the zoning amendment but what the residents had to say and not being connected to the project. Mrs. Von Spreckelsen said what the residents did say was they wanted more information, and Mrs. Hanny commented that the residents do not want a Wawa in their Township period.

Mr. Chapman questioned if the Planning Commission is under an obligation to vote tonight and Mr. Woodrow said that they are not but a recommendation for the Board of Commissioner to order a traffic study would be appropriate.

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Mr. Chapman made a motion for recommendation that the Board of Commissioners approve a traffic study to be done for this application. The motion was seconded by Mr. Costello and Mr. Mayer, Mr. Krebs, Mr. Hamburger and Mrs. Friedrich Fogel voted aye. Mrs. Souder voted nay. The motion was carried as stated.

Legislative Review

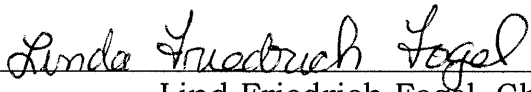
Mr. Woodrow stated there is no legislative review.

New/Old Business

There was no new or old business.

Adjournment

There being no further business to come before the Planning Commission, a unanimous vote for adjournment was in order at 8:45 P.M.


Lind Friedrich Fogel, Chair