

June 27, 2013

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. Hamburger, Chapman, Krebs, Cohen, Mayer, Frey, Rubin, Mrs. Friedrich Fogel, Mrs. Souder, Planner Gabriel, Engineer Jordan(For Engineer Woodrow), Commissioner Kuritz and Clerk Lawler.

Chair Friedrich Fogel called the meeting to order at 7:00 P.M. The Pledge of Allegiance was recited.

The minutes of the May 23, 2013 Planning Commission meeting were approved.

SD 12-09 Schmucker/1171 Country Lane-Preliminary Plan presented by Mr. Nick Rose, ProTract Engineering. Mr. Rose talked about the proposal being a 10 acre tract of land off of Country Lane which will be subdivided. Mr. Rose noted that a request of waivers has been submitted. Mr. Rose explained that Township Staff met him on the property to walk it and discussed some issues and he then redesigned the plan. Mr. Rose stated that the Fire Marshal has approved the revised plan.

Mr. Steve Gabriel, Township Planner, talked about the proposal having the least amount of impact on Country Lane and the natural features it has but provide for property emergency access which Mr. Rose has been able to do with the revised plan. Mr. Gabriel is ok with the requested waivers but would like the well on the Peppleman tract to be shown along with any utility easements. Mr. Gabriel talked about the 100 foot distance around a septic tank and the requirement being because of wells. Mr. Gabriel stated that a note should be added to the plan indicating that at some put in the future the Board has the right to ask the reconstruction of a private lane so future owners would be aware of the possibility. Mr. Gabriel talked about the site distance at Paper Mill Road and Country Lane be shown on the plan.

Mrs. Friedrich Fogel asked about the reconstruction of the street and Mr. Gabriel replied that in the subdivision code it allows the Board to require a private street to be upgraded to Township road standards due to increase of activity or other similar circumstances.

Mr. Robert Jordan, Township Engineer, talked about needing a maintenance agreement from each homeowner, site distance at Paper Mill Road & Country Lane, planning module approval from DEP for each of the new lots and any new construction will require building and grading permits.

Mr. Hamburger asked if this whole area is septic tanks and Mr. Rose noted the sewer line stops in Paper Mill Road further up but this immediate area is on septic tanks.

Mr. Chapman asked about the line of site changes at Paper Mill Road whose property would be impacted and Mr. Rose replied the area is in the public right of way but there is no earth work really just vegetation work that needs to be done.

Public Comment

Mrs. Sandra Hope, 3199 Paper Mill Road, is concerned about the possibility of having to reconstruct the private lane into Township standards and what that means exactly and Mr. Rose replied the right of way would be 50 feet and the paving would be 28 or 30 feet wide but that would happen if the Township found a safety or health hazard. Mrs. Hope asked if the Township would take the property from the owner and Mr. Rose said that to his knowledge that has never happened in Lower Moreland Township. Mrs. Hope asked if a note about no further subdivision will be placed on the plan and Mr. Rose replied yes.

Mrs. Hope asked about an 18 foot pull out area in the front of the lane and Mr. Rose replied that it is within the right of way area. Mrs. Hope asked about tree removal and Mr. Rose said there will be no trees removed. Mrs. Hope asked about drainage and Mr. Rose said the Township Staff comment noted that any stormwater management work would need permits.

Mr. Chapman made a motion for recommendation that the Board of Commissioners approve the plan with the conditions that all review letters are complied with. The motion was seconded by Mr. Hamburger and Mr. Krebs, Mr. Cohen, Mr. Frey, Mr. Mayer, Mr. Rubin, Mrs. Friedrich Fogel and Mrs. Souder voted aye. The motion was carried as stated.

Draft Floodplain Ordinance Review presented by Mr. Gabriel who talked about the floodplain conservation district which regulates the floodplain. Mr. Gabriel noted that the Federal Emergency Management Agency (FEMA) is getting ready to update the flood maps for Pennsylvania and New Jersey along with issuing updated regulations. Those regulations are minimum standards that the Federal Government requires of all Municipalities to have as part of their floodplain regulations if those Municipalities are going to qualify for Federal flood insurance.

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Township Staff has reviewed the current floodplain ordinance and reviewed model ordinances from Montgomery County and then compared the two. Mr. Gabriel noted that there were some differences between the model and the current ordinance. For example the new model ordinance would prohibit fill all throughout the floodplain while the current ordinance allows fill outside of the portion of the floodplain where the flood water flows and allows fill lands to elevate the site so they are no longer in the floodplain as long as there is no increase to the flood elevation and no flooding impact to neighboring properties. Mr. Gabriel talked about development in the floodplain and how these new regulations could affect the redevelopment on Philmont Avenue.

Mr. Gabriel talked about changes in setbacks and shrinking the buildable area along with the prohibiting of parking lots, basins and new construction within the floodplain which is shown in the model ordinance from County.

Mr. Gabriel noted that the Township Engineer talked to DEP and they said some modifications are allowed as long as the spirit of the regulations is met. The Township Staff looked through the model ordinance to see how it would affect the development in the Township but also protect the neighboring properties.

Mr. Gabriel talked about going to the Zoning Hearing Board verses the Board of Commissions for work in the floodplain. The Township Staff recommended going to the Board of Commissioners for a Conditional Use application since any work would have to go through a Land Development application as well.

Mr. Gabriel stated that some of the prohibited uses from the model ordinance were turned into Conditional Use application for the Township draft ordinance.

Mr. Chapman asked if the changes were being included in the proposed draft and Mr. Gabriel replied yes.

Mr. Gabriel explained that the draft ordinance also contains elevating structures to 1½ feet above the 100 year base flood elevation. Mr. Hamburger asked if the new Wawa meets that requirement and Mr. Gabriel replied yes.

Mr. Gabriel talked about other ordinances that will be incorporated into this draft ordinance.

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Mrs. Friedrich Fogel noted that she read about not just impacting neighboring properties but the next Municipality and Mr. Gabriel replied that yes that is correct and gave an example of a proposed land development on Philmont Avenue that will be replacing an older smaller culvert with a new larger one.

Mr. Cohen asked about the proposal and Mr. Gabriel noted that an 80 townhome development with a new bridge across the creek is proposed down the street from the new Wawa. Mrs. Souder asked about the location of the bridge and Mr. Gabriel noted that currently there is a small bridge and that will be replaced. Mrs. Souder asked if it included the corner property at Red Lion Road and Philmont Avenue that is up for sale and Mr. Gabriel replied no.

Mrs. Souder asked about the standing water in the front of the new athletic field that is being built on Red Lion Road and Mr. Jordan replied it was designed as an infiltration basin which is mean to infiltrate over a period of time. There is also another basin to handle the parking lot water. Mr. Jordan noted that the water should dissipate but there has been an unusual amount of rain.

Mrs. Souder asked if Philmont Avenue had flooded and was closed recently due to all the rain and Mr. Gabriel was not sure but one of the Planning Commission members said the barricades have been up a couple times. Mrs. Souder asked if there was any way to make those conditions any better and Mr. Gabriel replied that today with new construction the Township can require that development to do no harm but trying to play catch up with all the developments that had no stormwater management is the difficult part. Mr. Jordan agreed with Mr. Gabriel's assessment.

Mr. Chapman asked about the proposal discussed earlier and if they will be required to follow this new ordinance and Mr. Gabriel replied they are required to follow the current ordinance.

Mr. Chapman made a motion to accept the draft as proposed subject to further review by appropriate Government Agencies and Mr. Mayer, Mr. Cohen, Mr. Frey, Mr. Rubin, Mr. Krebs, Mr. Hamburger, Mrs. Friedrich Fogel and Mrs. Souder voted aye. The motion was carried as stated.

Legislative Review

Mr. Gabriel noted that the Board of Commissioners adopted the amendment to allow schools in the "L" Residential Zoning District. Commissioner Kuritz talked about the High School parking lot reconfiguration to be started soon.

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Mrs. Friedrich Fogel stated her concern with Philmont Avenue is that every developer wants to bring in apartments or townhouses and school taxes are already driving people out. Mr. Gabriel noted the market is tough for the non-residential uses. Mr. Gabriel talked about density for a development and how they can play with the numbers. Mr. Gabriel discussed the percentage of non-residential verses residential.

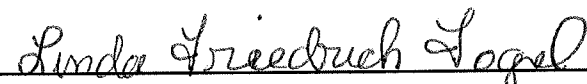
New/Old Business

Mr. Gabriel talked about a new proposal on Calvin Road for 11 Single Family Detached Dwelling Units. Mr. Hamburger noted there are sewer issues to deal with in the area. Mr. Mayer asked what the previous proposal was for and the response was a nursing home facility.

The next meeting is scheduled for July 25, 2013.

Adjournment

There being no further business to come before the Planning Commission, a unanimous vote for adjournment was in order at 8:00 P.M.


Linda Friedrich Fogel, Chair