

March 27, 2014

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. Cohen, Mayer, Frey, Krebs, Chapman, Rubin, Mrs. Souder and Engineer Woodrow, Planner Gabriel, Commissioner Kuritz, Assistant Manager Guertin and Clerk Matyas.

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

The minutes of the January 23, 2014 Planning Commission meeting were approved.

**LD 14-01 Artis Senior Living/Lieberman Drive-Sketch Plan** presented by Mr. Peter Freedman, Attorney for the applicant. Mr. Freedman talked about the applicant and their business which is all over the country. Mr. Freedman noted that the applicant has an agreement of sale with the 1<sup>st</sup> Baptist Church for the property on Lieberman Drive with the contingencies that all permit and approvals are obtained. Mr. Freedman talked about the zoning allowing as a permitted use an Assisted Living Facility and noted that this is an informal application and a formal submission will follow.

Mr. Max Ferentinos of Artis Senior Living, LLC talked about the history of the company and how they grew throughout the area. Mr. Ferentinos discussed the proposal being a 72 bed memory care facility and talked a little bit about the design being solely for memory care patients. Mr. Ferentinos spoke about controlled freedom which allows the patients to have the feel of freedom while being safe and secure in the facility. Mr. Ferentinos noted the demand for this type of facility as the population grows older and the need in this area for a memory care facility.

Mr. Adam Benosky, P.E. of Bohler Engineering, talked about the existing conditions and the proposal. Mr. Benosky noted the property is an undeveloped lot with a cul-de-sac that is shared with the Post Office and Self-Storage Facilities. Mr. Benosky explained that the required number of parking spaces is 24 but the proposal shows 34, the applicant is comfortable with 34 spaces. Mr. Benosky showed the footprint of the facility including an enclosed court yard. Mr. Benosky talked about stormwater management

and explained that this application shows basic information with a more detailed plan to be provided with future submittal.

Mr. Benosky noted that the new zoning ordinance that will be adopted in the future will require a Conditional Use application. Mr. Benosky talked about floodplain and FEMA map requirements. Mr. Benosky noted that waivers for public sidewalks and distance from exit/entrance will be submitted with possible minor waiver for landscaping. There may be future waivers as a more detailed plan is created. Mr. Benosky talked about running the land development and conditional use application at the same time as well as submitting a preliminary/final application to quicken the process.

Mr. Steve Gabriel, Township Planner, explained that a new zoning ordinance is under review along with a new floodplain ordinance. Mr. Gabriel noted the density is good along with minimum lot area and parking requirements. Mr. Gabriel talked about accessory structures in the front yard, trash bins, generator and those items are not allowed in the front yard in the new zoning ordinance. Mr. Benosky replied those items will be moved out of the front yard.

Mr. Gabriel talked about how grading in the floodplain requires a Conditional Use application which is reviewed at the Planning Commission first then to the Board of Commissioners for approval. Mr. Gabriel noted that the driveway widths must be 25 feet long and more tree protection details included. Mr. Gabriel talked about this being a good fit for this area and this property.

Mr. Tim Woodrow, Township Engineer, talked about the Township's new zoning ordinance and how this application takes advantage of it. Mr. Woodrow noted this use is an important service for the community.

Mr. Woodrow discussed the cut and fill for floodplain and how this process is very common for this area. Mr. Woodrow noted that a preliminary/final application has been done in the past and since there are no major road improvements he is in support of that submittal. Mr. Woodrow explained there is no traffic issue or sewer issue and is in support of the existing stormwater management pipe being relocated.

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Mrs. Souder asked about moving the building up so it is out of the floodplain and putting the parking lot somewhere else and not in the front of the property. Mr. Benosky talked about cut and filling the property to deal with the floodplain. Mr. Frey asked about a basin and Mr. Benosky replied there would be one.

Mr. Chapman asked about access for emergency personal around the entire building. Mr. Benosky replied that the Fire Marshal talked about giving access around the entire building which is not required but they would contact the Fire Marshal to discuss this issue. Mr. Chapman noted the tenants are not highly mobile so it might be needed. Mr. Woodrow noted the Manor Care application had the same issue and they installed an access around the entire building.

Mr. Chapman asked about sidewalks and his concern that workers walking from the bus or train will walk in the street. Mr. Chapman stated sidewalk installation is trying to be encouraged with new development. Mr. Benosky replied that the applicant only owns a small portion of the street so there would only be a little section of sidewalk not the entire length from Welsh Road down to the facility.

Mr. Mayer asked the number of employees and Mr. Ferentinos replied 43 full time employees over three shifts with a peak of 16 employees at one time. Mr. Mayer asked if 34 parking spaces would be enough and Mr. Ferentinos replied their residents do not drive so it is just employees and visitors that will use the parking lot. Mr. Souder asked about deliveries going through the front and Mr. Ferentinos showed the door for food deliveries and all other are at the front door. Mrs. Souder asked if there are individual rooms and Mr. Ferentinos replied yes.

Mr. Benosky showed an elevation drawing including a six foot wooden fence with lattice. Mr. Chapman asked if there was a basement and Mr. Benosky replied no. Mr. Rubin asked about fill already placed on the property, and Mr. Benosky replied that a survey was done and man-made fill was placed there. Mr. Rubin asked about sewer

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being present and Mr. Benosky replied yes and they would tap into that along with other utilities.

Mr. Frey asked about the property next to this one and Mr. Woodrow noted the Self-Storage Facility owns it. Mr. Frey asked if there were trails back there that connect to Pennypack and Mr. Woodrow replied they looked at trying to connect it with this property but it did not work out.

Mr. Frey asked about stormwater and adding water to the creek and Mr. Woodrow replied any development is obligated to manage the runoff created by construction and a permit is needed from the State. Mr. Benosky replied that all studies and reports will be done.

Mr. Chapman asked about easements to residential roads for emergency access and Mr. Woodrow replied that at the back of the Self-Storage Facility there is a gated emergency access to Rye Valley Drive.

There was no public comment.

Mr. Frey noted that this proposal being a sketch plan does not require a vote. The Planning Commission liked the overall concept of the proposal feeling it is a good use for the area and a needed service. There are issues that need to be addressed for future submission including relocation of trash bins, transformer & generator from the front yard, modify the emergency vehicle access, add sidewalks to the streets and conduct more studies on the impact of the stormwater for the area.

**Zoning Update** Mr. Gabriel talked about some updates to the proposed zoning ordinance including expansion of a non-conforming building with a use that conforms, in-law suites, temporary signs, real estate signs, and map changes. Mr. Gabriel explained the public hearing for the new zoning ordinance is set for April 9<sup>th</sup>.

Mr. Rubin made a motion to recommend the changes to the Zoning Ordinance per Mr. Steve Gabriel's letter dated March 21, 2014. Mrs. Souder seconded the motion and Mr.

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Mayer, Mr. Frey, Mr. Cohen, Mr. Krebs, Mr. Chapman voted aye. The motion was carried as stated.

Mrs. Souder asked about the Artis Senior Living LLC project moving the building out of the floodplain by relocating the parking lot and Mr. Woodrow replied that moving the building horizontally to be out of the floodplain is always a better idea but there is some restrictions due to the stormwater pipe. Mrs. Souder asked about emergency access around the building and Mr. Woodrow replied that the Fire Marshal talked about wanting it all around the building. Mr. Woodrow noted the future plan will probably look slightly different than the plan shown tonight.

**Act 167 Ordinance Review** Mr. Woodrow showed the Planning Commission a slide show explaining the new act that the Township is obligated to adopt. Mr. Woodrow noted that development over the years created stormwater issues. Mr. Woodrow explained that the Clean Water Act changed how properties deal with storm water and waste water. Mr. Woodrow noted that the threshold for requiring a grading permit is now 1000 square feet and that is accumulative so it may take a couple years of work to get to 1000 square feet but when they reach that number a grading plan is required with engineered plans.

**Legislative Review** Mr. Woodrow noted the Schmucker subdivision was finalized. Mr. Woodrow talked about the Water's Edge application and there was a difference in option with zoning and they were supposed to submit a new plan but nothing seen yet. Mr. Woodrow noted the JERC Partners/Red Lion & Pine Rds application is still ongoing and should be back soon.

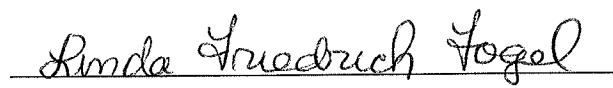
Mr. Woodrow mentioned that Bruce Toll purchased the old Ferretti property on Philmont Avenue and Toll Brothers Builders purchased the Philmont County Club residential property. The property purchased by Bruce Toll is possibly going to be commercial. Mr. Woodrow said he talked to the manager for the Bethayres Shopping Center about the old market space but not a lot happening.

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**New/Old Business** the next meeting would be April 24<sup>th</sup> but there is no new proposals submitted for review as of now. Mr. Chapman asked about the Pennypack trail and Ms. Loreen Guertin, Assistant Township Manager, replied that the trail was approved and will be constructed in the near future.

**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.



Linda Friedrich Fogel, Chair