

**LOWER GWYNEDD TOWNSHIP
PLANNING COMMISSION
Minutes of August 18, 2021**

<u>Present:</u>	Craig Melograno, Chairman	Ken Amey, Zoning Officer
	Michael Twersky, Vice-Chair	Patty Furber, B&Z Administrator
	Danielle Porreca	Ed Brown, Gilmore & Associates
	Rich Valiga	Chad Dixson, McMahon & Assoc.
	Joel Mayor	
	Maureen Nunn	

Absent: Michael Rashid, Stephen Paccione, Rusty Beardsley

Call to Order:
The meeting of the Lower Gwynedd Township Planning Commission was called to order at 7:00 PM.

Approval of Minutes: June 16, 2021

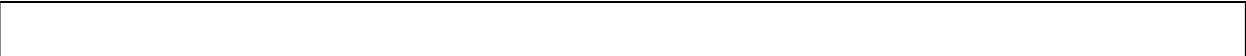
A motion was made by Mr. Twersky and seconded by Ms. Porreca to approve the minutes of the Lower Gwynedd Township Planning Commission meeting of June 16, 2021. The motion carried unanimously.

Foulkeways - Revised Approval for Peters Tract:

The applicants were represented by Christen Pionzio from HRMM&L and Tim Woodrow from Woodrow & Associates. Ms. Pionzio explained that the previous approval granted by the BOS required the Peters Tract to be merged with the rest of the Foulkeways property. The Peters Tract is currently in the county's Act 319 program and is subject to a preferential assessment; by consolidating the parcels, the Act 319 covenant would be broken and Foulkeways would be obligated to pay 7 years of back taxes. The proposed resolution would allow the Peters Tract to remain in the Act 319 program until Foulkeways decides to develop it. The plan will still be compliant with zoning and SALDO requirements and all conditions of the previous approval would be carried forward. Mr. Melograno asked about the access road and Mr. Woodrow explained that there are no immediate plans for the access road or any sort of land development. He reassured the board that if any development occurs on the Peters Tract, they would have to come back to the PC to merge it with the balance of the campus.

A motion was made by Mr. Mayor and seconded by Mr. Twersky to recommend this amended resolution for approval by the Board of Supervisors.

The motion passed with a 6-0 vote.



Subdivision/Land Development:

**820 N. Bethlehem Pike
Goddard School**

#21-01LD

The property owner, David Goldstein, was present along with his attorney, Kate Harper, his engineer, Joel Comanda, and the operator of the Goddard School in Horsham, Mike Thompson.

Ms. Harper started by explaining the proposed use for the site, which would include a Goddard School daycare center on the Bethlehem Pike frontage, and a professional office in the existing building at the rear of the property. Ms. Harper stated that she was in front of the board two months ago and since then has submitted revised plans that address review comments from the township engineer, traffic engineer, and fire marshal.

The one major open issue is the driveway access to the site. Ms. Harper said they are working with PennDOT, but they have not received an answer regarding their request for a full movement driveway at the northern access. The McMahon review proposed other options for access and Ms. Harper agreed that if PennDOT does not approve the full movement drive on the north end of the property, they would redesign the access to provide a one-way-in drive to the south and a one-way-out drive to the north. Mr. Melograno stated that he prefers the idea of one-way-in/one-way-out access. Ms. Harper is currently waiting for PennDOT approval.

Mr. Twersky stated that he was concerned about traffic flow in front of the daycare. Mr. Thompson suggested that they could include speed bumps and stop signs to help traffic circulation, and Ms. Harper agreed that they would be willing to change the internal circulation if needed. Mr. Dixon noted that the design for internal circulation needs to keep the medical office traffic away from the front door of the daycare. Ms. Harper said they would work on that.

Ms. Harper brought up the requested waivers, particularly tree replacement. Kate said that there is not room on the site for the required replacement trees and that her client

would agree to a fee-in-lieu for the 677 caliper inches (226 trees) that are required. Mr. Brown mentioned that they have proposed substituting 47 shrubs in place of trees. Mr. Comanda explained that by substituting shrubs for trees, they can install more plantings and not run the risk of root systems disturbing underground utilities. Mr. Melograno stated that this really is just going to come down to the driveway issue and is fine with the other waivers.

A motion was made by Mr. Mayor and seconded by Mr. Valiga to recommend this application for preliminary/final land development approval by the Board of Supervisors based on the following conditions:

- 1) Regardless of the final PennDOT decision, the PC does not recommend a full movement drive on the north end of the property and would prefer a one-way-in/one-way-out access pattern.
- 2) The PC recommends approval of waivers 1-3 and 5-7 as stated, and the tree replacement waiver (#4) conditioned on a fee-in-lieu as determined by the BOS.
- 3) Applicant is to comply with the Bethlehem Pike Streetscape Improvement plan.
- 4) Applicant is to comply with Gilmore and McMahon review letters dated August 12th, 2021, with the exception of the full movement drive to the north.

The motion passed with a 6-0 vote.



776 Johns Lane
6-lot subdivision

#21-02SUBD

The applicants, Mr. & Mrs. Hughes, appeared along with their attorney, Christen Pionzio, and their engineer, Tim Woodrow. Ms. Pionzio explained that at the June 16 meeting, they were asked to provide an arborist's report, an historical impact report, information on other subdivisions that have received waivers for curb and sidewalk, and information regarding any alternate trails that could be provided.

The arborist's report has been reviewed by Mr. Brown and no major issues were noted. The historic impact report, prepared by Robert Wise, has been reviewed by Mr. Amey. Ken agrees with the conclusions and the mitigation suggestions offered in the report. Ms. Pionzio showed a series of photographs to the PC to illustrate other small subdivisions throughout the township that used access driveways without curbs and sidewalks. Mr. Woodrow pointed out that Al Comly has said that a 26' wide road is acceptable. Christen added that each home will have streetlamps at the end of its

driveway. Ms. Pionzio also said that she and her clients have met with the staff regarding an alternate trail, but after discussion, suggested that it may be better to offer a fee-in-lieu that could be used where and when the township prefers. Mr. Melograno asked for more information on the arborist's report. Mr. Brown stated that a total of 3,570 caliper inches would be removed but 1, 479 of those are dead or dying trees. The required replacement would be 2,091 caliper inches, or approximately 700 trees. Mr. Woodrow explained to the board that lot 3 would not be developed so there would be a total of 4 new homes. Lot 3 would be retained by the Hughes, with no disturbance planned.

Mr. Woodrow met with Mr. Dixon and Mr. Brown to determine the best way to handle the intersection with Johns Lane. Mr. Dixon said that Police Chief Kenny is leaning toward a three-way stop sign, and the next step would be to perform a traffic study of the intersection. Mr. Twersky added that installing a three-way stop sign might help the cut-through traffic.

Mr. Woodrow brought up the right-of-way on Susquehanna and said the property owner of lot 1 would be responsible for cutting back the shrubs. Mr. Amey suggested that the HOA should be responsible for maintaining the shrubs in the right-of-way instead of the homeowner. Mr. Woodrow agreed.

Mr. Twersky said that he met with some residents on Johns Lane who explained their concerns regarding construction and tree removal on a street as narrow as Johns Lane. Mr. Woodrow agreed that the future builder of the lots will have to honor any restrictions on recorded plans and agreements. Ms. Pionzio added there are always preconstruction meetings as well with township staff.

Mr. Melograno asked for audience comments. Joanne Lesko who resides at 765 Johns Lane was in attendance with her lawyer, Michael Lyon. Ms. Lesko stated that she purchased her property back in 1995 and the house and barn on her property both date back to the 1800's. Her concern is the disturbance to her historic buildings and the traffic safety at the bend on Johns Lane. She is also concerned about emergency vehicle access. David Morgan who resides at 753 Johns Lane was in attendance and emphasized the dangers of the entrance/exit on Johns Lane. He said he doesn't understand why they cannot come out on Tennis Avenue instead, since Johns Lane is a very narrow street. Ms. Pionzio pointed out that PennDOT has already ruled that an access to Tennis Avenue would not be allowed.

Mr. Melograno asked Ms. Lesko if a visual barrier on her side would help with buffering. Ms. Pionzio stated that she doesn't want to agree to any work on Ms. Lesko's property considering their past litigation. Any buffering would take place on the Hughes property.

Mr. Woodrow stated that they could build a separate access through lot #1, build the storm sewer, and do all the tree removal at one time to help reduce the duration of construction activity and keep as much of the activity as possible away from the Lesko property.

The plans are noted as “preliminary”, and Mr. Woodrow said that once the BOS rules on the waiver requests, he can add final details to the plan and return for final plan approval. Ms. Pionzio agreed that receiving a recommendation for preliminary plan approval is important to Mr. & Mrs. Hughes so they can go the Board of Supervisors for a ruling on the waiver requests. Mr. Melograno stated that his biggest concern is regarding the tree replacement. Ms. Pionzio and Mr. Woodrow said they would be fine with the 26’ foot street width, as agreed to by Mr. Comly. Mr. Amey noted that requested waivers of curbs, sidewalks, and road width are supported by the recommendations in the historic impact report.

A motion was made by Mr. Mayor and seconded by Mr. Valiga to recommend this application for preliminary land development approval based on the following conditions:

- 1) The PC recommends the waiver for tree replacement and other requested waivers subject to approval of the Board of Supervisors.
- 2) The HOA will be required to maintain site distances along Susquehanna Road.
- 3) Construction traffic for storm sewer, basin construction and tree removal should be from Susquehanna Road through lot #1, not through the private lane.
- 4) Applicant to provide a visual barrier between 765 Johns Ln and lot # 1 as recommended in the historic impact report.
- 5) The PC recommends installation of a three-way stop in accordance with studies to be performed by McMahon Associates.

The motion passed with a 6-0 vote.



Lower Gwynedd Township:
Property Maintenance Ordinance

The board members requested a copy of the International Property Maintenance Code which is referenced in the ordinance for their review. This will be discussed at the next scheduled P.C. meeting.



ADJOURNMENT

There being no further business, the meeting was adjourned at 9:50 P.M.

Respectfully submitted,

Patty Furber, Secretary