

**LOWER GWYNEDD TOWNSHIP
PLANNING COMMISSION
Minutes of June 21, 2023**

Present: Craig Melograno, Chairman
Rich Valiga, Vice-Chair
Danielle Porreca
Maureen Nunn
Rusty Beardsley

Patty Furber, B&Z Administrator
Ed Brown, Gilmore & Associates
Chad Dixson, McMahan & Assoc.

Absent: Stephen Paccione, Joel Mayor

Call to Order:

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

Approval of Minutes: April 19, 2023

A motion was made by Ms. Porreca and seconded by Mr. Beardsley to approve the minutes of the Lower Gwynedd Township Planning Commission meeting of April 19, 2023. The motion carried unanimously.

Subdivision/Land Development:

**400 Houston Rd.
Conditional Use Application**

#23-01CU

Present for the conditional use application was Annie L. Neamand from Hamburg, Rubin, Mullin, Maxwell & Lupin, PC, Gary Tilford from Charles E. Shoemaker Inc., the applicants Thayne and Callie Gould and Mrs. Gould's parents, the parcel owners, Bruce & Mary Thompson.

Ms. Neamand explained to the board that the applicants would like to create a new lot to be closer to her parents, Bruce & Mary Thompson. Ms. Neamand explained that the property is located in the "C" residential district, the lot is 67,618 sq feet and they would like to subdivide it into 2 parcels. One parcel would be 32,000 sf. and the other would be 26,000 sf. Currently, on the property, there is a three-story five-unit apartment building that was built in 1920 and has been used as an apartment building since 1950 making it legally non-conforming. Ms. Neamand stated the Lower Gwynedd ordinance zoning code section 1296.06(d) states that reducing the lot size for a non-conforming use requires conditional use approval.

Mr. Tilford explained to the board that the Thompson's currently own a flag lot that takes access off of Houston Rd. Mr. Tilford explained that the tract contains a creek bed and a floodplain. They do not intend on encroaching into the floodplain. Mr. Tilford stated they are looking to adjust the lot line of the flag lot to add more land to reduce the non-conformities such as lot area and building coverage. He stated they are close to making the impervious coverage compliant while not creating any new non-conformities.

Mr. Tilford explained they recently met with Jamie Worman and Steve Ware from the Building & Zoning Department to review the plans. Mr. Tilford explained the only item of concern is proposing to utilize an existing driveway to create the new lot. The flag lot has a stone driveway off of Houston Rd. and a couple of garages, the new driveway would be separate. Mr. Tilford explained further down the road, when ownership changes, there is a concern with shared driveways with multiple users. Mr. Tilford explained that there are some vegetation and embankment issues that would need to be addressed, but they would like to pursue a PennDOT permit. Mr. Dixon stated that they would need a minimum-use driveway permit. Mr. Dixon wanted to make the applicant aware that with PennDOT's driveway regulations, they have the authority to require access to the lesser classification of the street. Mr. Melograno stated that there would be confusion without going through PennDOT and their conditional use plan might potentially be unusable if they won't allow access to Spring Garden Street. Mr. Melograno wanted to know what if PennDOT informed them that they wouldn't allow access off of Spring Garden St. Ms. Neamand stated that they would take access from Houston by using shared access easements. Mr. Tilford stated that they did initially consider a shared driveway from Spring Garden Street by adding a driveway extension, but stated that common driveways can cause problems with neighbors. Ms. Neamand stated that they would reach out to PennDOT after the conditional use approval, but for now, they just wanted to know if they would be able to reduce the lot at all.

Ms. Nunn stated there is a problem with the riparian buffer, sanitary easement and the steep slopes. Mr. Tilford stated that the floodplain is beyond the buffer and the steep slopes are below the thresholds and there is no disturbance for the woodlands. He stated the sanitary sewer easements can be created during the subdivision process. Mr. Brown stated the riparian buffer comment on Gilmore's review letter dated June 15, 2023, stating that nothing encroaches and that the stormwater ordinance was updated to 35' for the 100-year floodplain. Mr. Melograno asked about the sanitary easement and what the intent would be to relocate it. Mr. Tilford stated that the existing lateral would go to the new house and there would be a new connection for the existing house. He stated both properties are with the same family and that creating new easements wouldn't be a problem. Mr. Brown stated that the lateral is outside of the easement and both would have to be reworked.

Mr. Valiga wanted to know if there would be any issues for fire trucks to access the new lot. Ms. Neamand stated that if they have to go with the shared driveway option, they would work on increasing the turning radius for fire truck access.

Mr. Melograno wanted to know if they had a tree calculation. Ms. Neamand stated that they would have to replant 28 - 3" caliper trees to put the new house where it is located on the plan. Ms. Neamand stated that they would have an issue trying to fit 28 trees on the lot, and was

thinking about doing a fee-in-lieu instead. Mr. Melograno suggested that they could potentially take down more trees to improve the sightline distance issues on Spring Garden Street while incorporating them into their tree waiver. He stated that this might also put them in a better position with the Township for their waiver request. Mr. Melograno stated if they removed the trees and replanted the 28 - 3" caliper trees on the new lot for buffering, technically, they would be reusing trees on their own property. Ms. Neamand thanked Mr. Melograno for the idea.

Mr. Dixon stated that the Township and PennDOT receive complaints frequently when somebody is sitting on Houston Rd. trying to make a left or right-hand turn, they can't see due to the vegetation around that curb. Mr. Melograno wanted to discuss waivers, but Mr. Brown stated that those should be discussed during the land development process. Ms. Neamand agreed with Mr. Brown stating that she just wanted to know if this idea would be approved prior to putting any substantial time and money into this project.

A motion was made by Ms. Porreca to recommend this conditional use application for approval by the Board of Supervisors, seconded by Mr. Beardsley with the following recommendations:

- The board recommends the sanitary easement be compliant with the township ordinance;
- The board recommends that the applicant should aggressively pursue fixing the sightline distance by removing trees on the 400-front parcel. Those trees should not count in the tree replacement.

The motion passed with a 5-0 vote.



Lower Gwynedd Township:

Traffic Impact Fee Update:

Chad Dixon from McMahon & Associates gave a brief update to the PC members regarding updating the traffic impact fee. Mr. Dixon stated that the ordinance was originally adopted back in 2004 and the current fee is \$2,258.00 per peak-hour trip. Mr. Dixon stated the types of traffic impact fees can be used for new traffic signals, upgrades to existing traffic signals, left or right-turn lanes at intersections, additional thru lanes at intersections, additional thru lanes for a corridor and new roadways.

Mr. Dixon explained regarding the list of fees; the municipalities with the highest fees have been revised more recently. Mr. Dixon stated that the board assigned a Transportation Impact Fee Advisory Committee which included 7 members to provide recommendations to the board. Mr. Dixon stated that the original traffic impact fee ordinance was codified into the SALDO (which is not normally done that way) it's usually a stand-alone ordinance within the township code outside of the SALDO. Mr. Dixon stated that this would be on the board's agenda next week at their June 27th meeting.

Mr. Dixon stated there are a couple of ways that the MPC permits the municipality to adjust the fee, which would include going back and redoing all the land use and traffic studies used in the original adoption, which can be both timely and expensive, the other adjustment is fee-based from a construction cost index. Mr. Dixon went back to see what the index was back in 2004 to the present and it has increased by a significant percentage. When you apply the percentage and remove improvements during that time, the new potential fee would be \$3,865.00. The advisory committee recommended that the board approve this adjustment. Mr. Dixon stated that he is looking for a recommendation from the P.C.

Mr. Beardsley wanted to know if anyone would have any issues with the huge increase. Mr. Dixon stated that he didn't think so, that the builders look at it more as the cost of business. Mr. Beardsley wanted to know when this would go into effect. Mr. Dixon stated that if the board adopts it next week, then this would be applied to any new applications after that time. Any application submitted prior would be grandfathered into the old fee.

A motion was made by Mr. Beardsley and seconded by Mr. Melograno to recommend removing the Traffic Impact Fee from the SALDO and adopting a new ordinance for the new Traffic Impact Fee in the amount of \$3,865.00.

The motion passed with a 5-0 vote.



ADJOURNMENT

There being no further business, the meeting was adjourned at 8:20 P.M.
Respectfully submitted,
Patty Furber, Secretary