

**Planning Commission
Minutes
February 7, 2011
7:30 PM**

Present:

Brett MacKay
Tim Shafer
Robert deHaan
David Mosesso
Nancy Becker
William Schalleur
Paul Rea
John Vickers

Staff:

Joseph Leis, Director of Community Planning
Monica Wall, Township Engineer

Opening Comments

Vice Chairman William Schalleur opened the meeting at 7:32 p.m. and changed the order of the agenda until Chairman Brett MacKay arrived at 7:57 p.m.

Minutes

Vice Chairman Schalleur asked if there were any comments on the minutes. Vice Chairman Schalleur asked for a motion to the November 2010 minutes, Bob deHaan moved to approve and Nancy Becker seconded.

Voting for: Tim Shafer
 Bob deHaan
 Dave Mosesso
 Nancy Becker
 William Schalleur
 Paul Rea
 John Vickers

Absent: Brett MacKay

Vice Chairman Schalleur asked for a motion on the meeting dates. After a brief discussion, the dates were approved all in favor.

Vice Chairman Schalleur announced next application.

New Business

ColCor Ltd. – Franklin/Bustard SLD787

Carl Weiner represented the applicant; he reviewed the prior submission and the changes to the plan since the beginning, specifically the removal of the office building.

It is an 89 room business class type hotel with no restaurant.

He then introduced John Anderson, Mr. Anderson described the site and its location. He described the road frontage and the circulation including access through the existing hotel site.

He described the landscape issues and the buffering. There is a pool at the back of the hotel. He then indicated the main entrance facing Bustard Road. He also stated they would comply with site lighting, landscaping and storm water management.

Mr. Weiner stated they will comply with the review letters except in the T & M Associates letter #7.

7. In accordance with Z.O. Section 153-717.B(6)(a), mature trees with a circumference of 60 inches or greater measured 14 inches above ground shall be identified and preserved unless the Board of Supervisor's agree to a different disposition. (60" circumference = 19" diameter = 19" caliper).

8 existing trees with a circumference of 60 inches or greater are to be removed and the applicant will have to obtain permission from the Board of Supervisors To remove these larger trees. The Board of Supervisors may want to consider requiring a minimum 2 replacement trees for the removal of each large tree. We recommend providing a minimum caliper of 4 inches at the time of planting.

The plan does not currently propose any replacement trees.

Mr. Weiner stated they would provide trees in other areas of the Township.

Concerning T & M Associates letter #8, Mr. Weiner said they will provide written documentation from the neighbor.

8. In accordance with Z.O. Section 153-619.A, nothing shall be permitted to be placed, planted, set or put within the area of any public or private right of way or easement including, but not necessarily limited to a utility easement, a drainage easement, a sanitary sewer easement, a stormwater management easement, a snow storage easement or a pedestrian easement without written consent from the owner of

the easement.

Curb and grading is proposed within the existing 42-foot wide access easement. Obtain permission from the owner of the access easement. How will access through the easement be maintained during construction? Submit a copy of the existing access agreement to the Township.

The applicant must obtain written consent for all proposed improvements located within the existing 20 foot wide sanitary sewer easement and existing 20 foot wide water easement.

Dave Mosesso asked if they have talked to the adjoining neighbor.

Mr. Weiner said yes they have talked with the neighbor.

Nancy Becker asked if the Commission can proceed with the knowledge that the cut through will be open.

Mr. Weiner said yes.

Concerning T & M Associates letter Page 8, #21, Mr. Weiner said they will submit the access easement agreement.

21. In accordance with S.L.D.O. Section A107.M, the Board of Supervisors shall have the authority to approve driveways intended for the use of commercial projects where usage by the occupants constitutes essentially a private street. Driveways constituting private streets are those access ways used by 10 or more workers daily for vehicular circulation.

The access drive within the 42 foot access easement constitutes a private street. Our research indicates that ColCor owns the parcels directly abutting both sides of the access easement. As future development occurs along Franklin Street, it is recommended that the existing access points along Franklin Street be removed and that a single access be provided to Franklin Street through the 42 foot wide access easement. A copy of the existing access easement must be submitted to the Township for review. If necessary, the existing access easement must be amended to give access rights to the Wacker property. Parcel 53-00-03192-00-4, the Davies property, the Allen property, the Matteo Real Estate property and the Mann Road property.

Concerning T & M Associates letter Page 8, #22, Mr. Weiner said they will discuss the access width with staff since they are required to install buffers.

22. In accordance with Section A107.N, the location and placement of drive serving as private streets shall comply with the street section of this article. Additionally, provision for drainage and stormwater runoff shall be approved by the Township Engineer.

The existing access drive must be improved to comply with the street requirements since it constitutes a private street. Per Section A102, this will require a 30 foot cartway width with curbs.

Dimension the width of this existing driveway on the record plan. It appears to be only 22 feet. It must be widened to 30 feet and curb provided along the eastern side.

William Schalleur asked Russ Benner to explain the issue of a private street.

Mr. Benner explained the ordinance required this to be designed as a street. He indicated they could ask for a deferral or limit access to Franklin Street.

Concerning T & M Associates letter Page 8, #23, Mr. Weiner said they will discuss the access width with staff since they are required to install buffers.

23. In accordance with S.L.D.O. Section A107.Q, the owner and all successors of any property which is to abut any driveway servicing as a private street shall be fully responsible for the permanent improvement of the driveway and for the maintenance thereof in a good and safe condition.

As stated above, the driveway must be improved as part of this development. Submit a copy of the existing access agreement. This agreement must address maintenance responsibilities. Provide a note on the record plan stating who is responsible for maintaining the access drive located within the easement.

Concerning T & M Associates letter Page 8, #25, Mr. Weiner said they will discuss the parking locations with staff for clarification.

25. In accordance with S.L.D.O. Section 136, Appendix A, A110.A for all non-residential uses, all parking areas shall be located to the rear or side of any building. As a minimum, all parking shall be set back 15 feet from the ultimate right of way line and all property lines pursuant to the provisions of the Zoning Ordinance as last amended. The edge of any parking area shall not be closer than 20 feet from the outside wall of the nearest building.

31 proposed parking spaces are located to the front of the hotel building. These spaces must be relocated to the side or the rear of the building.

It appears that 14 spaces are located within the required 50 feet half width ultimate right of way along Bustard Road. This will be verified once the required ultimate right of way is added to the plan.

19 parking spaces are located 10 feet from the side property lines. These spaces must be relocated 15 feet from the side property lines.

32 parking spaces are located 6.5 feet from the rear property line which is less than the required 15 feet. The applicant has received a Zoning Variance to allow

the spaces to be 6.5 feet from the property line.

Revise the record plan to dimension the clearance between the building and all adjacent parking spaces. It appears that 17 parking spaces are located less than 20 feet from the building. This will be verified once the requested dimensions are added to the plan.

Nancy Becker asked are you requesting approval, Mr. Weiner said not tonight.

Nancy Becker asked about the Wacker property access.

Mr. Weiner showed that it would still be Franklin Street.

Nancy Becker asked about the cemetery, Mr. Weiner said they will get to it.

Concerning T & M Associates letter Page 11, #36, Mr. Weiner said they will provide a ten foot buffer and access through the property.

36. In accordance with S.L.D.O. Section A119, a Class A buffer is required between an existing institutional use and a proposed consumer service use.
 - Class A Option 1 = 1 canopy tree per 40 feet + 1 flowering tree per 60 feet + evergreen tree per 60 feet + 1 shrub every 20 feet informally arranged.
 - Class A Option 2 = 1 canopy tree per 40 feet + 1 evergreen tree per 30 feet + 1 shrub per 20 feet.

A Class A buffer is required along the 3 property lines which abut the existing cemetery property. Revise the plan to provide this required buffer. Per Section A119.A (2)(b), all Class A buffers shall have a width of 15 feet. Show, label and dimension all required buffer lines on the record and landscaping plans. Provide a note on the record plan stating that no vegetation within the buffers can be removed without first obtaining written permission from the Township.

Concerning T & M Associates letter Page 15, #13, Mr. Weiner said they will provide a ten foot buffer and access through the property.

13. It appears that access to the existing cemetery is provided by an existing gravel drive located within the flagpole of the cemetery property. This gravel drive encroaches onto and appears to also serve Parcel 53-00-03216-00-7. The extent of the removal of this existing driveway is unclear. Plan sheets 4-7 do not show this existing driveway. How is access to the cemetery going to be maintained? We recommend providing an access easement through the site for cemetery access. How will cemetery access be maintained during construction?

Concerning Bursich Associates letter #3, Mr. Weiner stated the slope of the sanitary run may be a problem because of an existing pipe.

3. We note that all proposed sanitary sewer runs are proposed at slopes of less than 0.50%. The applicant will need to obtain a waiver or revise the slopes to be a minimum of 0.50%.

Concerning Pennoni Associates letter Page 3, #4, Mr. Weiner stated they will look at the signal warrants but they don't believe the light would be warranted.

4. Traffic signal warrants were analyzed and the Peak Hour warrant was met for the Intersection of Bustard Road and Franklin Street during the Projected 2013 and 2018 conditions. The Applicant's Engineer does not recommend the signalization of the intersection due to the majority of the volume being right turns with adequate gaps created by the Sumneytown Pike and Forty Foot Road/Bustard Road signalized intersection. It is our opinion that the installation of a traffic signal properly integrated into the Township closed loop system and coordinated with the Sumneytown Pike and Forty Foot Road/Bustard Road signal will provide safe and efficient access onto Bustard Road and mitigate deficient LOS in the Projected 2013 and 2018 conditions. We recommend the Applicant evaluate feasibility of installing a traffic signal as an Improvement to mitigate the deficient LOS on the side street approaches. Additionally, the study should evaluate Warrant 7, Crash History, in accordance with PennDOT, Publication 212 for the Bustard Road and Franklin Street/Towamencin Corporate Center Driveway.

Dave Mosesso stated they can only go right on Sumneytown from Franklin. Wouldn't people than go to Bustard and the intersection of Bustard and Sumneytown.

Mr. Weiner stated again they would review their trip generation with Pennoni again because it is a business class hotel they would not generate a lot of trips.

Dave Moesso asked the type of clients they would seek, Mr. Weiner said they would be in at night and out during the day.

Dave Mosesso thinks Franklin Street should be a private road closed at Sumneytown.

Bill Schalleur asked about ladder trucks under Comment 4, Page 1

Mr. Weiner said they will comply.

Tim Shafer asked how will the Wacker property maintain his house.

Mr. Weiner stated they will provide an access easement for maintenance.

Dave Mosesso asked if there were ongoing discussions with Mr. Wacker.

Mr. Weiner said there are.

Nancy Becker asked if they owned all of the properties listed on their plan, she listed one parcel that is listed under another name.

Mr. Weiner asked the location of the property, Nancy reviewed three parcels she had concerns with.

Chairman MacKay asked about pedestrian circulation to the existing hotel and through the site.

Mr. Weiner said they would address the issue.

Chairman MacKay also commented about the stripping with Bustard Road and Mr. Weiner said they will look at reviewing it.

Mr. Weiner thanked the Commission.

The next order of business was the election of the Chair, Vice Chair and Secretary.

Vice Chairman Schalleur asked for nominations. Dave Mosesso nominated Brett MacKay for Chairman, Nancy Becker seconded, all in favor. Dave Mosesso nominated Bill Schalleur for Vice Chairman, Nancy Becker seconded, all in favor. Dave Mosesso nominated Joe Leis for Secretary, Nancy Becker seconded, all in favor.

Nancy Becker asked, does anyone have any comments about the Wacker house. Tim Shafer said he is very concerned about the appearance.

Various members were concerned and provided comments.

Chairman MacKay asked if there was anything further, hearing none. Bob deHaan made a motion to adjourn the meeting, Nancy Becker seconded.

Chairman MacKay adjourned the meeting at 8:34 PM.

Respectfully submitted,

Joseph T. Leis
Director of Community Planning

JTL/ck