

**LOWER GWYNEDD TOWNSHIP
PLANNING COMMISSION
MEETING AGENDA
March 5, 2019
Public Meeting**

1. Call To Order

7:00 p.m.

2. Review Minutes for Approval from January 16, 2019

3. New Business:

a. 1120 Meetinghouse Rd.
Foulkeways

#18-07RZ
Rezone/Zoning Ordinance/Map Amendment

b. 300 Brookside Ave.
Ambler Yards

#19-02CU
Conditional Use

4. Adjournment

2019 Planning Commission Members:

Craig Melograno
Michael Twersky
Patricia Latimer
Rich Valiga
Joel Mayor
Rusty Beardsley

**LOWER GWYNEDD TOWNSHIP
PLANNING COMMISSION
Minutes of January 16, 2019**

Present: Craig Melograno, Chairman
Michael Twersky, Vice-Chair
Rich Valiga
Joel Mayor

Staff:
Ken Amey, Zoning Officer
Jim Hersh, Gilmore & Associates
Patty Furber, B&Z Administrator

Absent: Patricia Latimer, Rusty Beardsley

Call to Order:

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

Approval of Minutes: September 19, 2018

A motion was made by Mr. Twersky and seconded by Mr. Valiga to approve the minutes of the Lower Gwynedd Township Planning Commission meeting of September 19, 2018. The motion carried unanimously.

Reorganization of Planning Commission:

A motion was made by Mr. Mayor to keep the slate of appointed positions, as noted below, for 2019. The motion was seconded by Mr. Valiga and approved unanimously.

- **Chairman:** Mr. Melograno
- **Vice Chair:** Mr. Twersky
- **Secretary:** Ms. Furber
- **Vice-Secretary:** Ms. Worman

New Business:

1501, 1521 Sumneytown Pike and 1125 Evans Rd.	#18-07 RZ
Rezone/Text Amendment	Foulkeways at Gwynedd

Present for the Rezone/Text Amendment for Foulkeways was Christen Pionzio from HRMM&L, Tim Woodrow from Woodrow & Associates, Rick Collier from Land

Concepts, Mike Peasley, CEO of Foulkeways and Bill Durbin, Project Manager at Foulkeways.

Mr. Peasley began by summarizing Foulkeways' history and goals for the audience.

Ms. Pionzio then explained that Foulkeways has asked the Board of Supervisors to change the zoning of three parcels adjoining the Foulkeways site from their current designation of A-residential to MF-3A; they have also proposed a text amendment to the MF-3A District. Foulkeways has held "open houses" to allow their neighbors to view and discuss drawings illustrating the proposed changes to the campus, and within the past several days has met to discuss issues of concern to the neighbors.

Mr. Melograno began his comments by asking about fire safety, specifically in existing buildings. Ms. Pionzio noted that all new buildings would have sprinklers, fire alarms and standpipes, and Foulkeways has hired a consultant to suggest best practices for retrofitting the older buildings.

Mr. Twersky suggested that language regarding accessory buildings should be clarified to avoid confusion. He also mentioned that the neighbors on Oakhurst will look out on new units. Ms. Pionzio acknowledged that this is true, but pointed out that even under current A-residential zoning there could be new homes in the same area.

Mr. Woodrow spoke about wetlands, woodlands and other environmental constraints that he had to incorporate into the design. He noted that adjustments could be made once final engineering details are available during land development.

Mr. Twersky asked about timing of construction, and Mr. Peasley explained that the new residential units would be built first, followed by the new fitness center. They anticipate approximately 6-7 years to complete this project.

There were approximately twenty audience members present, most of whom were from Parsons Lane, Oakhurst, and Evans Rd. Comments from the audience focused primarily on the following:

- Setbacks and buffering from existing residences.
- Limiting density on the Peters tract.
- Reducing allowable height of new units.
- Clarifying and limiting types of accessory buildings.
- Limiting size and scale of new buildings, particularly along the Oakhurst properties.
- Potential increase in traffic volume.

Ms. Pionzio will work with the Foulkeways team to incorporate these comments into the plan and the text amendment, and will circulate the plan at least a week before the February 20th meeting.

Mr. Peasley thanked the Planning Commission and the residents for their comments. He intends to meet with the neighbors and return next month with a revised proposal.



Lower Gwynedd Township
Penllyn Woods Ballfield

Conditional Use

Mr. Amey explained that the Board of Supervisors has received a conditional use application to erect a scoreboard and batting cages at the ballfield in Pennlyn Woods. The proposal includes a request for two sponsor signs on the scoreboard and one each on the batting cages. This was discussed by the Building & Zoning Committee and they suggested that the Supervisors approve any signs before they are installed; otherwise the Committee had no objection. Mr. Melograno was concerned about similar signs on other fields in the township, and said that he would not object to these signs as long as we are not setting a precedent. The application was unanimously recommended for approval with a 4-0 vote.



ADJOURNMENT

There being no further business, the meeting was adjourned at 9:20 P.M. until the next regularly scheduled meeting on Wednesday, February 20, 2019 at 7:00 p.m.

Respectfully submitted,
Patty Furber,
Secretary

LOWER GWYNEDD TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

**AN ORDINANCE THAT REZONES PARCELS OF GROUND WHICH
ARE CURRENTLY ZONED A RESIDENTIAL TO BE INCLUDED IN THE
MF-3-A MULTI-FAMILY RESIDENTIAL DISTRICT
AND INCLUDES REVISIONS TO THE TEXT OF THE MF-3-A
MULTI-FAMILY RESIDENTIAL DISTRICT.**

WHEREAS, the Board of Supervisors has met the procedural requirements of the Pennsylvania Municipalities Planning Code, 53 P.S. §10101, *et. seq.*, for the adoption of this Ordinance, including holding a public hearing; and

WHEREAS, the Second Class Township Code authorizes the Board of Supervisors to make and adopt Ordinances that are consistent with the Constitution and the laws of the Commonwealth that it deems necessary for the proper management, care and control of the Township, and the maintenance of peace, good government, health and welfare of the Township and its citizens.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Lower Gwynedd Township, and it is hereby ordained and enacted by the authority of the same, to wit:

SECTION 1. The following parcels situate in Lower Gwynedd Township are hereby rezoned to from A Residential District to MF-3-A Multi-Family Residential District:

39-00-01177-00-8 and 39-00-01177-01-7 a/k/a 1125 Evans Road;
39-00-03991-00-2 a/k/a 1521 Sumneytown Pike;
39-00-03976-00-8 a/k/a 1501 Sumneytown Pike.

SECTION 2. The zoning map authorized by The Code of the Township of Lower Gwynedd, Chapter 1254, Districts Generally And The Zoning Map, Section 1254.01, Establishment of Districts; Zoning Map, is hereby amended to reflect the zoning changes in Section 1 hereinabove.

SECTION 3. Chapter 1278, in particular Section 1278.04 Yards. is deleted and replaced with the following:

(a) General Regulations:

(1) Front yards. In an “MF-3-A” Multifamily Residential District, there shall be a front yard along all street frontages which shall not be less than 200 feet in depth.

(2) Side and rear yards. All side and rear yards along the lot boundary shall be not less than 175 feet in depth.

(b) Regulations for residential buildings or buildings accessory thereto. In the case of buildings meeting all of the following criteria, front, side and rear yard requirements shall be reduced to 75 feet:

(1) The building shall be a residential building or a building accessory thereto.

(2) The maximum height of any residential building shall be 40 feet.

(3) Buildings accessory to a residential building shall be limited to a detached garage or shed. The maximum height of any building accessory to a residential building shall be 14 feet.

(4) The maximum length of the building wall most nearly parallel to a public street or property line shall not exceed 160 feet.

(5) Any building subject to this reduced setback requirement shall have its design and materials approved by the Board of Supervisors.

(c) Regulations for any development within 1,000 feet from Evans Road.

(1) Residential units shall have a maximum height of 30 feet.

(2) Residential units shall be setback a minimum of 75 feet from a right-of-way and 200 feet from an adjoining residential property line.

(3) Non-residential structures shall be limited to one parlor/clubhouse no larger than 1,200 square feet with a maximum height of 30 feet, storage buildings no larger than 400 square feet and one guard house.

(4) Parking areas shall be setback a minimum of 75 feet from an adjoining residential property line.

(5) The maximum length of the building wall most nearly parallel to a public street or property line shall not exceed 140 feet.

(6) Any building subject to this reduced setback requirement shall have its design and materials approved by the Board of Supervisors.

SECTION 4. Chapter 1278, in particular Section 1278.06 Building height. is deleted and replaced with the following:

(a) The maximum height for residential buildings erected or enlarged in an “MF-3-A” Multifamily Residential District shall be 50 feet. Any building measuring 50 feet in height shall be setback a minimum of 300 feet from a street right-of-way and/or 200 feet from a property line.

(b) The maximum height for any detached garage or shed shall be 14 feet.

(c) The maximum height for any building that supports the operation of the community such as, but not limited to, community centers, dining services, fitness/wellness centers, maintenance buildings and storage buildings shall be 50 feet.

SECTION 5. Chapter 1278, in particular Section 1278.07 Off-street parking and loading., subparagraph (d) is deleted and replaced with the following:

(d) Parking areas, service areas, loading areas or access drives shall be setback a minimum of 20 feet from any property line.

SECTION 6. Chapter 1278, in particular Section 1278.08 Development standards., subparagraph (a) is deleted and replaced with the following:

(a) Density. In an “MF-3-A” Multifamily Residential District:

(1) The number of units per gross acre shall not exceed 6.0 for developments with no residential nursing care facilities.

(2) The number of dwelling units per gross acre shall not exceed 4.0 for developments that include residential nursing care facilities. When developments include residential nursing care facilities, the number of residential nursing care beds in any one development shall not exceed 20% of the total number of dwelling units in that development.

SECTION 7. Chapter 1278, in particular Section 1278.08 Development standards., subparagraph (g) is hereby deleted.

SECTION 8. Repealer. All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 9. Severability. In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining provisions of this Ordinance.

SECTION 10. Effective Date. This amendment shall become effective five (5) days after its adoption.

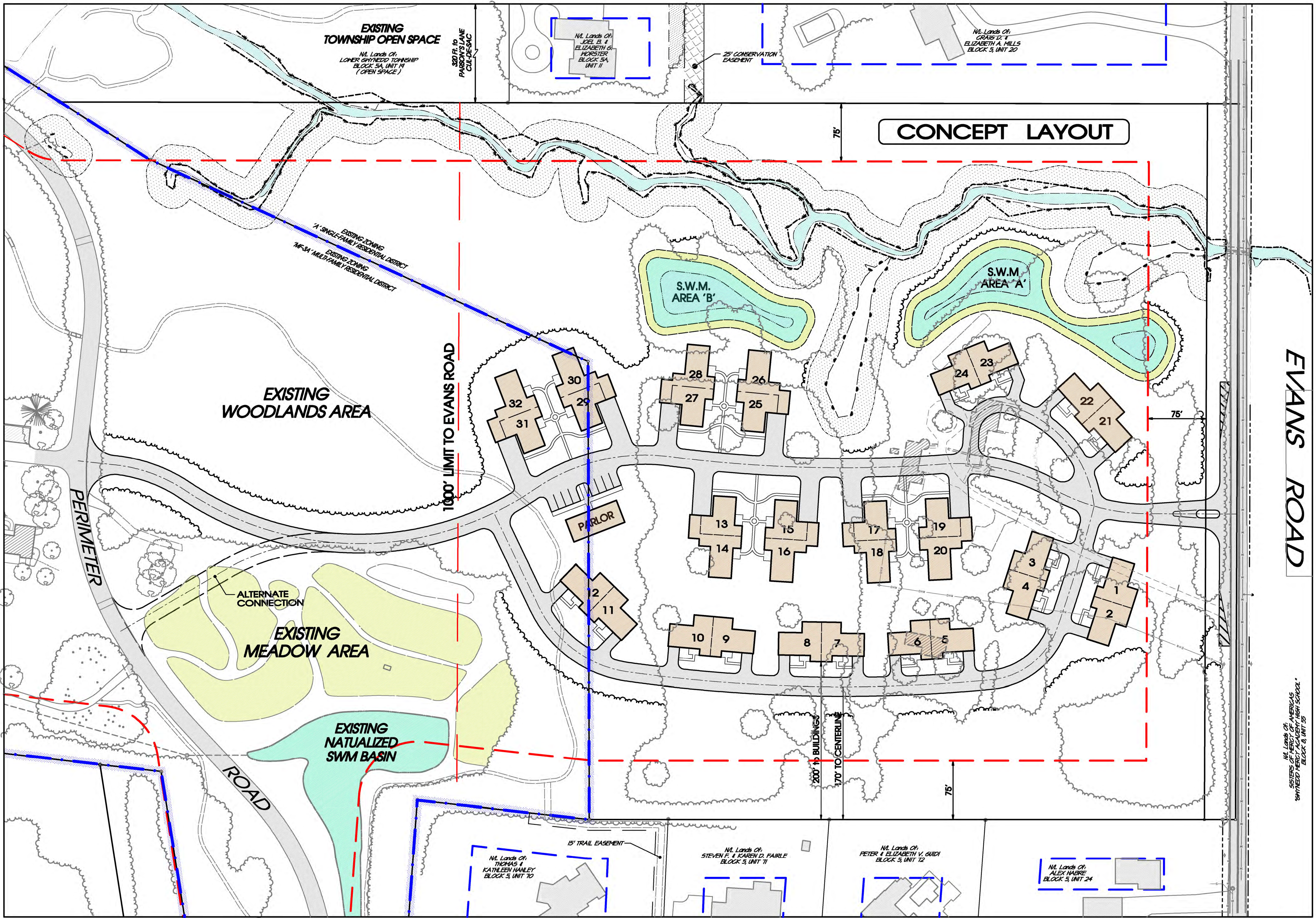
ENACTED AND ORDAINED this _____ day of _____, 2019.

Attest:

**LOWER GWYNEDD TOWNSHIP
BOARD OF SUPERVISORS**

Craig McAnally, Township Manager

Kathleen Hunsicker, Chair



CONCEPT LAYOUT

EVANS ROAD

PERIMETER ROAD

EXISTING WOODLANDS AREA

EXISTING MEADOW AREA

EXISTING NATURALIZED SWM BASIN

S.W.M. AREA 'B'

S.W.M. AREA 'A'

PARLOR

1000' LIMIT TO EVANS ROAD

200' TO BUILDINGS

170' TO CENTERLINE

NL Lands Of: THOMAS & KATHLEEN HANLEY BLOCK 5, UNIT 10

NL Lands Of: STEVEN F. & KAREN D. FAIRLE BLOCK 5, UNIT 11

NL Lands Of: PETER & ELIZABETH V. GUIDI BLOCK 5, UNIT 12

NL Lands Of: ALEX HADRE BLOCK 5, UNIT 24

EXISTING TOWNSHIP OPEN SPACE
NL Lands Of: LOWER GWYNEDD TOWNSHIP BLOCK 5A, UNIT 11 (OPEN SPACE)

NL Lands Of: JOEL B. & ELIZABETH G. HORSTER BLOCK 5A, UNIT 11

NL Lands Of: CRAIG & ELIZABETH A. MILLS BLOCK 5, UNIT 20

80' R/W TO PARSONS LANE CUL-DE-SAC

25' CONSERVATION EASEMENT

NL Lands Of: SISTERS OF MERCY OF AMERICAS GWYNEDD HIGH SCHOOL BLOCK 5, UNIT 25

PLAN LEGEND

- Tract Boundary Line
- Legal Right-of-Way Line
- Existing Zoning Boundary
- Existing Vegetation Limit
- Proposed Yard Setback Line

REVISIONS

NO.	DATE	DESCRIPTION

ONLY PLANS INCORPORATING A RAISED PROFESSIONAL SEAL ARE CONSIDERED TO BE OFFICIAL AND RELIED UPON BY THE USER.

THIS PLAN HAS BEEN PREPARED SPECIFICALLY FOR THE APPLICANT AND PROJECT DESIGNATED HEREON. ANY MODIFICATION, REVISION, DUPLICATION OR USE WITHOUT WRITTEN CONSENT OF WOODROW & ASSOCIATES, INC. IS PROHIBITED.

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CALL 1-800-242-1776
PROJECT SERIAL NUMBER FOR DESIGN:

Applicant: **FOULKWEAYS at GWYNEDD**
c/a Michael D. Pressing, P.E.
1108 North Bethlehem Pike / Suite 5 - Lower Gwynedd, PA 19428

Parcel Information:

PETERS TRACT - CONCEPT LAYOUT PLAN

FOULKWEAYS at GWYNEDD
LOWER GWYNEDD TOWNSHIP - MONTGOMERY COUNTY - PENNSYLVANIA

WOODROW & ASSOCIATES, INC.
MUNICIPAL / CIVIL CONSULTING ENGINEERS
1108 North Bethlehem Pike / Suite 5 - Lower Gwynedd, PA 19428
Phone: (215) 342-5548 or Fax: (215) 542-5679
http://www.woodrowinc.com

Layer List:
Exh_PETERS

Job No: 05-0903 D4

Plan Date: JANUARY 30, 2019

Sheet No: **1 of 1**



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LOWER GWYNEDD TOWNSHIP

Lower Gwynedd Township

1130 N. Bethlehem Pike, P.O. Box 625
Spring House, PA 19477
(215)646-5302- phone
(215)646-3357-fax
www.lowergwynedd.org

#19-0200

Conditional Use Appeal to Board of Supervisors

1. Date: 2/8/19 19

2. Classification of Appeal (check all that apply):
 - Request for a Conditional Use
 - Other (specify): _____

3. Applicant:
 - Name: 300 Brookside Commercial LLC
 - Mailing Address: 300 Brookside Avenue, Ambler, PA 19002
 - Phone Number: (484) 571-5630
 - Email Address: _____
 - State owner of legal title, if other than Applicant: _____
BASF Corporation

4. Applicant's Attorney:
 - Name: Christen G. Pionzio
 - Mailing Address: 375 Morris Road, P.O. Box 1479
Lansdale, PA 19446
 - Phone Number: (215) 661-0400
 - Email Address: cpionzio@hrmml.com

5. Property:
 - Location: 300 Brookside Avenue, Ambler, PA 19002
 - Present Zoning Classification: F
 - Area: 24.5 acres
 - Frontage: _____
 - Depth: _____
 - Description of the current use and the existing improvements on the property: Mixed use campus

Description of the proposed use and the proposed improvements (if different):

The applicant would like to utilize approximately 14,000 sq. ft. of the parking lot area for a special event known as the Lower Gwynedd Farmers' Market at Ambler Yards and expand the area for other special events. (See attached).

6. Legal grounds for appeal:

The location of special events is indicated on the Master Plan, but can be amended upon conditional use approval.

7. State each section of the zoning ordinance involved in this application:

Section 1287.02.

8. Has any previous appeal or application been filed in connection with this property?

Yes No If yes, date and specifics: _____

Conditional use approval for mixed use campus and for outdoor events including pop-up beer gardens and family fun nights.

9. Is public water available to this property?

Yes No

Is public sewer available to this property?

Yes No

10. Does this Application involve a proposed subdivision?

Yes No

If yes, has a subdivision plan been filed with the Township?

Yes No



Signature of Applicant's Attorney

Lower Gwynedd Township
Re: 300 Brookside Commercial LLC
Property: 300 Brookside Avenue
Attachment to Conditional Use Application

Special Event space expansion for Farmer's Market:

The proposed Lower Gwynedd Farmers' Market at Ambler Yards would include 5 – 6 vendors and have an area for kids to do activities and an area for local concerns (Wissahickon Valley Water Shed, LGBA, Boys and Girls Club, etc.) to interact with the community. It is proposed that the event will occur on Thursday afternoons from May through October.

Steve and Donna Rineer operate Claybrick Farms out of Pequa, PA in Lancaster County. They are returning for a second year to provide a menu of local vegetables and are raising sustainable livestock for beef, chick and pork production. Because Steve and Donna want to concentrate primarily on meats, we want to invite other vendors to round out the offerings. Included would be a produce vendor, baker and 2 tenants from Ambler Yards: 'Feine Coffee and Ambler Brewing Company. Having 2 tenants at the Farmers' Market will allow them to showcase their offerings which will help in the success of Ambler Yards in total.

All vendors will adhere to all relevant health and safety codes and will carry all relevant health licenses and liability insurance.

Special Event space expansion (generally):

The original conditional use approval of the Master Plan limited the Special Event area to what is referred to as the lawn area a/k/a the "Meadow". Applicant requests conditional use approval to modify the special event area to include what is labeled as the Yard in addition to the green area next to the Meadow – each area is enclosed on the attached plan with hatch marks.

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LOWER GWYNEDD TOWNSHIP

BOARD OF SUPERVISORS
LOWER GWYNEDD TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 505

“Mixed-Use Campus Amendment to F Industrial District Zoning Ordinance”

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF LOWER GWYNEDD TOWNSHIP, PART 12 (PLANNING AND ZONING), TITLE 6 (ZONING), CHAPTER 1287 (F - INDUSTRIAL DISTRICT), SECTION 1287.02 (PERMITTED USES), TO PERMIT A MIXED-USE CAMPUS BY CONDITIONAL USE.

The Board of Supervisors of Lower Gwynedd Township does hereby **ENACT and ORDAIN** as follows:

SECTION I. – Amendment to Code

The Codified Ordinances of Lower Gwynedd Township, Part 12 (Planning and Zoning), Title 6 (Zoning), Chapter 1287 Section 1287.02. (Permitted Uses), are hereby amended by adding the following:

- (h) MIXED-USE CAMPUS- on a property already partially improved with existing buildings, a development consisting of the following uses, for single and multiple occupancy of property and buildings, shall be permitted when authorized by conditional use.
 - (1) Office (administrative, professional and/or medical).
 - (2) Warehouse, research facility (laboratory), industrial/manufacturing.
 - (3) Exterior storage, limited to vehicles other than automobiles or light trucks, and excluding any vehicle sales, rentals, repairs, bodywork or painting. Areas used for exterior storage shall not exceed 10% of the total tract area.

(4) The following commercial, retail, and personal service uses when accessory to permitted uses and/or supporting the immediately surrounding community: restaurant, food service, bakery, indoor recreation establishment, fitness center, craft breweries/distilleries and/or wineries with retail, wholesale and/or on-site consumption beer, wine and alcohol sales and food service.

(5) Special events which shall include, but not be limited to, a farmer's market, food trucks, craft fair, car show, movie night, and beer garden or festival and shall be permitted only Thursdays through Sundays. All special events shall conform to the yard requirements of §1287.04, shall be located solely in an area designated on the approved Master Plan, shall not be located or conducted on more than 30% of the tract, shall be provided adequate parking and shall be subject to written permission of the Township Manager.

Master Plan - For all mixed-use campuses, a master plan shall be submitted as part of the required conditional use application, which adequately depicts where each of the above category of uses and parking shall occur on the property. Material changes to the Master Plan involving more than 15% of the total building area or tract area shall require an amended conditional use approval from the Board of Supervisors. Review and approval of the Conditional Use shall include the approval of the dimensional criteria and parking as shown on the Master Plan.

SECTION II. - Amendment to Zoning Map

The official Zoning Map of Lower Gwynedd Township shall be amended so that Parcel No. 39-00-03934-00-5 is rezoned in its entirety to "F" District.

SECTION III. Severability

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION IV. Failure to Enforce not a Waiver

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION V. Effective Date

This Ordinance shall take effect and be in force from and after its approval as required by the law.

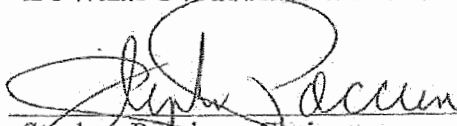
SECTION VI. Repealer

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

ORDAINED and ENACTED by the Board of Supervisors of Lower Gwynedd Township, Montgomery County, Pennsylvania, this 26th day of July, 2016.

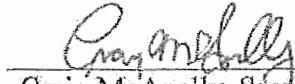
LOWER GWYNEDD TOWNSHIP

By:



Stephen Paccione, Chairman
Board of Supervisors

Attest:



Craig McAnally, Secretary

**BEFORE THE BOARD OF SUPERVISORS
OF LOWER GWYNEDD TOWNSHIP, PENNSYLVANIA**

**IN THE MATTER OF
CONDITIONAL USE APPLICATION**

**BROOKSIDE COMMERCIAL, LLC
300 BROOKSIDE AVENUE
AMBLER PA**

:
:
:
:
:
:

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LOWER GWYNEDD TOWNSHIP

DECISION AND ORDER

AND NOW, this 23rd day of August, 2016, upon consideration of the application of Brookside Commercial, LLC (“Applicant”) for a Conditional Use to permit the development of a mixed use campus (the “Proposed Use”) on property located at 300 Brookside Avenue, Ambler, Pennsylvania 19002 (“Property”) in accordance with Section 1287.02 of the Lower Gwynedd Township Zoning Ordinance and upon consideration of the testimony produced at the hearing before the Board of Supervisors on August 23, 2016, together with the proposed Master Plan introduced at the hearing and incorporated herein, the application is hereby **APPROVED** subject to the following conditions:

1. Nothing in this Decision and Order shall be construed as either an express or implied waiver of any provision of any applicable ordinance of Lower Gwynedd Township. No level of development is guaranteed by virtue of this conditional Approval and the Proposed Use shall be permitted only if the fully-engineered Plans for the Property can demonstrate compliance with all applicable zoning and subdivision and land development regulations of the Township as well as any relevant statutes or regulations of any other governmental entity having jurisdiction over development on the Property.

2. The use permitted by this Approval shall be consistent with the testimony and exhibits submitted to the Board of Supervisors at the public hearing held on August 23, 2016.

3. Applicant shall be permitted to develop the Proposed Use on the Property consistent with the Master Plan submitted as a part of the application herein. The Master Plan is attached hereto and specifically incorporated herein as Exhibit "A" to this Decision and Order. Any modification of the proposed Master Plan shall be subject to additional conditional use approval by the Board of Supervisors.

4. Applicant shall be required to construct the entire trail depicted on the Master Plan in a single construction phase, with no incremental, partial or phased construction to be permitted. The construction of the trail shall be incorporated into any land development plan filed for the use of the Property for the Proposed Use.

5. Applicant shall be required to provide additional vegetative planting to screen adjacent residential areas from any and all designated special events areas, to the satisfaction of the Township, as a part of any land development plan submission for the use of the Property for the Proposed Use.

**LOWER GWYNEDD TOWNSHIP
BOARD OF SUPERVISORS**

By: 
Stephen J. Paccione, Chairman

Attest: 
Craig McAnally, Secretary

Ambler Yards Master Plan

Proposed Event Space Expansion

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LOWER GWYNEDD TOWNSHIP

