

**LOWER GWYNEDD TOWNSHIP
PLANNING COMMISSION
Minutes of March 20, 2024**

Present: Rich Valiga, Vice-Chair
Maureen Nunn
Rusty Beardsley
Danielle Porreca
Craig Adams
Michael Mrozinski

Patty Furber, B&Z Administrator
Ed Brown, Gilmore & Associates
Chad Dixson, Bowman

Absent: Craig Melograno, Chairman

Call to Order:

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

Approval of Minutes: February 21, 2024

A motion was made by Mr. Adams and Ms. Porreca to approve the minutes of the Lower Gwynedd Township Planning Commission meeting of February 21, 2024. The motion carried unanimously.

Subdivision/Land Development:

Lot Line Adjustment

#24-02LL

537 Penllyn Pike - Fred & Lorna Wenz

Present for the lot line adjustment was the applicant Mr. Fred Wenz. Mr. Wenz stated that he resides at 904 Gypsy Hill Road and is requesting to take a portion of his daughter's lot located at 537 Penllyn Pike. Mr. Wenz stated that this would bring his lot up to one acre.

Mr. Valiga asked Mr. Wenz if he received the review letters and if would he agree to Gilmore's comment regarding denoting the lots as "Parcel A and Parcel B" on the plans. Mr. Wenz agreed that he would have that noted on the record plan. Mr. Valiga asked if he would comply with Gilmore's comment regarding item number (3) by revising the table to denote any existing non-conformities. Mr. Wenz stated that he would comply with Gilmore's request.

Mr. Brown stated that item number (1) on Gilmore’s review letter regarding a conditional use application was an error. Mr. Brown stated that he spoke to the Township Zoning Officer, Ms. Jamie Worman, and the Township Solicitor, Mr. Neil Stein. They both agreed that a conditional use application would not be required for this application. That requirement will be removed from Gilmore’s review letter.

A motion was made by Mr. Beardsley and seconded by Ms. Porreca to recommend the lot line adjustment for approval by the Board of Supervisors based on the following conditions by Mr. Valiga:

- 1. The applicant will comply with the review letters from Gilmore, dated March 15, 2024 and the Township Fire Marshal, Al Comly, review letter, dated March 14, 2024;
- 2. The applicant will incorporate Gilmore’s comments regarding denoting the lots as “Parcel A and Parcel B” and revise the table to denote the existing non-conformities in the record plan.

The motion passed with a 6-0 vote.



2-lot Subdivision
1616 School House Ln - Jack MacCord

#24-03SUBD

Present for the 2-lot subdivision application was Ms. Bernadette Kearney from HRMM&L, Mr. Robert Snyder from Kelly Engineers and the equitable owner, Mr. Jack MacCord.

Ms. Kearney gave a brief background on the application stating that the applicant went before the Zoning Hearing Board back in 2018. The Zoning Hearing Board decision was appealed and was held up for years in the common courts. Ms. Kearney stated that there is a motion for an allowance of appeal to the Supreme Court. Ms. Kearney stated that she didn’t think the Supreme Court would take this case, so that’s why they wanted to move forward with the application. Ms. Kearney stated that ultimately, they can’t record the plans until the Supreme Court renders a decision. Ms. Kearney stated that part of the argument before the court was that when the existing home was built, it was always intended to be subdivided.

Ms. Kearney stated that the proposed lot is located within a cul-de-sac where there is already an existing curb cut.

Mr. Valiga wanted to know where the entrance to the proposed lot will be located. Ms. Kearney stated that the driveway for the new lot will be located on Gypsy Hill Rd. Mr. Valiga wanted to know if there was an address established for the new lot. Ms. Kearney stated there was not.

Mr. Adams stated that the Montgomery County Planning Commission stated in their review letter that they would like to preserve as many trees as possible. Mr. Adams stated that he drove by the property and noticed a lot of dead trees. He stated that he would like them to remove more of the dead trees since they interfere with the growth of the healthy species.

Mr. Valiga requested to go over their waivers. Mr. Brown stated that there was an error in their review letter regarding item number (1). 1230.24 (b) should have been 1230.24 (3b). Mr. Brown stated there was no difference, just wanted to clarify the error and the applicant would still need the variance that was received from the Zoning Hearing Board for the minimum lot width requirement. Mr. Valiga stated they are requesting a waiver to provide additional cartway width and dedication. Mr. Brown stated that the cartway waiver makes sense and it would be up to the township if they want to take the dedication of the right-of-way. Mr. Brown stated that this would be a partial request for relief from providing the additional cartway on School House Lane.

Ms. Kearney stated that they will comply with Township Fire Marshal, Al Comly, review letter dated March 18, 2024, and the MCPC review letter dated February 27, 2024. Ms. Kearney stated that they had one issue with Gilmore's review letter dated March 13, 2024, page 2, number (1) regarding hooking up to public utilities before recording the plan. Ms. Kearney stated that since both lots are not connected to public utilities, they are requesting that both lots be hooked up simultaneously. She is requesting to do this before issuance of the Use & Occupancy for the new lot. Ms. Kearney stated that this would save time and money by not having them bring the sewer guys out multiple times. Mr. Beardsley wanted to know what the time frame would be for the construction of the new house. Mr. MacCord stated it would take around two years. Ms. Kearney stated that Ms. Pionzio thought that the existing house was already hooked up to public utilities. Ms. Furber stated that she discussed this earlier with Mr. MacCord. She informed him that there were no records that the existing house was hooked up to public utilities. Mr. Beardsley wanted to know if there would be any zoning issues if they decided to hook up simultaneously. He stated that hooking up both lots to public utilities at the same time made sense.

Mr. Valiga stated that a tree plan was not included with their submission, so this makes it difficult for the board to grant a waiver request for trees. Mr. Snyder stated that they would submit a landscaping plan at the time of the building permit. Mr. Snyder stated

there are around 10-11 street trees already existing. Mr. Valiga stated that again, since there isn't a landscaping plan, it's hard for them to make any type of recommendation. Mr. Valiga stated that they should get someone out there who knows what they are doing to provide a list of dead, dying, diseased trees. Mr. Snyder stated a lot of the trees are already dead. Mr. Snyder stated they can't even build within 50' of the side property lines so that area is already protected. Mr. Snyder stated that they can provide a count at the time of the building permit submission. Mr. MacCord stated that they would have difficulty coming up with a plan since they do not even know where the building envelope for the new lot will be. Ms. Furber stated that the Board of Supervisors would want to see a landscaping plan or an arborist report showing the health of the existing trees. Mr. MacCord stated that an arborist would cost thousands of dollars. Mr. Snyder suggested that they could hire a tree service company to go out and walk the site and come up with a tree count. Mr. MacCord stated that they intend to remove as few trees as possible. Mr. Brown stated that a landscaping plan would have to be submitted prior to going in front of the Board of Supervisors. Ms. Kearney stated that it won't be an exact count. Mr. Brown stated that the plan and tree count would be reviewed by his office before the Board of Supervisors meeting.

Mr. Valiga wanted to know if there was any way to put a trail somewhere on the property but wasn't sure how they could do that. Mr. Snyder stated they would have to put a pathway through the two lots and that it wouldn't make sense to do that. Ms. Kearney stated that trails are usually required with the major subdivisions. Ms. Nunn stated that this is an isolated neighborhood and if they were to put a trail or sidewalk that could potentially give access in/out, it seems extreme though for a simple subdivision. Mr. Snyder stated that they would have to remove even more trees if they had to install a trail. Mr. Valiga stated that a waiver not to install a trail makes sense since there are no existing trails to tie into. Mr. Valiga stated that the waiver for no streetlights makes sense. Mr. Valiga stated that the waiver for the curbing makes sense since that would take the natural beauty away in the area. Mr. Snyder stated that there already is existing curbing along Gypsy Hill Rd. Mr. Valiga wanted to know if the existing curbing needs repair, would they be willing to do that? Mr. Snyder stated they would repair the curbing and that would be noted on the plans. Mr. Brown stated that would be a requirement with the building permit submission.

A motion was made by Mr. Beardsley and seconded by Ms. Porreca to recommend the 2-lot subdivision for preliminary/final approval by the Board of Supervisors based on the following conditions by Mr. Valiga:

1. The board recommends that the Supervisors approve the plan conditioned upon the variances being upheld and that no building permit be issued until the variances are upheld, and that the developer inform any potential buyer of the risks associated with buying the property before the issue is resolved;

2. The applicant complies with the review letters from Gilmore and Lower Gwynedd Fire Marshal, Al Comly; except for the hookup of the public utilities which shall be completed simultaneously for both lots prior to the issuance of the Use & Occupancy for lot 2.
3. The applicant is to offer the dedication of the right-of-way of School House Lane if the Township wants it;
4. The applicant is to submit a landscaping plan with a tree count providing a list of dead, dying, diseased, and healthy trees to Gilmore. This is to be completed before going in front of the Board of Supervisors;
5. A note should be added to the approval resolution that the future owner is subject to the Traffic Impact Fee for one trip.

The motion passed with a 6-0 vote.



Land Development
728 Norristown Rd. - ACTS

#24-01LD

Present for the land development application was Ms. Bernadette Kearney from HRMM&L, Mr. Mike Urban from Eustace Engineers and Mr. Jeremy Neely from ACTS.

Ms. Kearney explained to the board that the plans propose to construct two separate building additions, install additional parking stalls, and reconstruct the entrance/drop-off area. Ms. Kearney wanted to clarify to Mr. Brown that the existing landscaping berms were not meant for stormwater run-off, they are just on site for aesthetic reasons. Mr. Urban stated that they have had conversations with Montgomery County Conservation District requesting adding amended soil to fulfill DEP's water reduction requirements, specifically for that berm.

Ms. Kearney stated that the upgrades and enhancements to Willow Brook Court would include adding 23 parking spots. Ms. Kearney stated that they currently comply with parking, but more spots are needed. Ms. Kearney stated the building additions would include a Porte Cochere, which would be sprinklered with a breezeway. Mr. Urban stated the breezeway would provide visitors with a link that would take them to the wing of the building instead of having to walk through the resident's hallway. Ms. Kearney stated that internal renovations are going on currently and would continue with these renovations.

Mr. Urban showed the board the proposed addition for the nurse practitioners. Mr. Urban stated that they are proposing an outdoor garden space for the residents, right

now it's just a blank lawn area. He stated they are proposing patio areas, dining and cafeteria areas, and new common space areas. There will be a lot of different amenities such as a hydrangea garden, benches, and tables throughout the "wandering garden" area. He stated that it would be a nice environment for the residents to enjoy. The area will be fenced in with locked gates, for security. Mr. Urban stated that no mature trees would be removed and that they would be adding more to the landscaping area.

Mr. Urban stated that the existing basin is a detention basin and since they are exceeding one acre in disturbance, they will be converting that basin to an infiltration basin. The infiltration basin will have a flat bottom with steep slopes that will include a native plant mix with shrubs on top, per the township's planting requirements. Mr. Urban stated that they would be replacing dead trees with additional plantings. Mr. Urban explained that some of the underground utilities are preventing adding additional parking. Mr. Urban stated they would provide all of the safety enhancements.

Mr. Valiga wanted to know if the planting schedule and landscaping plan conform with the native species requirements. Mr. Urban stated they are well over the 75% native species requirement. Mr. Valiga wanted to know what type of trees would they be removing, are they non-native? Mr. Urban stated the majority of trees are located in the existing drop-off area and they are non-native. Mr. Valiga stated that he was impressed with them exceeding the native species requirement. He stated that the EAC (Environmental Advisory Council) always looks to remove non-native species, so this is a good thing you are doing.

Mr. Valiga wanted to discuss the review letters. Ms. Kearney stated they would comply with all of Gilmore's review letter dated March 14, 2024; except for page 3, number (11) regarding the planting islands. Mr. Urban stated that the area is flushed with no existing curbing. Mr. Urban stated the planting islands would be for the new parking areas. He stated since there are no existing curbs throughout the existing lots, he wouldn't know where to install the planting islands. Mr. Urban stated that adding curbs could potentially cause drainage issues. Mr. Adams stated that he drove around the site twice and stated that adding curbing could cause a walking hazard. Mr. Valiga wanted to know if there are any existing planting islands there now. Mr. Urban stated there is one at the current drop-off area. He stated that the additional parking spaces they propose to add is an ADA-accessible route, so adding curbing around that area would then require ADA ramps. Mr. Urban stated that there are existing islands, but they are grass with light poles, so they cannot add trees to those areas. Mr. Valiga stated that the waiver would help with the curbing but not the planting islands. Mr. Valiga stated that adding curbs could cause a tripping hazard. Mr. Valiga wanted to know if they would put in the planting strips if they waived the curbing requirement. Mr. Urban stated they would install grass planting strips. Mr. Urban stated that the handicap stalls that are mentioned on page 3 number (12) are providing more than what is required with the federal

guidelines. Mr. Brown agreed and stated that the number (12) would be removed from their review letter.

Mr. Valiga wanted to discuss Bowman's review letter dated March 14, 2024. Ms. Kearney stated that what is being proposed will not add any more beds. She stated they will be reducing the number of beds from 96 to 73. Mr. Dixon wanted to know if there would be an increase in employees. Ms. Kearney stated that they don't intend to increase the number of employees due to the decrease in beds. Mr. Dixon requested this should be addressed in their review letter stating that they are not increasing the number of employees as a result of the deduction of the beds (item # 7). Mr. Dixon stated that if everything is flushed and all the slopes are ADA-compliant; they should look at the vestibule area for ADA-detectable warning surfaces. Mr. Dixon stated since this is a new facility, they would have to allow access to the handicapped parking spaces. Ms. Kearney stated they would comply with the new signage and would not be providing any new improvements on the main road.

Mr. Valiga asked about Lower Gwynedd Township's Fire Marshal, Al Comly, review letter. Mr. Urban stated they are currently working with Mr. Comly regarding the driveway turning radius for the fire trucks. He stated they were supposed to have a meeting that day with Mr. Comly, but he wasn't available. They are aware that the existing driveway cannot handle the turning radius for the trucks. He stated that they are proposing to widen the curbs so the fire trucks can turn without backing up. Mr. Urban stated that they will continue to work with Mr. Comly to resolve this issue. Mr. Valiga wanted to know if they would comply with Mr. Comly's request for the Porte Cochere space to be sprinklered. Ms. Kearney stated they would comply.

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

1. The applicant accepts all comments from Gilmore's review letter from March 14th as discussed during the meeting;
2. The applicant's request for a waiver for curbing should be granted, but the planting islands are still required;
3. The applicant will comply with Bowman's review letter dated March 14, 2024, MCPC review letter dated February 20, 2024;
4. The applicant will work with the Fire Marshal to reconfigure the driveway's turning radius to allow access for emergency vehicles.

The motion passed with a 6-0 vote.



ADJOURNMENT

There being no further business, the meeting was adjourned at 8:40 P.M.

Respectfully submitted,
Patty Furber, Secretary