

**BOROUGH OF HATORO
PLANNING COMMISSION MEETING
MONDAY, SEPTEMBER 15, 2014**

PRESENT

Chairman McKnight, Members Farnen, McKeever & Battis, Assistant Secretary Hegele, Engineer Dougherty & Planner Rieker

ABSENT

Member Kline was absent this evening.

CALL TO ORDER

President McKnight called the September 15, 2014 meeting of the Planning Commission to order at 7:00 PM.

APPROVAL OF MINUTES

Assistant Secretary Hegele announced that some minor clerical changes were made to the minutes earlier in the day and offered to review the changes, the PC members were in agreement they were ok with these changes being made.

MAY 6th, 2014 – Member Battis motioned to approve the May 6th, 2014 meeting minutes. Motion seconded by Member McKeever, all ayes. Motion carried 3-0.

JUNE 10th, 2014 – Member McKeever motioned to approve the June 10th, 2014 meeting minutes. Motion seconded by Member Battis, all ayes. Motion carried 3-0.

July 1st, 2014 – Member McKeever motioned to approve the July 1st, 2014 meeting minutes. Motion seconded by Member Battis, all ayes. Motion carried 3-0.

Member Battis stated that he put together a packet of information on some research he did on similar communities in the area. He stated that information was included in the packets.

STATION PARK VILLAGE – PROPOSED OVERLAY ORDINANCE & MAP AMENDMENT

Mr. Jim Garrity, Esq. Whistler Perlstein, Attorney & Mr. Eric Carlson, Alliance Partners were in attendance.

Mr. Garrity stated that this is their 3rd visit to the Planning Commission and this was an official visit to request comments on the proposed overlay ordinance and map amendment. He stated they believe they will be back before the Planning Commission at least two more times. He gave a short presentation on the project and changes that have been made as a result of PC, Van Rieker and staff comments. The project is a combined TND/TOD Development with 81 units proposed. He stated that they have been working with Van Rieker and most of the issues have been accomplished. He did state that one issue that has arisen is a buffer issue between the proposed residential and existing commercial. Mr. Garrity stated they may want a waiver as they would like to keep the property as one where people can live, work and play.

Van Rieker stated that the comments he pointed out addressed MAP Amendment #9. The application includes a main driveway and the overflow parking lot which is good. The Zoning boundary line should be reset some reasonable distance, 20 feet is suggested from the edge of the interior driveways and other parking lots. Van is willing to accept inclusion of the walkway along the railroad since it is vital to the TOP concept; the Planning Commission needs to make sure this is acceptable. Van stated the applicant has demonstrated they are not in a flood plain and they are doing a lot of stormwater management on the properties.

Chairman McKnight asked which type of development would they use, right now the map lists TND and the ordinance lists TOD, this should be clarified.

Member Battis asked why a TAD was not being considered as that was a better description of this project. Mr. Battis stated he could not find one TOD in this area. Mr. Garrity responded Council could call it whatever they wanted. He stated he personally knows of 6 TOD's in Montgomery County that he has currently developed.

Assistant Secretary Hegele asked Mr. Garrity to clarify for the public what the definition of each development. Mr. Garrity responded a TND was a traditional Neighborhood Development; a TOD was a Transportation Oriented Development and a TAD was a Transportation Adjacent Development.

Member Battis asked if the pedestrian path was located in the PECO utility easement, and who owned the property. Mr. Carlson stated Alliance owns the property and yes there is a PECO easement and a Borough easement. Mr. Battis stated he does not like the location of the trail; it is in a stormwater ditch and under high tension wires.

Member Battis questioned the direct and safe connection to the Septa Train Station; there is an area at the top of the property along Byberry Road that is not owned by Station Park. Mr. Garrity stated it is too premature to say what will happen, does not know if the property will be rezoned, whose property it will be, but they may need to ask for an easement over that small piece.

Member Battis asked if any of the Elm Street overlays work for this project and is the density of any of the Elm Street overlays as great as this project. Van Rieker responded no; the overlays will not work for this project and he has not done an analysis.

Member Battis asked about the direct and safe connection to the Septa tracks. He would like to see a fence installed here, as he feels the path is not safe. Member Farnen asked about the path location and if it was uphill side, she stated she has been back there on several occasions but could not recall exactly. Mr. Carlson stated they are spending significant money on this trail. Mr. Garrity stated the estimated cost is at \$200,000 to make sure it is nice and safe.

Mr. Battis questioned the maximum density of 10 units per acre, he asked for clarification on this as some units could be in one section on one acre. Mr. Garrity stated there is a total of 10.1 acres. Mr. Battis stated he believes they are only developing 7.95 acres, he believes that they could build 15 units on 1 acre. Mr. Garrity responded yes.

Mr. Battis asked why under Section 2, number 4 that items pertaining to public safety were removed under Conditional Use. Mr. Rieker stated that they followed the HI-MU ordinance. Mr. Garrity stated they can make this change if requested.

Mr. Battis asked why there were multiple mentions of repealers in the ordinance, he felt this was redundant and the applicant should consider removing some. He specifically asked for e & k to be removed.

Mr. Battis asked for clarification on the 20 ft. dimension being used for open space. There was a discussion concerning the calculation for open space.

Mr. Battis stated he feels under section 3, 2 iv, should include a fence along the walking path separating the tracks from the path. He stated we have a high suicide rate in Hatboro along the railroad tracks and if someone lives in these houses and walks in his/her sleep they could be struck by a train. Mr. Garrity stated the applicant would look at this.

Mr. Battis stated under Section 3, 2 v he would like the dog park omitted as it is too small. Mr. Garrity stated the ordinance does not say the applicant has to do a dog park it is an option, they could put a small park with swings in that area if they wish.

Mr. Battis asked under Section 3, 2 vi to remove "At the request of Borough Council" he stated all of this is at the request of Council. Mr. Garrity stated he disagreed and it is definitely needed, it gives Council the opportunity to choose.

Mr. Battis questioned Section 3, (4) the unobstructed rear access and the dimensions. Mr. Carlson stated they have at least 40 ft. by 10 ft.

Chairman McKnight asked for clarification. Mr. Garrity explained the ROW. Van Rieker stated in looking at the current ordinance it appears it is a frontage issue, but he will have to clarify this.

Member Farnen asked if the parking lot depicted on the plan in front already existed. Mr. Carlson responded yes. They will secure an easement to use the lot; he stated it is not really used currently.

Chairman McKnight asked Engineer Dougherty if he had any comments at this time. Engineer Dougherty responded none.

Van Rieker stated he had a couple of more issues that will need to be addressed, the first is the minimum width for the central green area, and he stated this needs a starting point. He felt this was a good 60 ft. test, this should be cleaned up.

Mr. Ed Henry, 238 Bonair Avenue questioned the walking trail and the access road, specifically if the applicant would be using the access road. Mr. Carlson responded yes, he also mentioned that PECO uses the access road to access their telephone poles and Septa uses also for train tracks, but the property is owned by Station Park.

Mr. Henry asked how people would cross to the train station. Mr. Garrity stated they can walk up to Byberry and then from there still has to be designed, which will be done per Borough Council. Mr. Carlson mentioned that they will look at this again and look to see if there is any room for improvement. Mr. Henry asked if they owned the property to do this. Mr. Carlson responded Station Park has access to the easement to do this.

Mrs. Lee Phillips, 204 Wood Street asked how many members, consultants and staff has visited the property, everyone responded yes they have been to the property. She stated if you were there then you know a fence should be required. Van Rieker responded that the applicant will be required to have safe and attractive access, without this the applicant cannot move forward in the process.

Member Farnen asked since they were talking about regarding the area for the trail, could they consider redesigning the trail and relocating it elsewhere. Mr. Carlson stated they thought this were the logical place for it, they saw this done in other areas. Mr. Garrity stated the applicant can look at this again and see, they are aware they have to do it safely.

Bruce Hart, 175 Earl Lane asked how wide the alley was that was located at the bottom on the drawing closet to Warminster Road. Mr. Carlson stated it is a one way 12 ft. cartway. Mr. Hart felt this was a tight turn for moving vans, deliveries, etc... Mr. Garrity explained that residents will be able to use other spaces/roads to get around for deliveries. He stated this will be reviewed again during Land Development.

Mr. Henry asked if there would be an HOA for this development. Mr. Garrity responded yes. Mr. Henry asked who would remove the snow and trash. Mr. Garrity stated this has not been decided yet, they still would need to meet with the Borough to discuss. Mr. Henry stated if the Borough has to do these services than the numbers in the fiscal impact study would be lower. Mr. Carlson stated that the Woodmont Development in Lower Moreland is very similar, there is an HOA and the township does provide snow removal on the public streets within Woodmont.

Mr. Henry stated he is partial to the outdoors, he feels this is spot zoning, he would like to see this property left alone or put up a warehouse. He wanted to know where the next overlay would be. He understands the owner of the property has a right to build a warehouse but he is against taking away woods that have been there for a long time and change the zoning to accommodate these houses.

Member Farnen motioned to recommend approval of the overlay ordinance subject to modification listed:

1. Page #1 – TOD vs. TND, needs to be consistent, ordinance states one type, map states other type.
2. Page #2 - e. Repealer, PC has concerns over the number of times Repealer is listed, would like to see if one can be eliminated.
3. Page #3 – Rear to Rear should be increased
4. Page #3 – Section 3 K 2 ii – PC would like to see the minimum dimension of 60 ft. in every direction looked at.
5. Page #3 – Section 3 K 2 iv – Applicant has indicated they could use 60ft. This would need to be changed in ordinance.
6. Page #4 – 4 PC would like clarification if this was a frontage issue.

Motion seconded by Member McKeever. Member Battis stated there are a lot of problems with density, too many projects in Hatboro with density issues; Jacksonville Greene, Victorian Village, Moreland Crossing, Cobblestone Court, Wynfair Apartments, 400 N. York Road being built in a flood plain and Woodwinds tearing them down because they flood. He stated now we have to agree to the rules these developers want to play by, he stated we don't need any more bad developments.

Chairman McKnight called for a vote:

Member Farnen voted aye

Member McKeever voted aye

Member Battis voted nay

Chairman McKnight announced motion carried 2-1.

MEETING DATE

The next meeting of the Planning Commission will be Tuesday, October 7th, 2014 at 7:00 PM if necessary. Chairman McKnight announced he is not available. Assistant Secretary Hegele stated as of this date there is nothing for Planning Commission review.

ADJOURNMENT

Chairman McKnight adjourned the September 15th, 2014 meeting of the Planning Commission at 8:55 P.M.

Respectfully submitted,

Diane C. Hegele
Assistant Borough Secretary