

**MINUTES
PLANNING COMMISSION
APRIL 26, 2022**

Attendees/Participants: Dave Shula, Bob Dambman, Patrick Doran, Elizabeth Shaw-Fink, Scott Quitel, Charlie Guttenplan, AICP, Director of Planning & Zoning, Krista Heinrich (Township Engineer), Vince Manuele (BOS Liaison), Dave Sander (Township Solicitor's office)

1. CALL TO ORDER: 7:00 PM by Vice-chair Doran

2. ANNOUNCEMENTS & CORRESPONDENCE:

- Montgomery Awards 2022 — Call for Entries: Mr. Guttenplan commented this year's award nomination is open. There was a backlog of several nominations that the County kept on their list; they have either been rewarded or eliminated. Mr. Guttenplan has no suggestions for this year; if anyone has suggestions, a nomination will need to be submitted by May 6, 2022.
- 901 Washington Street/RIVERplace Sewer Module Response Letter—Township Consideration of Planning Commission Comments. Mr. Guttenplan: This correspondence is because when the P.C. responded to Component 4A, there were comments made about the fact that 901 Washington Street was in the Riparian Corridor and there might be some implications because of that. DEP in their review of the module asked for the Township to respond and confirm that they considered the P.C.'s comments in their processing of the module and that is what that letter is.
- It was requested that people talk directly into the microphone so that we can easily hear the recording.

3. APPROVAL OF MINUTES: None

4. ZONING HEARING BOARD APPEALS: None

5. CONDITIONAL USE APPLICATIONS: None

6. SUBDIVISION &/OR LAND DEVELOPMENT APPLICATIONS:

- Review SLD #05-22 Keith Catania, Catania Construction, LLC/246 & 248 Hillcrest Avenue, Conshohocken; Preliminary/Final Minor 2-Lot Subdivision

Attendees: George S. Maalouf, P.E.; Keith Catania, the applicant

Mr. Guttenplan gave a brief introduction: This is a minor subdivision of two lots; there are currently three tax parcels. The proposal is to combine them and re-divide the area equally to create two lots. The applicant went to the Zoning Hearing Board and was granted several dimensional variances to allow the creation of the two proposed lots and to allow the construction of a single-family home on each. The plan that was the basis for the Zoning Hearing Board decision is the same as the one currently proposed. The applicant is here to get a review of the subdivision; there are several waivers that had to be addressed.

Mr. Maalouf: they have three lots that they are trying to combine into two lots. They received variances for the area and width of the lots. Review letters were received from the County, Fire Marshal, Township Engineer and the Township Planner. They are mostly "will comply" except for the twenty-one waivers they are requesting.

The following waivers are being requested by the applicant:

1. Applicant is requesting a waiver from section 105-21.B.(1)(n) showing existing features within 500 feet of site. The plans do show improvements 50' beyond the property. **The plans also have an aerial photo (sheet 5 of 5) to show improvements further from the site.**
2. Applicant is requesting a waiver from section 105-23.B.(1)(0)[7] requiring new sidewalks along the property frontage. **There is no sidewalk on that side of the street.**
3. Applicant is requesting a waiver from section 105-21.1.(K).(2) requiring the applicant is to pay a traffic impact fee. **They are taking two houses and adding two houses so the traffic impact will not change.**
4. Applicant is requesting a waiver from section 105-30 requiring a 36' wide cartway, curbs, sidewalks & a tree zone along the property frontage. **Hillcrest Avenue will remain as it exists with the exception of new street trees along property frontage.**
5. Applicant is requesting a waiver from section 105-47(a) requiring new sidewalks along the property frontage.
6. Applicant is requesting a waiver from section 105-52 requiring buffer yards and it will allow the applicant to comply with the shade tree commission recommendations.
7. Applicant is requesting a waiver from section 105-53(d) requiring the applicant to dedicate 10% of the total site area or a fee-in-lieu of dedication. **There is no dedication of land or a fee-in-lieu proposed by the applicant. The applicant installed a water main when the houses across the street were built so they will be bring the water in to the water main they put in so they are hoping this offsets the fee.**
8. Applicant is requesting a waiver from section 105-73 requiring new sidewalks along the property frontage. **There is no existing walks along the frontage and it would not conform to the neighborhood.**
9. Applicant is requesting a waiver from section 105-12(d) from the requirements of this section to allow preliminary & final plan submission to occur contemporaneously.
10. Applicant is requesting a waiver from section 105-23(a)(1) to allow the drawings to be drawn at 1" = 20' where it is required to be 1" = 50' or 1" = 100'.
11. Applicant is requesting a waiver from section 105-41 & 105-75 requiring a stormwater management plan. **There is no stormwater management proposed with the exception of rain barrels at the downspouts. The rain barrels are the only bmp's for this site due to unsuitable soils that will not allow an underground stone seepage bed system.**
12. Applicant is requesting a waiver from section 105-46 requiring new curb along the property frontage. **There is no curb down that side of Hillcrest and it will not conform to the existing roadway.** Mr. Dambman thinks curbing will help define the property. Mr. Catania commented the neighborhood is built out; no other houses can be built. He talked to neighbors, and they do not want curbs.
13. Applicant is requesting a waiver from section 105-52(b)(2) requiring a buffer. **No buffer is necessary due to the small-scale nature of the project. The property is surrounded by all residential uses and the alley in the rear is not improved & just grass.** Mr. Catania: buffer side yards are 7 feet, too small for buffers.

14. Applicant is requesting a waiver from section 105-69 requiring full width paving restoration. **The property already has existing water & sewer connections from the homes to be demolished. Only two small connections will be made for re-routing the existing water laterals to the new water main in Hillcrest. This new water main running up Hillcrest was just installed by the applicant and the paving was just resurfaced.** The Township Engineer is ok with this waiver with the condition that it is only 1 trench.
15. Applicant is requesting a waiver from section 105-74 requiring new curb along the property frontage. **Again, there is no curb down that side of Hillcrest and it will not conform to the existing roadway.**
16. Applicant is requesting a waiver from section 105-81 requiring all new utility connections be placed underground. **Again, the two existing houses have all the utility ties and they are all above ground and the applicant is going to utilize these existing connections.**
17. Applicant is requesting a waiver from section I(b)(4)(k) requiring any proposed grading be at least 5' from property line or right-of-way. **The applicant needs to utilize the side yards and they are only 7' wide as per the granted variance. Diversion swales are proposed on the side yards and need the full width of the side yards to achieve. The proposed regrading will still remain completely on the property and not extend onto the neighboring properties.**
18. Applicant is requesting a waiver from section 11(8)(8) requiring a stormwater management report. **There is no stormwater management proposed with the exception of rain barrels at the downspouts. Again, the rain barrels are the only bmp's for this site due to unsuitable soils that will not allow an underground stone seepage bed system.**
19. Applicant is requesting a waiver from section II (c)(1) that require limiting stormwater runoff. **Again, there is no stormwater management proposed with the exception of rain barrels at the downspouts.**
20. Applicant is requesting a waiver from section II(c)(3) that require determining the stormwater peak discharge. **Again, there is no stormwater management proposed with the exception of rain barrels at the downspouts.**
21. Applicant is requesting a waiver from section II(f)(3)(d)(4)(d) that require a detailed soils evaluation to determine suitability of a seepage bed for runoff. **Again, there is no stormwater management proposed with the exception of rain barrels at the downspouts.**

Ms. Heinrich stated that numbers #11, 18, 19, 20, 21 should not be granted; calculations must be provided.

Planning Commission Comments

Mr. Quitel: they keep talking about clay soils, but they are going to be putting in trees, so something is going to be getting into the soil (for the topsoil, you will be fine, but when you get deeper, it will not infiltrate fast enough).

Mr. Dambman: the total impervious on existing lots is 51.23%, what is the proposed (Lot 1: 36.5%, Lot: 33.6%). Mr. Quitel: didn't they already get zoning relief for impervious (yes). Mr. Shula: are you proposing a net increase or decrease in impervious (increasing the building footprint but decreasing the total impervious coverage). Mr. Catania: thinks they are proposing less impervious. They removed a garage and the driveways that existed. Mr. Doran: asked if the overall impervious coverage when said and done will decrease 2% (Yes).

Mr. Doran: commented his concern with waiver #7 is that he understands the substantial contribution the applicant made in installing a water main but is hesitant to waive this since it will take away from the weight of the code section. Mr. Quitel: commented he agrees with the logic. Even though they are getting a tiny reduction in impervious it is still a hard to drain site so he would rather see them convert to trees and plants rather than turf grass because it doesn't really absorb much. He agrees with not granting waiver #7, maybe they can plant more, he doesn't see the hardship to justify. Mr. Catania: were not converting 2 properties into 3, were converting 3 into 2. We're reducing the number of houses. Mr. Quitel: part of it is if you look at the Township before, right now to us developments whether they're small or big they all matter in just taking into account whether it's impervious vs pervious or whether it's stuff going on with climate. every tree we can get makes a difference. Every development we want to be environmentally sensitive, we're trying to push things in a more ecologically sensitive direction. Mr. Maalouf: in Skippack, in lieu of the fee, they allowed us to plant extra trees (yes, that's something the P.C. would consider). Mr. Manuele commented they should recommend that waiver (#7) be granted conditioned on planting of other trees elsewhere other than on the property.

Mr. Maalouf described the existing and proposed conditions. Mr. Doran asked is they have been to the Shade Tree Commission (no, no trees are coming down, they are keeping 2 and adding 4 trees); is there any other landscaping besides the turf grass (there will be landscaping beds in front of the property); Ms. Shaw-Fink asked if the houses are similar to what was built across the street (they will be identical to 250 & 252 Hillcrest Avenue); Mr. Dambman commented the street trees are under wires, they would need to be appropriate for growth height (they can push them back if need be to avoid the wiring); Mr. Quitel suggested planting smaller trees, for example: Eastern Redbuds.

Motions

Mr. Dambman made a motion to recommend not approving waivers #11, 18, 19, 20, 21; seconded by Ms. Shaw-Fink 2nd, Vote: 5-0.

Mr. Quitel made a motion to recommend not granting waiver #7 with the comment and recommendation to the Board of Supervisors that they consider an off-site planting solution of other trees elsewhere other than on the property; seconded by Mr. Shula. Vote 5-0.

Mr. Shula made a motion to recommend that the remaining waivers (#'s 1,2,3,4,5,6,8,9,10,12,13,14, 15, 16 &17) be granted, with the condition that for waiver #14 that it is limited to only 1 trench; seconded by Ms. Shaw-Fink. Vote 5-0

Mr. Shula made a motion to recommend approval of the preliminary/final plan; seconded by Mr. Dambman. Vote 5-0.

In a brief intermission, Mr. Quitel asked if the packets could be organized more efficiently so the more important documents that are likely to be discussed are up front. Mr. Doran commented he would like to see the MCPC letter, Zoning letter, Township Engineer's letter and the waiver list first in the packets.

- Review SLD #09-18 / 601 Washington Street Associates, LP/601 Washington Street, Conshohocken; Preliminary Land Development Plan; Construction of 270-Unit Multi-Family Building and related improvements

Mr. Shula asked to recuse himself from the next application; the applicant is a client of his on another project elsewhere.

Attendees: Ed Campbell, Esquire, the Applicant's Attorney; Rick Roseberry, P.E., Project Engineer at Colliers Engineering & Design; Kevin Kyle, Senior Project Manager at MLB Ventures; Mike Buckley, AIA, Architect at JKRP Architects; Jerry Roller, AIA, LEED AP, Lead Architect at JKRP Architects; Chris Garrity, RLA, LEED AP, Landscape Architect at Glackin Thomas Panzak; Sandy Koza, P.E., PTOE, Traffic Engineer at McMahon Associates, Inc.

Mr. Guttenplan gave a brief introduction: The Planning Commission previously saw a different version of this project as a sketch plan at their March 12, 2019 meeting and then as a Zoning Hearing Board application (ZHB #2019-21) at their June 25, 2019 meeting. The Zoning Hearing Board denied all of the relief; the 2019 ZHB decision was appealed; Common Pleas Court reversed the denial of two items of relief which has the effect of allowing development to proceed within the floodplain. The remaining items of relief were further appealed; the case is currently in Commonwealth Court awaiting a possible mediation resolution. As an alternative, the applicant has submitted the current plan which the applicant believes needs no additional zoning relief. They are still proposing 270 multi-family units with parking underneath and some outside and a different arrangement of the building and parking to eliminate the need for the other variances that were not granted before. If the plan is approved, it would resolve the appeal.

Mr. Campbell explained the difference between the current plan and the prior plan. The proposed plan shows the structures of the buildings relatively close to Washington Street with the parking behind the building; before the buildings were set further back with parking between Washington Street and the buildings which required variances. The plan has been re-engineered and redesigned so that there is no longer a request from the steep slope ordinance. The only things that haven't been fixed are the things they can't fix; the property is in the floodplain. This plan shows significant parking at 1.75 spaces per dwelling unit; it was pointed out that 1.5 spaces per dwelling unit is required; the plans will be revised to eliminate parking and eliminate impervious coverage. A rendered plan was shown indicating how they are proposing the landscape and amenities; there is a red shale macadam trail that runs along the river, significant landscaping, there is a single primary entrance off Washington Street and two secondary access points, there is significant parking on the ground floor of the buildings, there is a walkway that traverses from Washington Street down to the river. The elevation from parking to livable space is 13.6 feet. A significant portion of the parking to the southeast of the buildings is being removed with the parking reduction; they are still in the process of showing how that will be landscaped and how the plan will be redesigned to accommodate that. There is also a change to the center courtyard based on comments in a review letter pointing out a requirement for having parking not within 10 feet of the building so adjustments had to be made to the courtyard to meet that requirement. They are proposing to have a clubhouse and the clubhouse space will exceed 2% of the square footage of the building, and therefore it qualifies under the criteria for a nonresidential component.

Planning Commission Comments:

Mr. Quitel asked to see an aerial of what the site looks like now; he can not tell where the property boundary lines are.

Mr. Dambman asked what the proposed height of the buildings are (just under 65 feet which is what the code permits).

Mr. Doran commented now that there has been a reduction in parking on the river side is there an opportunity now, with fewer parking spaces and more physical area available, for landscaping to meet that requirement (they believe they will be able to reduce the scope of that waiver by planting additional trees in that area).

Mr. Quitel asked for them to discuss what landscaping is existing, what are they taking down and what will replace what they are taking down (Mr. Garrity: There are approx. 200+/- trees now. About ½ are invasive/nonnative type trees. They are removing about 50 trees. Due to revisions in the layout and less parking, there will be far fewer trees removed. Mr. Quitel: if you don't have to take a mature healthy tree down (even if it's nonnative) is not desirable. Mr. Campbell commented the site is subject to an Act 2 remediation process. There may be additional trees that DEP's remediation program will be required to be removed to comply with remediation plan which will include capping. The purpose of the cap is to prevent human contact with contaminated soils. Mr. Quitel: What was former use: (the groundwater is contaminated and there is soil contamination). The capping in place, he is not generally comfortable, just because you cap doesn't make them go away. Ms. Heinrich: there is a list of different contaminants and what amounts humans can be in contact with without harm. It is dependent on the contaminant and proposed use. Mr. Campbell: will come back next time with more information related to contaminants, capping & remediation. Mr. Quitel: knowing specifically what the site history was, would be helpful to the Planning Commission and the public.

To follow up, Mr. Manuele commented that Ms. Heinrich indicated that the Act 2 remediation requirements were dictated by use, is it possible that by removing parking and converting that space to open space that is now going to be accessible to the residents, is it possible that somehow changes the Act 2 remediation requirements in any way (no, the cap can be designed for the different uses).

Mr. Doran: the evacuation plan? A lot has changed since 2019. Particularly for this site, Ida. Building on the river has become more terrifying by the storm. They have seen firsthand evacuations and strained emergency response teams who must go to extraordinary lengths to save lives because of the increasing flood events. He is glad to see there is a sophisticated evacuation plan. (Mr. Campbell commented they submitted it to the Township, they expect to get input from EMS, and adjust as necessary. He believes that what they submitted, other applicants along the River have used nearly verbatim of their plan). Mr. Doran asked if they have any information on how high flood waters came on this property; in terms of height (average ground surface elevation is 51; base flood elevation is 59. The finished floor 62.5 feet). It seems like we don't have all the information, like this is part 1 of 2? We are talking about evacuation plans that haven't been reviewed (Mr. Guttenplan: there is an evacuation plan that has been reviewed by the Fire Marshal with recommendations and changes).

Mr. Quitel: If we forget about zoning for a second, and there wasn't a height limit, would you consider going higher with a smaller footprint, would you see a market for that (there are zoning requirements, # of parking spaces, cost of construction. You'd probably need far more units than you could park to make it feasible. One it wouldn't comply with zoning, and two it would be significantly more units to make that work).

Mr. Dambman suggested they could do two-tiered parking underneath. It looks like there is more coverage in parking than there is building, and they can keep their buffers at 50 feet.

Mr. Quitel: In one year we had Isaias and Ida, the river has already told us it's going to flood. All we are talking about now is how good the evacuation plan is. When we see a river that does what it does it is speaking loudly to us, and it does call for creativity. How can we be creative, so the applicant gets the number of units to work for the market, but the Township also gets what it wants; like going higher (they looked at other designs. He couldn't advise his client that the relief they got would carry over since it would be too much of a change).

Mr. Doran: asked if they can talk about traffic? Ms. Koza gave a broad overview of what they looked at in the study. They looked at 9 intersections in the area. They looked at the study in two ways, without the connection to Lee Street which could potentially happen if 901 Washington Street is approved and developed, and the other was without that condition. They also looked at trip count generations for this site;

they tried to be conservative on the estimates of the trip generation. They used the Institute of Transportation Engineers Manuel. They used the land use code that is based on multifamily housing, and the proximity to rail transit. They are looking at between 107 (morning)-106(afternoon) in peak hours. All Whitemarsh intersections are meeting level of service results C or better. They will also be paying their Act 209 fee for the site which will cover any off-site improvements that would potentially need to be made. Without Lee Street, the trip distribution changes to about 25% more traffic heading towards Cherry/Elm Streets.

Mr. Kyle spoke about the evacuation plan. He has had multiple experiences with multiple properties along the river. With this evacuation plan, they will have contact numbers for all staff members, floor captains, and contact information of all residents for the advanced notice. If the evacuation calls for the need for residents to remove their car, and if they don't, they will tow their car to a safe site for them. There is also information in the evacuation plans not just for flooding, but a fire or other natural disaster. Mr. Doran asked is the expectation that other than vehicles that people would shelter in place during an event (Yes). Mr. Doran asked where the cars go in advance of the evacuations and will shuttles be provided to bring the residents back to their homes to shelter in place (that is one section of the emergency plan that has to be worked out as they go through the approval process, and they hire staff where they can populate the plan with this information). Mr. Dambman asked what's the number of residential units in other facilities in Conshohocken: Riverwalk has 310 dwelling units, Londonberry: 258 dwelling units.

Mr. Doran had a follow up question on the traffic study. It was said cameras were installed and observed in February 2022, so the activity was recently conducted, but when this project was presented in 2019, was there a study done previously (Yes, a study was done then as well, but because of the lapse time, the code required the study to be done again). Mr. Doran commented he suspects the post pandemic numbers will be different than the February 2022 numbers; he would like to see a comparison with the old numbers and what the results will be.

The following waivers are being requested by the applicant:

- A. WAIVER OF SUBDIVISION AND LAND DEVELOPMENT ORDINANCE §105-30.A – STREET STANDARDS. The following chart indicates the required dimensional standards for the various classifications of streets as defined in §105-5. Local streets, basic dimension cartway: 36 feet, Tree Zone: Yes.
This waiver is requested to allow a cartway width of less than 36 feet. The northern proposed curb line cannot be moved further due to existing transmission power lines. We also request a waiver from providing a tree zone along Washington Street. Our intent is to match existing installed improvements along Washington Street.
- B. WAIVER OF SUBDIVISION AND LAND DEVELOPMENT ORDINANCE §105-39A – TREE PRESERVATION, PROTECTION AND REPLACEMENT. All parking areas shall have at least one, three-inch-caliper tree for every two parking spaces provided.
This waiver is requested as the majority of parking spaces are proposed to be located underneath the proposed building, so there isn't sufficient area to place proposed trees at this density. The applicant's proposal does provide significant landscaping for the building.
- C. WAIVER OF SUBDIVISION AND LAND DEVELOPMENT ORDINANCE §105-47.K.1 –SIDEWALKS AND PEDESTRIAN PATHS. A right-of-way of at least 25 feet in width shall be offered for dedication to the Township. If the area is not accepted for dedication, an easement for public use must be provided along with maintenance agreements acceptable to the Township.
This waiver is requested to allow the required 25' wide right-of-way to be 5' wide due to site constraints.

- D. WAIVER OF SUBDIVISION AND LAND DEVELOPMENT ORDINANCE §105-47.K.2 –SIDEWALKS AND PEDESTRIAN PATHS. There must be at least one access to the river. Access points must be located no more than 500 feet apart.
This waiver is requested to allow access points to be more than 500 feet apart.
- E. WAIVER OF SUBDIVISION AND LAND DEVELOPMENT ORDINANCE §105-47.K.3 –SIDEWALKS AND PEDESTRIAN PATHS. A red shale macadam pathway a minimum of 10 feet in width shall be provided and separated from vehicular traffic.
This waiver is requested to allow access from Washington Street to the river trail to be 5 feet in width and be concrete.
- F. WAIVER OF SUBDIVISION AND LAND DEVELOPMENT ORDINANCE §105-48.E – STREET TREES. Unless otherwise approved by the Board of Supervisors, street trees shall be planted within a tree planting zone of lawn area or other material approved by the Shade Tree Commission, situated between the sidewalk and curb and measuring a minimum of five feet in width from the planting edge of the curb to the planting edge of the sidewalk.
This waiver is requested to not provide a tree planting zone between the curb and sidewalk along Washington Street. Our intent is to match the existing frontages along Washington Street.
- G. WAIVER OF SUBDIVISION AND LAND DEVELOPMENT ORDINANCE §105-50.C.1 – ACCESS AND CIRCULATION. Access to the dwellings and circulation between buildings and other important project facilities for vehicular and pedestrian traffic shall be comfortable and convenient for the occupants.
This waiver is requested from providing access circulation to the dwellings and between the building. Due to maximum impervious requirements, the amount of access paths provided was to the minimum extent. We will provide as many access paths throughout the site while maintaining the maximum impervious cover requirement.
- H. WAIVER OF SUBDIVISION AND LAND DEVELOPMENT ORDINANCE §105-52 – BUFFER YARDS Buffer yards are required between subdivisions and land developments and along existing streets to soften visual impact, to screen glare, and to create a visual barrier between conflicting land uses. The extent of buffering required shall be determined by the type of use proposed and the adjacent uses or streets surrounding the proposed development. The impact of the proposed use on adjoining properties is the basis for establishing buffer yard standards. The applicant is encouraged to engage a landscape architect in order to promote the proper use and arrangement of plant materials.
This waiver is requested to allow perimeter buffer yards to be less than 50' in width. Buffer landscaping is provided at the intensity that meets the intent of the buffer yard requirements and address the unique characteristics of the site and intent of the riverfront development district.
- I. WAIVER OF SUBDIVISION AND LAND DEVELOPMENT ORDINANCE §55-4.B.(6)(f)[1][2]&[3] –TREE PRESERVATION, PROTECTION AND REPLACEMENT. Replacement tree requirement. Subject to the prior approval of the Shade Tree Commission: A maximum of 30 % of the replacement trees may be replaced with ornamental/flowering trees or evergreen trees at a ratio of two flowering or two evergreen trees per required three-inch-caliper shade tree. A maximum of 20% of the replacement trees may be replaced as shrubs with a minimum size of 24 inches in height at a ratio of six shrubs per required three-inch-caliper shade tree. A maximum of 10% of the replacement trees may be replaced as groundcover at a ratio of 40 plants to one three-inch-caliper shade tree. The minimum size of the groundcover will be a one-gallon container.
This waiver is requested to permit the applicant to meet the requirements of this section in accordance with the notations on the landscape plan as well as comments provided by the Shade Tree Commission.
- J. WAIVER OF RESOLUTION 2004-8 I.B.4.K. Edges of slopes shall be a minimum of five feet from the property lines.
This waiver is requested to permit grading within five feet of the property lines. The proposed river trail will connect to the adjacent properties. The site will be designed to promote no stormwater impacts to adjacent properties.

Public Comment:

Sydelle Zove: Harts Ridge Road. She is deeply disturbed about references to what was approved elsewhere. She knows every property is unique and doesn't think what happens elsewhere should serve as a precedent. She is hoping they are looking at this as a project on its own merits and considering the waivers they are requesting without regard to what happened elsewhere. One of the waivers was confusing; Waiver F. She urges that waiver request is reworded for clarity. She is a bit confused about where the parking was eliminated. She was hoping the spaces eliminated were those adjacent to the boat club. She is very committed to Township's code to have the 10' wide red shale macadam trail; and Waiver E should not be granted, and the parking should be reconfigured to allow the widening of that path that leads from Washington Street to the River Walk. She wonders whether the two recently approved projects were considered when the traffic analysis was done. Regarding the remediation approach, how many square feet will be capped. Is it possible to plant in that area? what is the material of the cap? In Ms. Heinrich's letter, there was concern about wetlands and fill, what will be Army Core of Engineer's role, will there be a Jurisdictional Determination. She would like to see a reduction in the number of parking spaces and an increase in the number of trees; she would like to see trees planted on site. The trees planted in the floodway should be required to have a longer warranty period. The Fire Marshal raised a question about remote parking spaces, where are they relocating to? Maybe we can't go higher, but maybe we could request the number of units be reduced and thereby reduce the amount of parking.

In response to the public's comments and concerns: Mr. Roseberry: DEP came out and said these are not wetlands, he suspects the surveyors came out and flagged at the outfall of the existing 48-inch drainage pipe and picked them up and assumed them as wetlands. They were not wetlands; they just delineated the waters edge through there; they are getting that clarified.

Mr. Doran: he knows there is a continuation here, but he knows there are some waivers that can be acted on. Mr. Quitel prefers to wait and thinks that everyone benefits if they take a fresh look at the site. He would rather make an independent judgement, rather than just trust DEP. It's a real tragedy that this Board and the BOS approved that plan as it is (901 Washington Street). There is a push in our township to be more mindful of environmental concerns. Mr. Dambman agrees with Mr. Quitel and commented that 901 Washington Street is 1/5 the units of what this site is going to be.

Mr. Doran commented the Planning Commission would like them to come back and thinks Waiver A might be something they can move quickly on; Waiver B needs a lot more thought; Waiver C - parking reduction along the boat club should be reconsidered; Waiver D is not controversial; Waiver E will be part of the discussion regarding parking on that side; Waiver F should be rephrased for their consideration; Waiver G – withdrawing; Waiver H, the buffer yards might work itself out; Waiver I is trees as well. It has more to do with tree equivalents; and Waiver J is probably not controversial. Mr. Doran stated the applicant heard their comments and they will come back with a comparison traffic study to the 2019 data; and their pleas to reduce hardscape. Mr. Quitel commented, regardless of what DEP says, please give them detailed site history.

Mr. Campbell clarified what the Planning Commission would like to hear at the next meeting: the Emergency Evac Plan; environmentally they want to know more about site history and what is the actual Act 2 remediation plan; preservation and replacement of trees as it relates to environmental issues; additional testimony about traffic impact comparing the 2019 study to 2022; and to the extent they are taking input from the professionals and modifying the plan.

Mr. Guttenplan asked when they come back with revised plans, does the Planning Commission want staff reviews before the meeting (Yes, they would want opportunity for staff reviews).

7. OLD BUSINESS:

Mr. Dambman – gave an update on the Ridge Pike widening project. The project is underway. There was a public presentation last night, every seat was filled. It is going to be over 2 years of construction and there will be some detours. Ms. Heinrich commented they are having weekly meetings now.

8. NEW BUSINESS:

Mr. Doran: he will be communicating with Mr. Guttenplan about some sort of summary about how to find documents easier in the packets, maybe a table of contents.

Mr. Doran asked if he could have a copy of the court of common pleas decision on the earlier presentation of 601 Washington Street. Mr. Guttenplan will provide that.

9. PLANNING COMMISSION MEMBERS COMMENTS: None

10. PUBLIC COMMENT FOR NON-AGENDA ITEMS:

Ms. Zove: just wanted to add she stayed the extra time (at the Ridge Pike meeting) because she wanted to speak with 1 person who could answer her questions, but he was surrounded by people who were not wearing masks. She would characterize that meeting as a zoo. She would have preferred a presentation describing what was happening, where it was happening and when it was happening rather than a free for all. There wasn't much of an opportunity to ask a question clearly and coherently nor was it possible to hear the answer. The photographs displayed just showed the staging of the project and nothing else. The next time around it has to be done differently.

11. ADJOURNMENT

- On a motion made by Mr. Dambman; seconded by Ms. Shaw-Fink, the meeting was adjourned at 10:12 PM.

Respectfully submitted,

Charles L. Guttenplan, AICP, Director of Planning & Zoning

The Planning Commission is appointed as an advisory group to the Board of Supervisors and the Zoning Hearing Board with respect to comprehensive land use planning, existing land use, and various land use and zoning applications in Whitemarsh Township. No formal decisions are rendered by the Planning Commission. Formal decisions are rendered by the Board of Supervisors or Zoning Hearing Board, as prescribed by law, based on the type of application.

