

**EAST NORRITON TOWNSHIP
PLANNING COMMISSION MEETING
WEDNESDAY, APRIL 16, 2008**

A meeting of the East Norriton Township Planning Commission was held at the East Norriton Township Building, 2501 Stanbridge Street in East Norriton, Pennsylvania on Wednesday, April 16, 2008. Chairman Tornetta called the meeting to order at 7:00 PM with the reciting of the Pledge of Allegiance. Attending were Township Planning Commission members Tornetta, Gavanus, Griffin, Young, Schmidt, Stinson, Morello and Bell. Bryan Bortnichak, Township Zoning Officer and E Van Rieker, Township Planner/Consultant were also in attendance.

1. **Approve the Minutes of March 19, 2008 Planning Commission Meeting**

A motion to approve the minutes of the March 19, 2008 Planning Commission meeting minutes was made by Joan Morello, seconded by Bob Schmidt. The motion passed 8-0. Chairman Tornetta thanked Bryan Bortnichak for his serve as recording secretary.

2. **Review of SD Case # 2008-1, 3238 Hayes Road, Zoltan Zuberecz**

Present: Joseph J. Pizonka, Attorney representing Applicant
Joe Estock, Engineer and Presenter of Proposed Plans

Joe Estock made the presentation for the owner who is proposing to do a two lot subdivision on his 50,000 square foot existing lot located off of Hayes road and backing up to Township Line Road located in the Township's AR zoning district. Lots are to be divided in half having the first lot with single family home with access off of Hayes road and the second lot with single family home in rear of the first lot with access to Township Line road. Both lots meet the Township requirements in regards to lot area, lot width and set backs. Sewer pump will be required to access the sewer line off of Hayes road and HOP will also be required from the State for access to Township Line Road for second lot.

Bryan Bortnichak made a comment for the driveway of the second lot with access off of Township Line Road to have the driveway as far away as possible from the intersection of Sunset and Township line roads. Joe Estock agreed that it would be possible to build the driveway on the western side of the home to improve the distant from the intersection.

E Van Rieker made a comment that a notice should be incorporated into the plans to reflect that the building permit is conditional on the ability to connect to the sewer and water lines.

Joe Gavanus made a comment that the owner will notify his surrounding neighbors of his proposed plans and for the owner to bring back to the planning commission a statement of no opposition from them.

Chairman, Keith Tornetta made the recommendation for SD Case # 2008-1, 3238 Hayes Road 3238 Hayes Road that the planning commission will approved the plans on the following conditions;

- The driveway will be shown on the plans and located on the western side of Township Line road with site distance approved by Penn Dot.
- Noted on the plans that a Bldg Permit will be conditioned on the sewer connection.

There being no further questions, Lloyd Young seconded the recommendation and the motion past 8-0.

3. **Review of ZHB Case # 2008-4, 3229 Kennedy Road, Rebecca & Rob Kostenbader**

Present: Rebecca Kostenbader, Applicant
Bob Barber, Contractor

Rebecca Kostenbader presented her proposed addition together with her builder Mr. Bob Barber of Homestead Remodeling, 17 West Main Street, Lansdale, PA 19466. Ms Kostenbader requested the commission to approve the following addition to her home at 3229 Kennedy Road due to elderly Grandparents inability to climb a flight of stairs as follows:

- Proposed addition to extend an additional 15 feet toward Polk Road, variance is required do to Township setback requirements.
- Addition to include, Bedroom, Bathroom, Sitting Room, second floor playroom and front door access to the addition.

Bryan Bortnichak raised the question of the addition being built on the concrete patio in order to keep the front yard set back, however, Mr. Barber advised that there is no basement on that side of the structure and it would be impossible to access the water and waste lines. Waste lines are all on the Polk Road side. The pool side area was considered too but they would have been a hardship as well. The pool was there prior to the purchased of the home.

Chairman Keith Tornetta raised the question to Bryan Bortnichak if being a corner lot was a hardship and Mr. Bortnichak confirmed that it was due to the two front yards with 60' setbacks that they would have to conform to.

E Van Rieker raised the question regarding the zoning of an in-law suite if there are restrictions. Bryan Bortnichak advised Mr. Van Rieker that if it were the case that the addition was to include a second kitchen in the complete building plans a document should be filed with the Montgomery County Recorder of Deeds that you would remove the second kitchen prior to the sale of the home. When U&O inspection took place that this would be an item of review before Use and Occupancy certificate was granted.

Robert Schmidt clarified that if the second kitchen was not included in the home that it would be sold in tact as a single family home. Bryan Bortnichak confirmed clarification.

Chairman, Keith Tornetta made the recommendation for Case # 2008-4, 3229 Kennedy Road that the planning commission will approve the variance from Article 205-25 subsection C1 to permit a reduction in the required front yard setback from 50' to 35.6' to allow for the construction of the two story addition. Motion was made by Joan Morello, seconded by William Griffin Jr. Motion past 8-0.

4. **Review of ZHB Case # 2008-6, Scenic Road, Ennio Bruno.**

Present: Ennio Bruno, Applicant
George J. Ozorowski, Attorney
Victor DePallo, Engineer and Presenter of Proposed Plans

George J. Ozorowski, attorney for Mr. Bruno gave a verbal description of the proposed site while Mr. DePallo set up his visual presentation. The property is located at the corner of Scenic Road and Germantown Pike, Mr. Bruno operates a hair salon at the present location. Across the street resides a 16,000 square foot building operated by Philomeno Salamone Builders and area adjacent to Mr. Bruno property has been approved for two 35,000 square foot buildings. The proposal is to demolish the existing building and replace with a 9,000 square foot office building which is permitted in the district. Mr. Bruno also owns the lot behind the existing building which he would like to build a parking lot.

Victor DePallo presented the first illustration showing the existing buildings as they currently exist with lot #1 housing the building with the hair salon with driveway off of Germantown Pike and lot #2 housing a small residence with driveway off of Scenic Road. The seconded illustration showed the potential proposed site in which they are requesting to remove the existing residence and build a 9,000 square foot 3 story office building on the first lot and a 29 car parking lot on lot #2 to support the office building which would also require the removal of the existing building on that lot. The proposed construction meets all the Township's required setbacks, impervious coverage and all the code requirements with the exception that a parking lot is not permitted as use on the second lot in this district. The proposed site as stated would include a 3 story office building with 29 parking spaces with the lighting, landscaping and spill water management will still have to go through the land development process with the Township if the zoning variance would permit the 29 car parking lot on lot #2.

George J. Ozorowski pointed out to the commission that what would be accomplished here would be to remove the entranceway off of Germantown Pike and move the driveway to the back side of the property on Scenic Road. Currently there are two entranceways on Scenic Road one on both existing lots which they would be slightly orientated to fit the proposed parking lot. The uniqueness about this RP district is again

this is a corner lot with two front yards in the with the side yard setback requirements being as such would not allow the construction of the building with a parking lot. The goal is to get the cars off of Scenic Road and into the parking lot. As far as the neighbors there would be a 100 feet between the neighbor's house and the operation of the proposed building which the neighbor has been notified of such plans and is agreeable to.

Victor DePallo presented the third illustration exhibiting the architecture of the proposed building which will be of traditional brick style building with is same as to the existing surround architecture.

George J. Ozorowski advised the commission that the own did get nine of the neighbors signature confirming that they did go over the plans and were explained to them what he intended to do with the property.

Bill Griffin raised the question if the lots would be deeded as two separate lots. Mr. Ozorowski confirmed that it would be a reverse subdivision deeded as one complete parcel.

Lloyd Young pointed out to the audience for their edification that the white building adjacent of the proposed site is scheduled to be relocated by Philomeno Salamone Builders which would open this area up.

Bill Griffin raised the concern of a three story building being built at a higher elevation than the approved site of the two 35,000 square buildings being built below and adjacent to the proposed site. That this would be out of scale for the corner location and a concern on the impact it would case on the residential neighborhood behind off of Scenic Road.

Victor DePallo did not see this as a concern being that the parking lot is at a higher elevation and would actually being coming in at the second level of the proposed building so that at the rear it would look like a 2-story building verses a 3 story building in the front off of Germantown Pike.

Joseph Gavanus raised the concern about the hours of operation and the no left turn sign being a potential accident waiting to happen with Joan Morello raising the same concern with the additional parking. Mr. Bruno commented that his existing customers now make a left hand turn coming out of the parking lot off of Germantown Pike and the reason for the propose plans was to elevate the parking conditions on Scenic Road to get them off the street and into a parking lot.

Bryan Bortnichak commented on the proposed widening of 317 Germantown Pike by Philomeno Salamone to extend up to Scenic if in conjunction with this development if Mr. Bruno were to propose widening road in front of his building that would facilitate the right hand turn on to Scenic Road. Mr. DePallo advised that they could look into it along with the land development.

E. Van Rieker advised that this property is a candidate for approval but will require additional preliminary planning in terms of how this parcel will be developed, balance of the neighborhood, a pleasing buffer for the adjacent residential property, lighting and landscaping and improvement on the driveway. Mr. E. Van Rieker advised that he would be more inclined to go with a 22 space parking lot with a 2 story building and would like the developer to come back to the planning commission with a more defined plan.

Chairman Tornetta commended that the RP district does allow for a 3 story building if you can park it in the RP district but to him he felt that it was being shoe horned in there and that he does not oppose the recommendation of the idea of the variance but did not like the layout of the plan being presented.

George J. Ozorowski commended on the cost effectiveness of the project compared to a 3 story versus a two story building with doing all the improvements.

Resident Lorraine L Lee of 2011 Birchwood Drive expressed her concerns about the neighborhood turning from residential into something else.

Resident Nick Viglianese of 3105 Whitehall Road raised the question to Mr. E Van Rieker why he had the concern with the height of the building and wanted his comment to go on record. Mr. E Van Rieker again stated his concerns for the record regarding balance of the neighborhood along with the building fit for the parcel size.

Resident Connie J. Bennett of 2910 N. Whitehall Road raised the question if the property in question was the old Bartel's residence and if it recorded on the historical register. Owner and applicant, Ennio Bruno commended that the home is 54 years old and not recorded as a historical home.

Resident Deborah A Knawby of 3100 N. Wales Road asked the questions to the owner/applicant Mr. Ennio Bruno if he was owner to both properties in question, why he wanted to build such a large building and what were the setbacks. Mr. Bruno answered her questions regarding his cost effective considerations, that the setback from the parking lot to the closest residence would be 25 feet and the setback from the residence to the building would be 100 ft.

Mr. Bill Griffin pointed out and to take into consideration due to the elevation that the building would most likely be a 2 story level at the point of the parking lot side and a 3 story level coming off of Germantown pike.

Mr. E Van Rieker commended that the plans do not show a below grade building and that the plans would have to be revised to show the change.

Victor DePallo asked the planning commission if they would be more inclined to approve the plans with the recommendation that the building be a below grade level building.

Ms Danielle Stinson raised the question to the Owner/Applicant Mr. Ennio Bruno how much of the building was going to be occupied. Mr. Bruno advised that his intention is to occupy the first floor for the hair salon, the 2nd floor would be a rental unit and third floor possible storage depending on if he meets his financial responsibilities to the development of the property.

Mr. Bruno also gave visual presentation of the surrounding neighbors that were in agreement with his development and advised the planning commission that he has signed records of their approvals and that they available for review. Mr. Bruno is agreeable to obtain additional approvals from the residence in the area. Mr. Bruno advised that he has occupied the property for three years, that his business is growing and that he is trying to elevate the parking problem on Scenic Road.

Bryan Bortnichak made a suggestion to the planning commission to have the applicant come back next month with hard figures showing the below grade building plans showing the parking lot being on second level.

Resident Connie J. Bennett of 2910 N. Whitehall Road commented that the applicant was trying to squeeze too much building into a small area. Mr. Victor DePallo advised that they were well under the impervious limit that is required and in his opinion they were designing to the best of the orientation for the site.

Mr. E Van Rieker recommended to the planning commission that a contingency be stated on the variance that there would be no parking on Scenic road between Keenwood and Scenic roads

Resident Deborah A. Knawby of 3100 N. Wales Road expressed her dismay that the residence that have parked on Scenic Road would no longer be able to do so. Clarification was made by Mr. Van Rieker that no parking would only be from Scenic Road to Keenwood Road where the patrons of the salon are currently parking.

George J. Ozorowski requested that the planning commission allow them to come back next month after additional plans are developed showing the elevation, revisit the issue with the parking lot. He also stated that they are not being obstinate and that they are willing to work with the Township to please everyone.

Chairman Keith Tornetta made the recommendation that the applicant come back next month to present the planning commission their revised proposed plans. Mr. Tornetta also pointed out the district in question are not solely residential but a professional tone in the RP district also included here is the BP district.

George J. Karagounis of 3305 North Wales Road requested that his comment be stated for the record that his is not keen on the current proposed plans.

George J. Ozorowski advised that planning commission that he would prepare a letter of extension and send to the Township.

5. **Review of Township Comprehensive Plan.**

Present: E. Van Rieker, Township Planner/Consultant
Bryan Bortnichak, Township Zoning Officer assisted with a Power Point presentation.

Mr. E Van Rieker gave a short history of the development of the Township Comprehensive Plan and presented a power point presentation for review of the additions made to the Township Comprehensive Plan with the following panels being edited:

- Panel #1- Photos are labeled to identify communities.
- Panel #2- Regional and Historical
- Panel #3- Historic Resources Goals & Objectives
- Panel #4- Growth Area New Development
- Panel #5- Community, Parks and Recreation.
- Panel #6- Land Use Plan
- Panel #7- Open Space
- Panel #8- Township Profile

Public hearing to be announced at the next Township meeting scheduled for April 29, 2008. Circulation to residence is scheduled pending approval hearing. Tentative mailing of 5000 to 6000 copies scheduled for late summer early Fall 2008. Recommendation was made to update Comprehensive Plan every 10 years.

Chairman Keith Tornetta opened the floor to the public for comments with comments made by Nick Viglianese regarding Handy & Harmon property and Ms. Connie Bennett regarding the public hearing.

Chairman Keith Tornetta made a motion to recommend to the Township Board of Supervisors that they adopted the Township Comprehensive Plan, motion was seconded by Joan Morello and approved.

6. **Review of Current Land Development/Construction Projects.**

Present: Bryan Bortnichak, Township Zoning Officer

Mr. Bortnichak reviewed and updated the Planning Commission with all the new construction going on within the township as follows:

- Penn Crossing last use and occupancy certification was executed with all units now sold.
- Evergreen Terrace consisting of a 5 twin unit lots, pre-construction meeting is scheduled for May 2008.
- Lorenzo property at Barley Sheaf and Germantown Pike backing up to the farm park. They requested a building permit and after review of their records was found that they never meant their obligations with fees so they are now back at square one to begin the process over. Chairman Tornetta

brought up the original concern of the water flow problems relating to the Lorenzo property and asked that this issue not be overlooked.

- Wendy's located at Rt 202 and Germantown Pike a representative from Wendy's attended the zoning meeting with request for extension and advised that the existing building would be demolished within the next three months. Zoning Officer Bryan Bortnichak asking the township code enforcement officer Joe Perkins to address the side walk issue by moving the fence to increase the side walk.

Resident, Edmund B. Papiernik of 3120 North Wales Road requested an update from Mr. Bortnichak on the road possible widening on Township Line Road and/or the repositioning of PECO Poll placement between Whitehall and North Wales Roads. Bryan Bortnichak advised that he would look into the situation and provide feedback to Mr. Papiernik.

Resident, Frank F. Riccardelli of 2934 Whitehall Road requested if the construction scheduled for 2935 Whitehall road was granted full approval to begin construction and that his concern was with the flow and storm water management. Bryan Bortnichak advised that they do have full approval for land development and Chairman Tornetta advised that as far as the planning commission was concerned that they would no longer be involved unless there was a significant change in the plans.

7. **Discuss Possible Visit to Wood's Golf Center.**

Present: Bryan Bortnichak, Township Zoning Officer

Mr. Bortnichak made a request for absent planning commission member Colleen Henderson that the commission consider the idea of walking the Wood's Golf center property on a day that is convenient for all the members to become more familiar with the property. Chairman Tornetta advised that they would discuss this at next month's meeting and explained that they would need prior permission from the owner to walk the property.

Resident Nick Viglianese of 3105 Whitehall Road wanted his statement to go on record that in fact the Township's recorded minutes from January 16th 2008 stated that Mr. Amy told the planning commission that he did not want to use Whitehall Road as an entranceway but to use the commercial property along Germantown Pike and that he would have to go before the zoning board to have that changed to institutional. When Mr. Viglianese asked the Township Solicitor if that was true she indicated that it was not that they could have used the entrance way without having to change it to institutional. Mr. Viglianese asked her what then did she surmise from that and she replied that Mr. Amy in fact lied. Questioned was raised to Mr. Viglianese if the Township Solicitor had misspoke and Mr. Viglianese did not recall her saying misspoke but used the word lied. Mr. Viglianese requested the planning commission to scrutinize everything that will come before them regarding the redevelopment of the Wood's property because if they

had lied once they will do it again and that Mr. Viglianese will be present to witness the hearings. Chairman Keith Tornetta reassured Mr. Viglianese and the audience before him that the Township Planning Commission takes very seriously their jobs set before them and that they work to the best of their abilities to provide the best results for the Township and their residents.

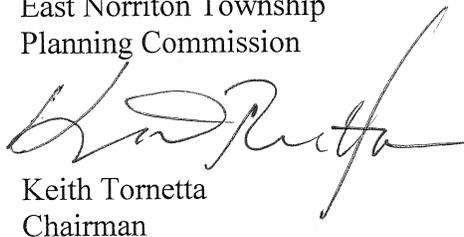
Resident Virginia Craciun of 3102 N. Whitehall Road applauded the commission for their desire to walk the property of an expected major development and would request from them to consider interviewing the adjacent neighbors to get their input from them. Chairman Tornetta reminded the audience that it is the right of each resident to come to the Township's public hearings to address their concerns for any development being done in the community. That the Planning Commission would not be knocking on doors to interview residents for their concerns and that the appropriate forum would be to hear the residents concerns at the public hearings.

Resident Connie J. Bennett of 2910 N. Whitehall Road raised the question if the public could have access to walk the grounds at Wood's Golf Center. Chairman Tornetta indicated that Ms. Bennett could surely plan a round of golf to view the property. Mr. Tornetta also indicated that the private walk through would be discussed and voted at the next planning commission meeting. Zoning Officer Bryan Bortnichak also pointed out to Ms. Bennett that she would have to obtain the same permission from the owner to walk the property that the Planning Commission did not have that authority to grant her permission.

The meeting was adjourned at 9:20 P.M. on a motion made by Lloyd Young that was seconded by Joseph Gavanus. The next meeting of the Planning Commission will be held on **Wednesday, May 21, 2008 at 7:00 PM.**

Respectfully submitted,

Joan McDevitt
Recording Secretary
East Norriton Township
Planning Commission



Keith Tornetta
Chairman