EAST NORRITON TOWNSHIP
PLANNING COMMISSION MEETING
WEDNESDAY, AUGUST 20, 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, August 20, 2008. Chairman, Keith Tornetta, called the meeting to order. Attending were Township Planning Commission members Bell, Gavanus, Griffin, Henderson, Morello, Schmidt, Tornetta and Wiernicki. Bryan Bortnichak, Zoning Officer was also in attendance.

1. ***Approve the Minutes of July 23, 2008 Planning Commission Meeting***

A motion to approve the minutes from July 23, 2008 Planning Commission meeting was made by Ms. Henderson and seconded by Mrs. Morello. The motion passed 8-0.

2. ***Approve Secretary's bill from July 23, 2008 Planning Commission Meeting***

A motion to approve the secretary's bill from July 23, 2008 Planning Commission meeting was made by Mrs. Morello and seconded by Mr. Griffin. The motion passed 8-0.

3. ***Review ZHB Case #2008-11, 557 Marion Avenue, Bucci***

Present: Joseph Estock, Engineer and Joseph A. Bucci, Sr.

Mr. Estock introduced the application by stating that a side yard variance request from §205-25.C(2) requirement for an AR zoned property, at 557 Marion Avenue. The proposal consists of a two lot subdivision on Marion just off Whitehall Road. The proposed property has one and one half acres with public sewer, well water and an old paper road on the side of the property that was on the original subdivision plan that was never built. There were tenants in the ranch home, which is now vacant, who ran the house down so what Mr. Bucci would like to do now is fix up the home by subdividing the two lots and taking the money he gets from the sale of the building lot put into the present run down rancher to make it whole again and to have a sellable piece of real estate.

Mr. Bucci stated that the property has not sold as is and has been on the market for a year and a half.

Mr. Estock noted that 557 Marion Avenue is a nice property with a shed and dog pen that will be removed keeping the house on a 100' wide lot. The AR zoning district states a minimum lot requirement with public sewer is 20,000 sq. ft. The first lot is 26,000 sq. ft. with public sewer and the second lot is 160' wide at 38,000 sq. ft. The plan is to request that the Township vacate the paper road giving 18' to the neighbor at 553 Marion

Avenue and 18' to Mr. Bucci incorporating the additional 18' into the deed eliminating the existence of the paper road.

Mr. Estock stated that the 18' of the paper road is not needed to meet the AR zoning since the lot is 38,000 sq. ft. to start and only 20,000 sq. ft. is the requirement.

Mr. Estock stated that the reason for the zoning relief is to permit a side yard setback for an existing structure from the required 20' to 17.6' as the house would encroach 2.4' on the side yard. The other option would be to remove 2.4' of the current home on the garage side.

Mr. Estock stated that they hoped for a recommendation to go to ZHB and then if the ZHB approves the set back request they will be back immediately to submit to the Planning Commission for the subdivision with hopes of recommendation but if not Mr. Bucci will have to cut back the house back by the 2.4'.

Mr. Schmidt asked what is the current size of the attached garage. Mr. Estock responded a 24' two car garage.

Mr. Bucci commented if he had to he would tear down a portion of the garage but would rather not have to incur the expense.

Mr. Estock referred back to the aerial photo showing the grass area, now known as paper road, which backs up to the development at Barbara Drive yet the paper road has no connection to Barbara Drive nor does the paper road go anywhere.

Mr. Schmidt asked the width of other lots on Merion Drive. Mr. Bucci responded that there are a couple of lots that are 85' in width which a variance was obtained. Mr. Estock responded that there are four lots at 100', one lot at 120', one lot at 185', the 36' paper road and a single parcel with two lots of 165' & 80' in one deed.

Chairman Tornetta asked if there were any questions from the Board.

Chairman Tornetta asked Mr. Estock if his intent is for zoning only and to come back to the Planning Commission for Subdivision at a later time. Mr. Estock replied yes.

Chairman Tornetta asked if approval is to be granted for the relief at what point will Mr. Bucci go for the subdivision. Mr. Estock replied since there will be no changes to the plan presented for zoning submission would be immediate.

Mr. Bucci commented that he is currently paying a mortgage on a home no one lives in so the sooner the better.

Chairman Tornetta asked for additional questions from the board.

Mr. Bortnichak asked Mr. Estock if he knew of the date of the original subdivision. Mr. Estock responded no.

Mr. Bucci stated the original subdivision was approximately 1984 for the corner property which is owed by Mr. John Pasquarello, Jr. who sold to him.

Mr. Bortnichak asked if the remainder of Marion Avenue was a result of a subdivision. No response.

Mr. Bortnichak asked how will the subdivision plan differ, if any, from what is reflected for the zoning presentation there that evening. Mr. Estock responded that the exact same plan will be used for submission with the exception of the notation of the variance but if denied then the plan would note the 2.4' of garage to be removed.

Chairman Tornetta asked who the current owner is of the 36' paper road. Mr. Estock stated it's in no one deed. The deed for both Mr. Alfred C. Payne and Mr. Bucci state an 18' right of way and they both take care of the 36' right of way equally and have since Mr. Bucci moved in back in 1980.

Mr. Estock commented on the regulations for a dedication, noting he is not a lawyer, that in Pennsylvania when a street is offered for dedication the municipality has 21 years to act. After 21 yrs if no acceptance of dedication then it goes back to the owner whose property is attached if not already noted.

Mr. Estock commented the 18' of the paper road is not needed for subdivision he just wanted to address the issue while going forward for a subdivision to satisfy who is the owner and have the paper road deeded as such.

Chairman Tornetta asked if there were any additional questions form the board.

Mr. Bortnichak commented that if the Planning Commission feels inclined it might be appropriate to save Mr. Bucci and Mr. Estock from coming before the Planning Commission again if the Planning Commission is satisfied with the subdivision plan as well as the variance request and in fact Mr. Bucci goes forward and gets the zoning variance and then submits a subdivision plan as described tonight it might be appropriate to recommend in favor of both the zoning variance and subdivision approval.

Chairman Tornetta asked Mr. Bortnichak if in his opinion the Township would vacate the paper road. Mr. Bortnichak responded in order to have a clear transaction the Township would not object to vacate that land since it servers no purpose and goes nowhere.

Mr. Schmidt asked if the Planning Commission would be called upon to formally vacate the paper road. Mr. Bortnichak responded that the Board of Supervisors would act on the issue.

Chairman Tornetta asked if there were any questions from the public. No response.

Chairman Tornetta made a motion to recommend approval of variance request from §205-25.C(2) to permit a reduced side yard setback for an existing structure from the required 20' to 17.6' and taking Mr. Bortnichak recommendation of approving the subdivision as long as nothing is to changed on the plan as presented that evening except as to note the side yard variance as being required as approved. Mr. Griffin seconded. Motion passed 8-0.

4. *Discuss meeting date and location for Einstein's preliminary Land Development application*

Chairman Tornetta announced the dates for the separate Planning Commission Meetings for Einstein are on Wednesday, September 24, 2008 and Wednesday, October 1, 2008 to begin at 7:00 PM at East Norriton Middle School.

Chairman Tornetta confirmed that all members are available with the dates and location proposed.

Mr. Schmidt commented that the supervisors had trouble with the time frame and not having a decision and to have to schedule a second or even a third meeting. Chairman Tornetta responded that if at the three hour mark and no decision had been rendered as yet they would need to make a vote to stay later or to continue to a second meeting which is why there is a second date established for this purpose.

Nick Viglianese of 3105 Whitehall Road asked if the adopted ordinance pertaining to the rules of speaking at meetings apply to Planning Commission meetings. Mr. Bortnichak replied that the Resolution does not apply to the Planning Commission.

Chairman Tornetta commented that he will read ground rules and explain what the Planning Commission Members, Township Planner and Township Engineer jobs are before the start of the meeting.

Sue McLaughlin of 2926 Whitehall Road directed her question to Mr. Bortnichak asking about the traffic plans received from Einstein and wanted to know if any other plans had been received to date. Mr. Bortnichak responded not since there first application it came as one package.

Ms. McLaughlin asked if the submitted plans had been sent out to an outside source for review. Mr. Bortnichak responded that they had been sent out to Pennoni.

Ms. McLaughlin asked if anything had come back from review at this time. Mr. Bortnichak responded that in addition to Pennoni the plans were sent out to the Township Planner E. Van Rieker and Sewer Engineers Gilmore and Assoc. and at this point some information has been received back. If anyone wishes to discuss this information Mr. Bortnichak said he would be more than happy to speak with them at the office.

Michael Price of 2918 Whitehall Road asked if the Planning Commission meeting for Einstein will be a three hour presentation. Chairman Tornetta responded that he did not know how long their presentation will be.

Mr. Price asked how much time will there be for questions from the public. Chairman Tornetta responded that the format will begin with Einstein's presentation then the Planning Commission and staff will ask their questions and then the public will have their time for questions and this could run the three hours or go to the next meeting.

Mr. Price asked if there is any way to find out how long the presentation will be by Einstein and what the agenda will be prior to the meeting on Wednesday, September 24, 2008. Chairman Tornetta responded that the agenda is Einstein.

Ms. Henderson commented that there will be no limitations on Einstein, the Planning Commission or the public and that is the reason for the scheduling of more than one meeting in the event they will be needed.

Mr. Price asked if there will be a sign up sheet. Chairman Tornetta responded that they are undecided about having a sign up sheet rather the questioning may be random and suggested to have all questions written down so not to repeat.

Kenneth Christovich of 2937 Tanglewood Lane commented that on what he had heard that evening he would like to say that Einstein has had the ability to filibuster previous presentations and although it may seem they want to avoid as much contact with the public as possible. Mr. Christovich stated that in his experience with Mr. Richard Montalbano, Vice President and Project Executive for Albert Einstein Healthcare Network, he has returned all his calls and satisfactorily answered my questions that he had the ability to answer on a one to one basis and truly believes Mr. Montalbano and his team are looking forward to working with us.

Mr. Christovich stated that he encourages the Planning Commission to have a format which allows the public to ask questions and is against a sign up sheet because he feels it does not allow for follow up questions but he believes Mr. Montalbano would accept questions in writing from the public in advance so they would be better prepared with their presentation to the public, but maybe not.

Mr. Schmidt asked if the panel is receiving only questions about the presentation as opposed to statements of for and against.

Mr. Bortnichak commented that the questions should be directed to the township staff and consultants or Einstein's staff and consultants and it would not be appropriate to ask questions of the Planning Commission but they are there to accept public comments.

Nick Viglianese of 3105 Whitehall Road commented that he felt it would be appropriate for the public to ask questions to the Planning Commission. Mr. Bortnichak responded that if a question were to be asked on storm water management this type of question will need to be directed to a representative from Pennoni who is reviewing the plans now.

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

Mr. Bortnichak announced that a Planning Commission Member, did not recall who at the time, made mention of the sidewalk at the old BP/AMOCO Station having a noticeable slant and he wanted the members to know this has been addressed and expect the problem to be fixed within the next 2 weeks.

Mr. Bortnichak announced that the property at Swede Shopping Center at Swede and Germantown Pike is completing the installation of the underground storm water retention basin that will retain approximately 31,000 cu. Ft. of storm water that previously has caused flooding at Hillcrest Shopping Center just across the street. The Township is being proactive by asking the developer who is currently making the improvements of Swede Square to address the storm water condition during the improvement upgrade.

Mr. Bortnichak announced that there is a vacancy on the Planning Commission for anyone interested and would like to be considered to submit their resume with a cover letter to the Township Supervisors.

Mr. Christovich asked as a follow up to Swede Square Shopping Center with the placement of all the new garden island spots how many parking spaces have been lost due to this. Mr. Bortnichak responded that a total of three spaces have been lost.

Mr. Christovich asked about the entrance off of Swede Road into the parking of the shopping center it appears that you can only go to the right once in the parking lot. Mr. Bortnichak responded that it may appear as such but both a right and left turn are permitted and noted that the entrance/exit at Swede Road now lines up the bowling alley entrance/exit.

Mr. Christovich asked what the progress was to have the left turn lane at DeKalb Pike and Germantown Pike repaired. Mr. Bortnichak responded that Penndot has it scheduled for repair and after the township manager meets with Penndot in the next month or two we will have a better idea when the work will be started.

Mr. Viglianese asked if the Planning Commission had a part in the sewer lateral repair work going on in the western end. Chairman Tornetta responded no.

Mrs. Wiernicki commented on the Summer 2008 issue of "Connections", from the County of Commissioners, there is a note about the Montgomery County strategic economic development task force, chaired by Charlie Tornetta and Morris Dean about a report they will be submitting to the Commissioners in November on a strategic economic development policy. As a matter of interest noted that she would like to follow up so that the Planning Commission has access to the report.

Ms. Helen Gardocki of 2918 Dermond Road asked what was the construction for at 317

W. Germantown Pike. Mr. Bortnichak responded that it is a Philomeno and Salamone project for two office buildings.

Ms. Gardocki asked what was the access road from St. Titus Church going to be designated as. Mr. Bortnichak responded that the road will be a gated emergency access entrance only.

Chairman Tornetta announced that the next Planning Commission meeting will be held on Wednesday, September 17, 2008.

Chairman Tornetta made a motion to adjourn the meeting. Mr. Schmidt seconded. Motion passed 8-0. Meeting adjourned at 7:29PM.

Respectfully submitted,

Janet M. Hitt

Chairman

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