

**EAST NORRITON TOWNSHIP  
PLANNING COMMISSION MEETING  
WEDNESDAY, MAY 18<sup>th</sup>, 2016**

*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, May 18<sup>th</sup>, 2016. The meeting was called to order at 7:01pm. Attending were Planning Commission members Robert Schottmiller, Keith Tornetta, Jeffrey Moller, John Kolb, Kandy Heckman, Kevin McDevitt, George Kennedy, and Harold Smith. Zoning Officer, Tiffany M. Loomis; Township Engineer with Remington, Vernick, and Beach Engineers, Isaac Kessler, P.E.; Township Land Planner with T&M Associates, Nicholas Dickerson, PP, AICP were also in attendance.*

**1: Approve Minutes of the April 20<sup>th</sup>, 2016 Planning Commission Meeting:**

Chairman Schottmiller called for a motion to approve the meeting minutes of the Planning Commission's April 20<sup>th</sup>, 2016 meeting. Ms. Heckman made a motion to approve the minutes. The motion was second by Mr. Moller and the motion and the motion passed 8-0.

**2. Review and consider recommendation for a proposed Zoning Ordinance Map and Text Amendment located at Township Line Road, Trooper Road, and Schultz Road concerning Gill Quarries, Inc. including 8 parcels totaling approx. (+/-) 64.67 Acres:**

*Present: Mr. John M. Rouse; The Rouse Group Development Company, LP:  
Applicant & Developer  
Mr. Jeffrey Bartos; ESB Holdings LLC: Applicant & Developer  
Ms. Christen G. Pionzio, Esq.; HRMM&L: Applicant's Attorney  
Mr. Jason Jenkins, P.E.; Bursich Associates: Applicant's Engineer  
Ms. Nancy Templeton, PP, AICP; Glackin Thomas Panzak, Inc.:  
Applicant's Land Planner  
Mr. Thomas King, IV; NVR, Inc.: Applicant's Home Builder*

Ms. Pionzio presented a power point presentation on behalf of the Applicant. Reviews have been received from Montgomery County Planning Commission and T&M Associates addressing the proposed Zoning Ordinance Map Amendment changing the zoning classification from AR Residential to ATR Age Targeted Residential and the Zoning Ordinance Text Amendment amending the requirements of the ATR, Age Targeted Residential Zoning District.

Ms. Pionzio clarified the Applicant has an agreement with the property owner to deed restrict Gill Quarries to lessen the activity and is not proposing low income housing as addressed in one of the recent flyers distributed throughout the community. The Applicant is proposing a product similar to Stony Creek Farms located in Worcester Township. Stony Creek Farms has 209 townhomes and is an age restricted community including a club house.

Ms. Pionzio further explained the reviews received clarifying that during the land development process stormwater management, traffic studies, permits, and outside approvals will be addressed. The wetlands and natural features of the site will further reduce the density.

Currently 254 units are shown on the proposed draft plan, however based on preliminary engineering completed to date no more than 200 homes will be built.

Chairman Schottmiller called for questions from the Planning Commission.

Ms. Pionzio was requested to summarize the relief being requested. The ATR Zoning District is permitted on parcels with a minimum of 5 acres and a maximum of 10 acres. The proposed project is approximately (+/-) 64.67 acres and the relief requested is to amend the maximum acreage to 65 acres increasing the lot maximum. The second set of relief requested effects the depth of the units. Ryan Homes produces a product where the first floor units are 70' feet deep including a 2 car garage, kitchen, living area, master bedroom, master bath, and master closets which yields to the depth of the unit. The current code allows the depth to be twice the width. The length proposed is 28' feet which under the current code allows 56' feet in depth for a unit. The proposed width is for 2.52 to allow for the 70' feet depth proposed.

Mr. Smith inquired as to where it specifically states that the MCPC recommends the proposed project and addressed MCPC's review.

Ms. Pionzio clarified that under the recommendation section of the MCPC review they overall support the rezoning of the Gill Tract to enable the development of age targeted housing units at densities greater than allowed. She further addressed the MCPC review with respect to the Township Plan update which is to continue to provide for a variety of housing types, including housing types for active adults and the elderly and to encourage cluster style open space preservation development for tracts greater than 10 acres. Additionally, she clarified that because the current code proposes 10 units per acre that yields 600 (+/-) units. Both the County and the Applicant are in agreement this number is inappropriate. The current proposed plan shows 4 units per acre.

Mr. Smith further addressed MCPC's comments regarding rezoning.

Discussion and questions ensued regarding the MCPC's review.

Chairman Schottmiller summarized that the MCPC's review generally agrees with the proposed zoning and text amendment with certain modifications stating the number of homes proposed is too dense.

Mr. Kennedy inquired about the phrase "lacks the appropriate design standards" referenced in the MCPC review. Ms. Pionzio further explained the garage and parking discussion with MCPC in that they were looking for end units to allow for side garages. This would break up the façade from all of the pavement and garage doors being located in the front of the homes.

Mr. Kennedy inquired of Ms. Pionzio's assessment of the County stating that the plan proposed lacks the appropriate design standards. She addressed that planners like to see as much as possible outlined in the code regarding requirements. Ms. Pionzio further clarified that without knowing the land development specifics at this stage of the proposal it would be dangerous when it comes time for final engineering. She used Stony Creek Farms as an example verifying that

this proposal is to create a similar development of this kind. The market is the determining factor in terms of what kind of product gets developed whereas the planning community prefers that all requirements be written in advance.

Mr. Kennedy inquired as to the total number of units to be built due to 200 units being mentioned tonight. Ms. Pionzio confirmed that the number will only going down due to environmental features. The wetlands study was just completed and this is why the number of units went from 254 to 200 units.

Mr. Jenkins explained the plan and showed where the wetlands are located and how the overall density would be impacted. Chairman Schottmiller expressed that one of the largest concerns amongst the Commission is the density and number of homes proposed.

Mr. Kolb addressed his largest concern being the acreage and density proposed. The Township should consider adding MCPC's suggestion requiring a maximum of 4 dwelling units per acre on any tract of land that is 10 acres or more with 40% open space required. This is more compatible in an area that is predominantly residential single family. Currently 10 units per acre is proposed and on a huge parcel of land, such as the Handy and Harman property, this regulation if not limited would greatly impact the Township's density if approved as proposed.

Ms. Pionzio agreed that her applicant is in agreement with the language and regulation. Currently the plan proposed is at 4 units per acre on a 65 acre site.

Mr. Tornetta inquired when the ATR zoning was adopted/ last amended and if the housing market has changed.

Mr. Dickerson responded that he cannot respond as to when the ATR zoning was adopted. He further clarified that when there is a comprehensive plan update existing land uses and their requirements get updated. T&M's review points out that the last comprehensive plan update was completed in 2008 and the market has changed the past 8 years since that update. Mr. Dickerson further explained that this zoning district is to address the needs of empty nesters and offer a variety of housing.

Mr. Kolb explained as to why the ATR Zoning District was created. The Enclave development located at Johnson Highway and Dekalb Pike was the reason this ordinance was written based on the 10 units per acre. The Enclave is 6 acres of which 60 units were built that are top and bottom units opposed to side by side units that are seen in a traditional townhome community. The Caralea Subdivision also utilized this ordinance.

Mr. Tornetta clarified that this ordinance was site specific at the time of its creation and utilization. Mr. Kolb agreed and further explained that the ATR Zoning Ordinance is geared towards an infill urban tract not a wooded tract.

Mr. Moeller inquired if market studies have been completed to support if 200 units are desirable and where would the perspective buyers are being targeted from. Mr. King responded that

market studies have been completed to address pricing strategy drawing from East Norriton Township and surrounding communities.

Mr. Moeller addressed that different age groups are needed to balance the Township and is concerned with over building age specific communities will prohibit East Norriton Township's future growth. Discussion and questions ensued.

Ms. Piozio explained that 80% of the home buyers have to be 55 years or older due to the federal laws. In order to plan a community like this there needs to be the numbers to support empty nesters being attracted to this kind of community for a multitude of reasons (i.e. less maintenance, community, club house, and etc...)

Mr. Smith inquired if any geology reports have been completed. Mr. Jenkins confirmed that this testing has not been completed. Mr. Smith is concerned that the homes could cave in as has happened in the past at Logan due to the faults and fractures that occurred from blasting.

Mr. Bartos further clarified all the testing discussed has to occur in order to get through the land development process to obtain final approval from the Township. Geological testing is completed further on in the process. He further informed everyone that a 10 year warranty is given to all home owners to ensure safety and satisfaction. Discussion and questions ensued.

Chairman Schottmiller request that Ms. Loomis clarify the process of the zoning map and text amendment application. Ms. Loomis clarified that these types of reports are addressed during land development process and are discussed in greater detail at this time.

Chairman Schottmiller inquired how much green space will be retained. Mr. Jenkins replied that 23 to 25 acres will be retained of woodlands after the 65 acre site is built out. The wooded areas would remain original woods and would not be disturbed. There will also be extensive buffers planted.

Mr. Kennedy inquired about the buffering and view sheds for the existing home located on Trooper and Schultz Roads. Mr. Bartos informed everyone that a meet and greet meeting was conducted regarding the development proposed, prior to formal application submission, and it has been their position from the very beginning to provide extensive buffering and view sheds throughout the development of this site. There is not a specific plan proposed at this time due to this being completed during the land development process. Mr. Rouse and Mr. Bartos have control of the Home Owners Association until 76% of the homes are sold.

Mr. Tornetta inquired about the by-right single family homes that could be built using the current AR Zoning District. Mr. Jenkins confirmed a total of 82 homes could be built, however with the new wetland information approximately 5 to 7 homes would be lost.

Mr. Tornetta inquired about the traffic study how the ATR proposed community will affect East Norriton Township. Mr. Bartos replied that an age restricted community is less impactful to traffic even at high densities based on historical data.

Mr. Moller inquired about the traffic study if the residents are less active in the ATR community versus the single family community. Mr. Bartos clarified that there would be less of a traffic impact all together.

Mr. Moller inquired about the \$400K price point mentioned and if this is the average sales price proposed for these homes. Mr. King confirmed that this is the average per unit. Mr. Moller further inquired what is the average price per unit in East Norriton Township. Mr. King does not know that information at this point in time and can get back to the Planning Commission. He clarified that new homes offering substantial amenities is only going to improve the values of surrounding properties. Discussion and questions ensued.

Chairman Schottmiller inquired about the 2 egresses off of Township Line Road the heavy slope located there. Mr. Bartos responded that during the engineering process more than likely these homes will be removed due to the slope. Mr. Jenkins confirmed such.

Mr. McDevitt inquired about traffic improvements and the bridge that has gone out over the years from flooding. Mr. Jenkins confirmed that site distances are rough drafted at this point and need to be formalize with PennDot.

Mr. Jenkins addressed the stormwater management process and how there will be less overall stormwater on the site and flow to surrounding properties. DEP, MCCD, and the East Norriton Township Stormwater Ordinance dictate stormwater management practices.

Mr. Bartos confirmed that the basins will be properly sized for the number homes proposed.

Ms. Heckman requested clarification on how many entrances there will be. Mr. Jenkins confirmed that there will be 3 after engineering and land development is completed.

Mr. Moller clarified that 2 of the 3 entrances will be usable by 95% of the homeowners.

Mr. McDevitt inquired as to where the sewer flow is designated to go. Mr. Jenkins replied that there is an existing manhole off of Trumian Road and the sewage will flow downhill to 4 different pump stations. The closest pumping station is hooked up to a gravity system. Mr. Jenkins has met preliminarily with the sewer engineer and in the process of addressing any issues there may be.

Mr. Moller addressed sidewalks along Potshop, Schultz, and Township Line roads. He inquired if the developers be willing to build sidewalks along these roads. Mr. Bartos addressed trails and said that it is a 50/50 issue when it comes to sidewalks due to people wanting them and not wanting them. The developer is open to the discussion of sidewalks and trails. Mr. Moller strongly urged sidewalks and commended the overall process thanking the Developer.

Chairman Schottmiller thanked everyone for their patience in waiting to speak opening the floor to the public for comments and questions with a 3 minute time limit requirement.

**COMMENT(s) & QUESTION(s):**

Ms. Francis Siegel located at 307 Irenic Court is concerned with the increased density proposed and has developed a 12 acre site regarding her development history. The entire site is completely surrounded by the AR Zoning District of which section 205-26 allows variations for this kind of site. This section encourages a creative approach to land development and allows for smaller lots allowing to a 100 to 120 units. She addressed the developer's proposal of intensifying the density to make more profit versus using the current zoning regulations available. Mr. Bartos responded that the highest and best use for the property is Townhomes as well as further agreeing to restrict the density to 4 units per acre with sites larger than 10 acres. Ms. Siegel is in favor of the current AR zoning regulations being utilized.

Mr. John McCarthy located at 3116 Eisenhower Drive inquired if this is eminent domain. Mr. Bartos clarified that the proposal is not eminent domain. Mr. McCarthy further inquired about the geology report and the caving in of properties due to what occurred 500 feet away off of Route 202. He is extremely concerned with the safety of the proposed site due to the geological report results not being available at this point in time. Mr. Bartos clarified that this item is addressed during the land development process.

Ms. Pionzio addressed that a deed restriction will prohibit blasting all together.

Mr. Vince Gillen located 1038 Singer Lane inquired about the buffer on the plan and if it will be shifting. Mr. Bartos replied that the buffer will shift as the project changes and final engineering occurs. Mr. Gillen further inquired if the Cul-de-Sac proposed is going to connect to trails. Mr. Bartos replied he does not know at this time if there will be trail connections.

Ms. Jennifer Freeman located 3025 Brambling Lane commented that she cannot hear the quarry noise and does not experience intense traffic. She further commented on the market price of an age targeted community affecting the price of single family homes in that they are not comparable. Ms. Freeman is concerned about the proposed selling prices of the homes due to many single family home communities not being able to sell the current market prices offered in a timely manner. She is not in favor of another townhome age restricted development in East Norriton Township.

Mr. John Kelley located at 1013 Truman commented that Gill Quarry is a bad neighbor and is constantly in violation. He further commented that they cut down the riparian buffer and filled it with stone. Mr. Kelley commented that even with a clean fill site there will be a ton of noise due to the crushing of stone. Also, he is concerned if the pumping stations will be able to handle the capacity of the additional sewer lines added by the proposed development. Mr. Bartos replied that the sewer will be addressed during the land development process and there will be requirements to fix sewer lines in the event they are compromised.

Mr. Anthony Olivieri located at 1121 Doris Lane is concerned about the current retention basin and what will happen when his basement fills up due to the massive flows that currently exist. He inquired as to who will pay for the damage and who will he call.

Mr. Jenkins explained that the land will be built up so that no water from the Gill Quarry site will contribute to the retention basin of concern. Additionally, the proposed site is located up hill. Mr. Bartos explained that there is an 18 month maintenance bond period after the development is completed to ensure that the site is functioning properly.

Mr. Moeller inquired about that bonding process for the proposed development and the Township's authority to enforce that the work be completed and/or completed properly if done in error. Ms. Pionzio further explained this process. Discussion and questions ensued.

Ms. Deborah Dougherty located at 1019 Schultz Rd commented on the radon issues, the blasting issues that damaged her home, sidewalks being included around the Gill Quarry property, proper buffering being installed, and is not in favor of the zoning change due to the higher density.

Mr. Tornetta inquired what the issue at hand is. Ms. Dougherty is opposed to the density proposed and believes that traffic will increase.

Ms. Beverly White located at 2020 North Trooper Road commented on the water wells and onsite septic systems that will be affected, the blasting, and the overall timeline. She does not believe that single family homes are marketable due to Norristown School District and is not opposed to single family homes being built. She believes it is more in line with the character of the neighborhood to build single family homes. Mr. Bartos clarified that the quarry will stop blasting and they are not allowed to blast deeper than 750 feet. Ms. White is not in favor of the townhome development proposed.

Mr. Hank Leipert located on 2918 Tanglewood Lane commented on the current AR Zoning District, single family homes, the tax rate, and is not in support of the zoning change.

Mr. Jim Kenny located on 1015 Truman Road is concerned about the pumping station for the sewers, the water authority, stormwater runoff, upgraded buffering to fix the eye soar of Gill Quarry for the Potshop Road residents, inspections being completed on the trucks entering the quarry, and is overly concerned about the density proposed.

Mr. Gene Spirito located at 1023 Schultz Road is concerned with sidewalks being provided, increased traffic, lights in his windows due to the increased traffic, Schultz road is too narrow and needs to be widened, and the ATR zoning regulations proposed for the site. Mr. Jenkins confirmed that a traffic study will be conducted. Mr. Bartos confirmed that the mass marketing will be focused towards 55 and older citizens.

Mr. Ken Christovich located at 2937 Tanglewood Lane addressed median house prices in Montgomery County, the MCPC review, the tax mileage rate, Norristown School District, the proposed price points, surrounding communities zoning codes, infill zoning and use practices, Caralea Subdivision, caving in of the surrounding roads due to the blasting, and detached family homes. He is very concerned with the density proposed, the widening of Shultz road, the widening of Whitehall Road, the ongoing Gill Quarry violations, and the overall integrity of the project. Mr. Christovich thinks this is a very ambitious project and acceptable approach to development, but not with the density proposed. He requested that the Planning Commission

not recommend the proposed changes and revise accordingly to take into consideration the surrounding communities, the comments this evening, and the reviews to date on the matter.

Mr. Tom Snyder located at 3111 Potshop Road commented on properties on Woodland Avenue and how he maintains the grounds, he currently sees 8 to 10 deer/ fox, and is concerned when construction starts where the wildlife will relocate. He further commented that he does home inspections for a living and thinks Ryan Homes does a nice job as a home builder.

Ms. Pionzio and Mr. Bartos were asked by a resident of the meeting that occurred between the Developer/ Applicant and MCPC. Ms. Pionzio replied that the Applicant/ Developer met with various members of MCPC and Kevin Chavous, the Planner that submitted the review on behalf of MCPC. She clarified that no minutes were taken at the meeting except for her notes.

Discussion and questions ensued regarding the MCPC meeting and their review.

Chairman Schottmiller addressed the wildlife comment in that the property has the by-right ability to have 82 houses, the density, and the various concerns the Planning Commission discussed earlier this evening.

Mr. Kolb inquired about the agreement with Mrs. Gill and if the Developer will improve the Potshop Road. Mr. Bartos replied there is strong incentive to improve Potshop Road for the marketing of the proposed development.

Mr. Tom Cunnane located at 2929 Tanglewood inquired about the land development process. Discussion and questions ensued

Mr. Gary Beck located 2014 North Trooper Road is not in favor of the proposed development at the Gill Quarry property. He and his wife bought their property for serenity and the proposed development is out of character with the surrounding community. Mr. Beck asked for the Planning Commission to explain the process this evening. Chairman Schottmiller addressed accordingly. Mr. Tornetta clarified that the Planning Commission is an advisory board to the Board of Supervisors.

Discussion and questions ensued between the Planning Commission, the developer, and residents.

Ms. Susan Beck located at 2014 North Trooper Road is concerned about density and requested to leave the zoning as it is.

Ms. Gloria McHugh located at 2921 Tanglewood Lane loves walking in her neighborhood. She is in disagreement with the zoning change and does not want the woods cut down.

Mr. Christovich reiterated his previous points in greater detail.

Mr. Ron Martin located at 1021 Schultz Road commented on the traffic pattern study and inquired if eminent could happen. Mr. Bartos clarified that PennDot does not take from your

land if they can take from the land in question (i.e. Gill Quarry). Mr. Martin is against the proposed zoning changed and would prefer single family homes.

Mr. Moller addressed the number of homes proposed.

Ms. Pionzio explained rezoning and why it exists. Discussion and questions ensued regarding the process.

Mr. Kennedy addressed being on the School Board, being a teacher, and his perspective of the future of our community. He further explained this is an opportunity to East Norriton Township to utilize the ATR Zoning to East Norriton Township.

Mr. Kolb addressed there is no guarantee in land use law and how it cannot stay in perpetuity forever. He further inquired about obtaining a more accurate plan. Mr. Bartos clarified the preliminary plan will be distributed during the land development application process.

**RECOMMENDATION(s):**

Mr. Kennedy made a motion to recommend that the Board of Supervisors approve the zoning map change from the AR Zoning District to the ATR Zoning District. Mr. Moller second the motion and the motion passed 5-3.

Mr. Kolb made a motion to recommend that the Board of Supervisors enact both of the proposed zoning ordinance amendments contingent upon there be a maximum of 4 units per acre if the site is over 10 acres with a 40% open space requirement. Mr. Tornetta second the motion and the motion passed 5-3.

**3. Other Business:**

The next Planning Commission meeting is scheduled for Wednesday, May 25<sup>th</sup>, 2016 at 7pm located at East Norriton Township Building, 2501 Stanbridge Street, East Norriton, PA 19401-1616.

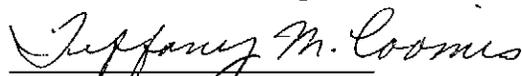
**4. Adjournment:**

Chairman Schottmiller made a motion to adjourn. The motion was second by Mr. McDevitt and passed 8-0.

Respectfully submitted,



Chairman Robert Schottmiller  
East Norriton Township Planning Commission



Tiffany M. Loomis  
Zoning Officer