

EAST NORRITON TOWNSHIP PLANNING COMMISSION

MEETING OF WEDNESDAY SEPTEMBER 18, 2024

A meeting of the East Norriton Township Planning Commission was held at the East Norriton Township Municipal Building, 2501 Stanbridge Street in East Norriton, Pennsylvania at 7pm on Wednesday September 18, 2024. In attendance were Planning Commission Officers Kandy Heckman (Chair), Kenneth Grimes (Vice Chair) and Jeffrey Moller (Secretary) and Members John Barrett and Ed Cavanaugh. Member Keith Torretta was absent. Township Engineer Krista Heinrich of Gilmour Associates and Mr. John Kolb of the Township's Zoning Hearing Board were also present. Other than the applicants and representatives identified below, there were no other persons or members of the public present.

1. Call Meeting to Order

Ms. Heckman called the meeting to order precisely at 7 pm.

2. Pledge of Allegiance

Ms. Heckman led the assembly in the recitation of the national Pledge of Allegiance.

3. Approval of Minutes of Previous Meeting

A motion was made by Mr. Barrett to approve the minutes of the meeting of the Planning Commission of August 21, 2024, which was duly seconded by Mr. Grimes and agreed upon unanimously.

4. Presentation regarding ZHB Application #2024-16 (3113 W. Hayes Rd.)

The applicants, John and Patricia Hodos, were present. Each spoke regarding their application for variances from the setback and location requirements for the construction of a residential home addition adjacent to a designated flood plain. They had purchased the home in March 2022 with an awareness of the presence in their backyard of a tributary to West Stoney Creek but without information regarding the history of flooding. They hope to add a sunroom for year-round use and to expand their kitchen.

A question was raised by Mr. Barrett regarding an existing addition to the home. Mr. Hodos explained that such had been a garage that had been converted to living space by previous owners. Mr. Barrett also expressed concern about the likelihood of damage to the proposed addition by flooding from the creek, which even now, after many weeks without rain, has water in it.

Mr. Moller pointed out the requirement identified in a letter from Ms. Wall that the applicant must provide a written history of the past 10 years as to flood-related losses of greater than 25% of the value of the structure. The applicants replied that they did not have knowledge of the property's history *per se*, but had installed French drain and sump pumps to deal with basement flooding issues. The basement is not finished and the high-water mark in the basement almost reached knee height. There had not been a disclosure from the prior owner that flood loss of as much as 25% value had ever occurred. Mr. Hodos said that the stream bank on their side was quite steep and deep, perhaps 9 feet. There have been some serious storms since their occupancy but there has not been any overflowing of the stream bank.

Mr. Moller noted that the applicants were evidently willing to assume the risk that flood damage to a new structure would not be covered by their homeowner's insurance and asked Ms.

Heinrich whether or not the floodplain ordinance was intended to protect neighboring properties. Ms. Heinrich explained that the ordinance presumes that damage in the floodplain will affect all adjacent properties. She also stated that the township's ordinance was identical to that required by the federal government in order for the township to join the flood protection program.

Mr. Hodos stated that they do have flood insurance. Ms. Heinrich stated that FEMA would have information regarding past flood damage because they track repetitive loss.

Mr. Hodos stated that he had polled 10 of their neighbors and told them of their plans. None of the neighbors expressed any concerns. They have letters of support from all of them.

They also have an email from the DEP stating that the amount of fill being contemplated is too small for the DEP to care about from a wetland's preservation perspective.

Ms. Heinrich pointed out that construction within a flood plain would have to be elevated and/or flood-proofed. Mr. Hodos stated that they were planning the addition so that it would be on the same level as their existing home.

Mr. Grimes had a question regarding the existing great room. Mr. Hodos explained that the proposed addition would be even with the great room and would have a matching roofline.

Mr. Barrett asked about construction access and addition of utilities.

Mrs. Hodos said that a house down the street had added a huge addition recently.

Mr. Kolb warned the applicants that at the ZHB meeting they would have to provide evidence of a hardship. Mr. Hodos stated that he understood.

A motion was made by Mr. Grimes, seconded by Mr. Cavanaugh, that the Planning Commission recommend approval of the requested variances on the condition that they approve all of the waivers. The motion carried without objection.

5. Presentation Regarding SALDO Application #2023-02 (1044 W. Germantown Pike)

The Applicant, J&L Building Materials, was represented by Bernadette Kearney, Esq. of the Hamburg Rubin law firm. Accompanying her was Donald Haas of Bogia Engineering Inc.

The issue pertains to the construction of a 3-sided pole barn in which to store materials. This is the Amended Annexation plan that was suggested by certain review bodies in order to take care of the requirements for fire code compliance etc. that had arisen. Mr. Haas explained that Applicant's initial Annexation Plan has been approved. The Amended Annexation plan has what Ms. Kearney referred to as a "minor tweak" from the initial plan involving narrowing the "flagpole" section of the property parcel. Mr. Moller admitted not understanding the current request, given the total lack of explanatory paperwork in the pre-meeting package that had been distributed. Mr. Haas explained that all that was being requested was approval of the narrowing of the flagpole section in order to avoid the need for a setback variance.

After a short discussion, a motion was made by Mr. Moller to recommend approval of the Amended Application to the Board of Supervisors. Mr. Grimes seconded the motion. The motion was passed unanimously.

6. Next Meeting

Ms. Heckman announced that the next meeting of the ENT Planning Commission would take place on October 16, 2024.

7. Adjournment

On motion by Mr. Cavanaugh, seconded by Mr. Grimes, the membership unanimously agreed to adjourn the meeting at 7:34 pm.


Ms. Kandy Heckman, Chair Person


Mr. Jeffrey Moller, Secretary