

**WEST VINCENT TOWNSHIP
PLANNING COMMISSION**

**December 20, 2018
7:30 PM**

Attendance: Gil Lappano, Ted Otteni, Jim Helm, George Dulchinos, Township Engineer Bryan Kulakowsky, Township Secretary Kathy Shillenn; Steve Merroth absent; George Martin, Sara Shick arrived late.

Mr. Otteni called the meeting to order at 7:30 PM.

APPROVAL OF MINUTES: MOTION by Mr. Lappano to approve the minutes of October 18, 2018; second by Mr. Otteni. *Motion carries unanimously.*

NEW BUSINESS: None

OLD BUSINESS:

1024 Pottstown Pike - Resubmission – Chris Daly, Engineer for the Applicant reviewed the resubmission. The owner is proposing a dental office with a 936 sq. ft. addition, along with 10 parking spaces, which is what was originally proposed. The layout has not changed since the last meeting. Some of the landscaping has changed. Zoning Officer had one comment regarding a conflict with a tree and a light pole, which are too close together; this will be a minor change and another with the lighting which was too dark at the entrances to the building, which will easily be revised. Arro's letter was very clean. Ms. Shick asked Mr. Daly if he saw the letter from the Environmental Advisory Committee regarding the large Black Walnut tree which is about 50 years old and if they were still going to remove the tree. Mr. Daly did not see this letter. Mr. Kulakowsky discussed the tree. Mr. Kulakowsky asked Mr. Daly if he would agree to place notes on the plan to protect the tree with the least amount of impact possible. Mr. Daly agreed to this request.

Mr. Otteni asked Mr. Kulakowsky if there were any problems with the waivers that were requested. Mr. Kulakowsky stated no. The first waiver requested was for the scale to be drafted at 1/30 instead of the required 1/50 or 1/100. The second waiver requested is for a waiver to consider this application a preliminary/final submission; also a waiver for the infiltration requirements and a waiver for the interior circulation and emergency access. The Fire Chief issued a letter regarding this and he supports it as long as signage is put up that states no parking along the side of the building for a fire lane. Mr. Kulakowsky has no objections to these waivers.

MOTION by Mr. Martin to recommend approval of the plan to the Board of Supervisors subject to the notation on the plan to do everything possible to protect and preserve the Black Walnut tree; second by Ms. Shick. *Motion carries unanimously.*

Kimberton Village Zoning District Petition – Mr. Kulakowsky has information that was prepared for this discussion. Mr. Leo White, attorney for Mr. Ulmschneider introduced

himself and stated that Mr. Ulmschneider has never received any notice of these hearings. Mr. Martin explained that the Planning Commission is just a recommending board. Mr. White explained that Mr. Ulmschneider's property is just like all the other properties of his neighbors. He feels that this is just a textbook example of spot zoning. Mr. Kulakowsky explained the petition. Mr. White stated that they are adamantly opposed to this zoning change. Mr. Martin stated that he would like to hear the pros and cons of this petition and why the township should change it.

Mr. Kulakowsky handed out information on the comparison of the Kimberton Village District and the R2 District and discussed the comparisons. Mr. Martin feels that the people who signed the petition do not fully understand that they are opening up a lot more uses in R2 than in KV. Mr. Martin feels it is important for these people to understand that this change does not protect Kimberton Village. Mr. Kulakowsky also did TDR calculations; KV is a sending zone and R2 is a receiving zone for TDR's. A discussion of TDR's ensued.

Jim Eagan, 1912 Kimberton Road stated that he is one of the residents who signed the petition and the understanding was that KV provided the ability to build multi-family housing on that 5 acre plus parcel. He was concerned about having an apartment building right behind his house.

Mr. Martin feels that whoever started this petition looked at that one section of multi-family dwellings not permitted in R2 and said we want to switch to R2; it still is a conditional use in KV and it still requires sewage. Mr. Martin feels that fear of that one section is driving this whole petition. You could end up with more development in R2.

Jim Eagan stated that he doesn't understand TDR's, but as residents, they looked at the zoning ordinance and saw that multi-family housing could be put behind them and it scared the heck out of them.

Ms. Shick discussed the access road into West Vincent Township.

Brian Curry, 512 Blackhorse Road stated that the small area on East Pikeland's side is actually a road that is not dedicated.

Mr. Martin is very concerned about maintaining the rural nature of the area. The solicitor must review the entire ordinance and feels this information has been very helpful. Ms. Shick stated that the threat from Mr. Ulmschneider's and Mr. Vitale's properties is minimal. Mr. Martin doesn't feel that the people who signed the petition understand the consequences. Mr. Helm stated that the 51% of signatures triggered the discussion. Mr. Helm hasn't heard if changing the zoning will help or hurt the comprehensive plan goals. Mr. Martin feels this has been a helpful discussion and there will certainly be more discussions on this. Mr. Martin would like to get feedback from residents. We should have another meeting to discuss this. Ms. Shick understands getting more feedback but we've had this for four months; could we make a recommendation to the board that we don't see a compelling reason to change zoning. Mr. Martin would like to put this on the agenda for next month as he is not yet ready to make a recommendation.

Mr. White is requesting that the Planning Commission take a vote of where the commission stands on this. Mr. White stated that if the residents were that concerned they would be here to voice their concerns. Mr. Martin wants to make sure that residents are aware of what's involved in changing the zoning. Right now he feels that the residents have a lack of information on what they signed.

REPORTS: None

BUSINESS FROM THE FLOOR: None

There being nothing further to discuss, a **MOTION** was made to adjourn. *Motion carries unanimously.*

Meeting adjourned at 9:00 p.m.

Respectfully Submitted,

Kathy Shillenn
Township Secretary