

**MINUTES OF THE PLANNING COMMISSION
UPPER POTTS GROVE TOWNSHIP**

December 10, 2007

The regular meeting of the Upper Pottsgrove Planning Commission was held on Monday, December 10, 2007, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Elwood Taylor, John Bealer, Herb Miller and Donald Nice present. Also present were Township Manager Jack Layne, Recording Secretary Michelle Reddick, Township Engineer John Theisen and County Planner Michael Narcowich. The meeting was called to order by Chairman Taylor at 6:05 p.m. There were 12 people in the audience.

APPROVAL OF MINUTES – A motion by Miller, seconded by Bealer, to approve the minutes of October 8, 2007, as written. All aye votes.

ZHB #2-07 MANDY & SCOTT LOBAUGH – The applicants have requested a special exception under zoning code §§1202.e and 350-110.E to allow the use of a 20,000 square foot building located on Commerce Drive near State Street as a state licensed day care center and preschool. This would be a Class I institutional use as provided in §350.30.c(1)(f) and defined in §350-8. Scott and Mandy Lobaugh along with Tom Farmel were present to discuss their application. Mr. Lobaugh explained that their proposal is to renovate the existing building (formerly Mini Golf ‘N More) and utilize the facility for a daycare and preschool for children infant to pre-kindergarten. He further explained their initial proposal is to have 72 children and future plans are to house approximately 120 children. In response to a question from Herb Miller, Mr. Lobaugh explained they plan to clear out the overgrown vegetation on the property. In response to a concern expressed by Mr. Miller concerning security measures, Mr. Lobaugh explained there would be swing gates which would be locked. In response to another question by Mr. Miller, Mr. Lobaugh explained there is a sprinkler system in the boiler room now. Mr. Farmel noted there is a manual fire alarm system in the building and the building would comply with all fire codes. Mr. Taylor noted that public sewer and water are required for an institutional use such as the one they are proposing and questioned how the applicants planned to satisfy this ordinance requirement. Mr. Lobaugh presented a letter from the Montgomery County Health Department concerning the sewer issue. In response to a question from Mr. Nice, Mr. Lobaugh explained the used rooms shown on the drawing would be used for future classrooms. In response to a concern expressed by Mr. Nice, Mr. Narcowich advised there are no current plans to expand Route 100. In response to a question from Mr. Miller, Mr. Lobaugh advised they will be using the existing sign located on the property. Mr. Bealer suggested that they applicant should satisfy the sewage concerns. Mr. Theisen explained the Montgomery County Health Department has no objections for the initial use of on-lot sewage facilities. However, if the facility expands above 72 children, the applicants would have to hook into the public sewer on Farmington Avenue possibly through an easement on the property located behind their building and the sewage would have to be pumped up to Farmington Avenue. In response to a question from Mr. Miller, Mrs. Lobaugh provided a brief explanation of a Montessori school. Mr. Taylor reminded the applicants that they may need to investigate a permanent solution to the sewer issue if they plan to expand their use in the future. A motion by Miller, seconded by Nice, to recommend to the Zoning Hearing Board approval of the application with the following conditions: (1) the applicants provide a buffer to Route 100; (2) the applicants provide proper fire protection; and (3) the applicants provide a permanent solution to the sewer situation in the event there is any further expansion over the initial 72 students they are proposing to serve. All aye votes.

LEVENGOD SKETCH PLAN – Mr. Robert Levengood provided a sketch of his property located on Orlando Road to show his proposal to subdivide his property into 2 lots. The Planning Commission briefly reviewed Mr. Levengood’s proposal and suggested he speak with Township Zoning Officer Errol Kring.

HALFWAY HOUSE – renovations – Architect Brian Kerr and owner Young Kim were present to discuss their plans for the former Halfway House restaurant located at 1495 Farmington Avenue. Mr. Kerr explained their proposal is to reconstruct the interior into a hibachi steak house and sushi bar. He also explained the exterior changes they are proposing. The Planning Commission was not in favor of a stairway from the front of the building as proposed by the owner. The Planning Commission suggested the owner consider including a deck to the rear so patrons could observe the scenic view. The Planning Commission further suggested the owner and architect continue to work with Township Code Enforcement Officer Errol Kring.

RIPARIAN COORIDOR ORDINANCE – Mr. Narcowich provided a revised draft of the proposed ordinance and briefly reviewed the changes. It was further agreed to eliminate 3.a under Section 3 concerning obtaining Township approval. Another change discussed was to change the language in Section 4 so that any use or activity not authorized under Section 3 herein shall be prohibited in zone 1 and 2 as opposed to the riparian corridor conservation district. It was also agreed to use the language recommended by Cahill for nonconforming structures and uses in the riparian corridor conservation district. A motion by Miller, seconded by Bealer, to recommend to the Board of Commissioners approval of the proposed ordinance with the changes discussed. All aye votes.

2008 MEETING SCHEDULE – Mr. Taylor explained the proposed meeting schedule for 2008 was enclosed in your packet and noted there is one conflict with Columbus Day in October. The Planning Commission agreed to continue to meet the second Monday of each month at 6:00 p.m. except for the month of October. In October, they agreed to meet on Tuesday, October 14th instead of Monday October 13th since this is a legal holiday.

Mr. Miller reminded Township Engineer John Theisen that a fire lane and an area for children to play are still needed in the Coddington View development. He also noted that there is a top soil pile at the top of the development that is blocking the scenic view from the property.

ADJOURNMENT – A motion by Miller, seconded by Bealer, to adjourn the meeting at 8:16 p.m.

Respectfully submitted,

Michelle L. Reddick
Recording Secretary