

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

**July 14, 2008**

The regular meeting of the Upper Pottsgrove Planning Commission was held on Monday, July 14, 2008, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Elwood Taylor, Herb Miller, John Ungerman and Donald Nice present. Also present were Township Engineer John Theisen, Township Manager Jack Layne and Recording Secretary Michelle Reddick. The meeting was called to order by Chairman Taylor at 6:02 p.m. There were 6 people in the audience.

**APPROVAL OF MINUTES** – A motion by Nice, seconded by Ungerman, to approve the minutes of June 9, 2008, as amended. All aye votes.

**#4-07 PASCAL ANNEXATION** – revised plan review – Jana Eppihimer from Bursich Associates was present to discuss revised preliminary plans dated June 4, 2008. Jana advised that she spoke with PennDot concerning the existing driveway, and they have asked that the driveway be widened. In response to a question from Mr. Miller, Jana advised that she does not know what Mrs. Pascal's intentions are concerning the lots involved with this proposed subdivision. In response to a question from Mr. Taylor, Mr. Theisen advised that most of the issues with the plans have been resolved, but the waiver requests need to be discussed. Jana advised the waiver request from the ordinance requirements for stormwater runoff needs further discussion. Jana explained that in order to meet the requirements of the ordinance for stormwater runoff, they would have to take down more trees. She further explained that they are not increasing the flows but slightly reducing them. Based upon this information and the recommendation of Mr. Theisen, the Planning Commission agreed this would be an appropriate waiver. In response to a question from Mr. Ungerman, Jana advised the applicant will utilize on-site sewer for the new house until public sewer becomes available. Jana further advised they are able to obtain public sewer for the existing house since it has a failing septic system. In response to a comment from Mr. Taylor, Jana advised the applicant will be removing the daily use of the existing access easement and using it for emergency access only. In response to a question from Mr. Miller, Mr. Theisen advised the applicant has addressed the issues so as not to create any problems with the driveway of Philomena Williams. **Diana Updegrove, 1404 Farmington Avenue**, questioned who will own the driveway. Jana explained there will be a shared driveway with an access easement for each homeowner and a maintenance agreement for the shared driveway. Mr. Theisen advised that Mrs. Pascal will maintain ownership of the driveway with access for the other owner. Mrs. Updegrove suggested the Township require deed restrictions for further subdivision and require the easement agreement for the shared driveway to be recorded as part of the deed in exchange for granting the waivers. Mr. Taylor advised those issues would need to be discussed by the Board of Commissioners. A motion by Ungerman, seconded by Nice, to recommend to the Board of Commissioners approval of the waivers as follows: (1) a waiver from Section 310-21.A(1) for the requirement to install sidewalks along roads in residential districts; (2) a waiver from Section 310-21.B(1) for the requirement to install curbs along roads; (3) a waiver from Section 310-37.B and 310-37.C(4) for the requirement to submit a landscaping plan that identifies tree replacement; and (4) a waiver from Section 401.A.2 for the requirement that post-development peak discharge rates be reduced to certain

**#4-07 PASCAL ANNEXATION – revised plan review (cont’d.)** - pre-development peak discharge rates described in Standard 2. All aye votes. A motion by Miller, seconded by Ungerman, to recommend to the Board of Commissioners preliminary plan approval of plans dated June 4, 2008, subject to satisfactory completion of all outstanding issues outlined in the Township Engineer’s letter dated June 16, 2008 with the exception of the waivers and the Montgomery County Planning Commission’s letter dated July 10, 2008 (copies attached hereto and made an official part of the minutes). All aye votes.

**#7-08 LEVENGOOD SUBDIVISION** – Douglas Kramer of Applied Surveying Technologies along with Mr. and Mrs. Robert Levengood were present to discuss plans dated June 30, 2008. Mr. Kramer advised he met with Township Engineer John Theisen and Mr. Miller out at the site, and the major issue was the location of the driveway. Mr. Kramer advised the driveway was located where it is based upon engineering decisions and the personal preference of Mr. Levengood. Mr. Miller suggested the applicant consider moving the driveway slightly to the east. Mr. Kramer advised he reviewed the comments in Mr. Theisen’s review letter dated July 2, 2008, and noted he does not see any major problems with the letter except for the items for which he will be requesting waivers. Mr. Theisen referred his comment concerning showing the utility easement on the plan, and questioned whether the utility company locates the utility easement where you ask them to be located. Mr. Kramer stated the utility company does not necessarily locate the utility easement where you ask it to be located, and noted the utility easement will be recorded. Mr. Theisen noted the area where Mr. Levengood wants to build his new house is a separate parcel in the deed for the entire tract and suggested the Township Solicitor be consulted as to whether this separate parcel constitutes “an existing lot”. Mr. Kramer confirmed that there are two separate parcels on one deed. **Diana Updegrave, 1404 Farmington Avenue**, noted that it would be easier if there were two separate deeds, and agreed it would be a good idea to check with the Township Solicitor concerning this matter. Mr. Theisen noted that if this separate parcel does not constitute “an existing lot”, then a conditional use approval would be required. The other comment of concern was whether a waiver is appropriate from Section 310-23.I(3)(h) which prohibits further subdivision of any existing rear lot which would create additional rear lots. The Planning Commission agreed to consult with the Township Solicitor concerning this matter. Mr. Miller noted that in the past he had suggested bubblers on downspouts for stormwater runoff; however, he is in favor of the proposal by Mr. Kramer to utilize infiltration chambers instead of bubblers. Mr. Kramer noted he will continue to work with Mr. Theisen on the stormwater management issues and then submit an erosion and sediment control plan.

**ADJOURNMENT** – A motion by Ungerman, seconded by Miller, to adjourn the meeting at 6:53 p.m.

Respectfully submitted,

Michelle L. Reddick, Recording Secretary