

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

November 9, 2015

The regular meeting of the Upper Pottsgrove Planning Commission was held on Monday, November 9, 2015, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Elwood Taylor, Herb Miller, John Bealer and William Hewitt present. Also present were Township Engineer Pete Eisenbrown, Township Manager Carol R. Lewis, Recording Secretary Michelle Reddick and Montgomery County Planner Donna Fabry. The meeting was called to order by Chairman Taylor at 7:00 p.m.

APPROVAL OF MINUTES – Motion by J. Bealer, seconded by E. Taylor and unanimously carried, to approve the minutes of the September 9, 2015 meeting as written.

OLD BUSINESS:

STORMWATER/GRADING ORDINANCE AMENDMENTS – P. Eisenbrown reviewed the updated proposed ordinance along with various related items including the fee resolution, applicability table and a summary overview of the impact to existing ordinances. In response to a question from H. Miller, C. Lewis advised that the nuisance ordinance is considered a “police” ordinance, and therefore, there is no grandfathering. In response to a concern expressed by H. Miller, E. Taylor advised that the issue of people blowing leaves and grass onto the roadways would also be included in the nuisance ordinance. In response to a concern expressed by E. Taylor in reviewing the purpose of the proposed ordinance under Section 301.3, P. Eisenbrown advised that the Township is already doing these things under the current MS4 ordinance. E. Taylor expressed concern regarding the impact of the proposed ordinance on existing farmers. C. Lewis agreed to consult with the Township Solicitor regarding this matter. In response to another concern expressed by E. Taylor, P. Eisenbrown advised that this ordinance would apply to the Township, and the Township would be required to obtain permits as well for stormwater and grading activities. In response to a question from E. Taylor, P. Eisenbrown advised that the regulations for permit holders and others to advise transferees of property covered by a permit is self-regulated. In response to another question from E. Taylor, P. Eisenbrown advised that the information pertaining to stormwater management facilities would be included in a recorded agreement against the property which would come up during a title search when a property transfer ownership. E. Taylor also pointed out other grammatical errors in the proposed ordinance and associated documents. In response to a question from H. Miller, P. Eisenbrown explained that certain standards have already been in place for years, but some restrictions have become tougher over the years. P. Eisenbrown advised that he will be working with Township Staff on evaluating the administrative fees and financial security under the resolution for review fees so they may change. Motion by W. Hewitt, seconded by H. Miller and unanimously carried, to recommend to the Board of Commissioners approval of the proposed ordinance and fee schedule resolution with the correction of the grammatical errors and possible elimination of the low impact development practices which are in direct conflict with our existing ordinances.

OFFICIAL MAP – Donna Fabry provided an overview of an official map, an explanation of how the data is collected and an explanation of the process for adoption of the official map. She also provided examples of existing official maps along with an explanation of each map. In response to a question from C. Lewis, D. Fabry advised that she is not certain if the map for Towamencin Township was successful in accomplishing their goals. However, she agreed to look into it. E. Taylor expressed concern regarding placing potential trail connections or open space purchases on the map as the Township could potentially lose their negotiating power.

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OFFICIAL MAP (cont'd.) - W. Hewitt noted that the Township already has some existing maps and questioned how much the process is going to cost. E. Taylor advised that the Township has an existing planning contract with the County so the costs would be minimal other than what we already pay for the contract. W. Hewitt suggested having separate maps which would overlay one another. The Planning Commission agreed to use the map as more of a planning tool rather than an anticipated map of things the Township may want to do.

ADJOURNMENT – Motion by W. Hewitt, seconded by H. Miller and unanimously carried to adjourn the meeting at 8:05 p.m.

Respectfully submitted,

Michelle Reddick
Recording Secretary