

Doug Worley called the Regular Meeting of the Franconia Township Planning Commission to order at 7:03 p.m. on Monday, March 1, 2010. Planning Commission Members present included Keith Kneipp, Kyle Koffel, Kerrin Musselman, and Patricia Alderfer. Township Manager Kevin D. Baver, Assistant Township Manager Jamie P. Worman, Township Engineer Cindy Van Hise, P.E., and Jean Holland from the Montgomery County Planning Commission were in attendance. Planning Commission members Gerald Delong and Robert Yothers were absent from the meeting. (Excused)

Noticing a few people in the audience, Mr. Worley welcomed them and asked if they had anything they wished to address at this time. The audience members had no comment.

### **APPROVAL OF MINUTES**

Mr. Koffel made a motion to approve the minutes from the January 11<sup>th</sup>, 2010 reorganization/regular meeting. Mr. Musselman seconded the motion. The motion passed.

### **SUBDIVISION AND LAND DEVELOPMENT**

#### **OLD BUSINESS**

*Ken Taggart Subdivision- 521 Cowpath Road (#05-06)*

No action or discussion took place on this application.

*Leidy's Church Land Development – Leidy Road & W. Cherry Lane (#03-09)*

No action or discussion took place on this application.

#### **NEW BUSINESS**

*Kapusta Lot Line Adjustment- 935 Landis Road (#01-10)*

Mr. Musselman made a motion to formally accept this application. Mr. Kneipp seconded the motion. The motion passed. No further discussion occurred on this application.

*The Pizza Box Land Development – 402 Morwood Road (#02-10)*

Mr. Kneipp made a motion to formally accept this application. Mr. Musselman seconded the motion and the motion passed. No further discussion took place on this application.

## **ZONING HEARING BOARD APPLICATIONS**

Ms. Worman provided an update on three zoning hearing board applications, as follows:

Ms. Worman reported that the David & Annette Sowhanger application for relief from the lot size dimensions to permit a minor subdivision located at 34 Cowpath Road was approved at the February 2<sup>nd</sup>, 2010 Zoning Hearing. The applicant had an issue with the existing lot due to the location of the existing structure. The newly created lot complies with zoning. She noted that the Board of Supervisors had originally opposed the application but withdrew the opposition after reaching an agreement with the applicant that they abandon the apartment use that was permitted in the detached garage through a previous ZHB decision.

Ms. Worman reported that the Todd Alderfer application for an auto restoration business at 705 Morwood Road was also approved at the February 2<sup>nd</sup>, 2010 Zoning Hearing. The applicant also complied with conditions set by the Board of Supervisors.

Ms. Worman reported that the Pizza Box application received approval at the February 2<sup>nd</sup>, 2010 hearing for relief from the dimensional requirements of the zoning ordinance. Ms. Worman added that this was a highly attended hearing where many neighbors discussed concerns they had with the proposed use. However, the use is a permitted use in that district and they were only seeking dimensional relief. Ms. Worman added that this application will also need to go through land development as noted earlier on the agenda as well as a conditional use hearing with the Board of Supervisors to allow the dual use of a restaurant and apartment that are proposed. Mr. Bayer added that he would recommend a traffic study be performed for the project in addition to any recommendations from PennDot.

## **OTHER BUSINESS**

Formal Distribution of the Zoning Ordinance – Ms. Worman reported that the formal distribution of Ordinance 367 was complete. The ordinance covers parking & non-conformities, as well as, minor cleanup items. The ordinance is tentatively scheduled for adoption at the April Board of Supervisors meeting.

Aging Policy for Applications: Mr. Worley reviewed the aging policy for applications with the commission. He reminded the group that this was a topic discussed previously in relation to a few applications that consistently remain on the agenda with no activity. Mr. Worley questioned what could be done legally to limit the amount of time the applications remain on the agenda. Mr. Baver replied that the Board of Supervisors is looking at the policy under the Municipalities Planning Code (MPC) where you can deny an application after 90 days, which they feel is the best mechanism. He continued that what the commission needs is a policy that can point to something in addition to the MPC. Mr. Worley suggested a year-end review of the current projects and then a notification by letter to those applicants who will be denied. Mr. Kneipp added that the letter could notify them at the end of the year and the action would take place at the reorganization meeting in January. Ms. Worman made a comment about the fact that an applicant can extend the 90-day time limitation by the submission of a letter. However, the commission may still render a decision within that time frame if they wish and they could also deny the extension submitted by an applicant. Mr. Baver suggested that the commission address the Taggart Subdivision currently on the agenda. He added that the commission should send a 60-day notification to the applicant that their application will be removed from the agenda. Then at the May meeting the commission would make a motion to deny the application. He continued if the applicant filed a revised plan and move forward with the planning process, paid all outstanding invoices, and was at the point where they were ready for preliminary approval the motion to deny would not occur. Ms. Worman clarified that at the year end the commission would review the agenda and list the applications that are inactive and ready for removal from the agenda. In January the commission would act on those plans by voting to notify the applicant of their removal. A notification would then be sent to the applicant giving the applicant 60 days to respond. Pending no response and no change in the plans, the group would vote to

deny the application removing it from the agenda. If the applicant does take steps toward moving the project forward and is current on engineering review invoices and ready for preliminary approval they can remain on the agenda and the board would vote to recommend approval. Mr. Musselman made a motion to that effect. Mr. Kneipp seconded the motion and the motion passed.

**NEXT SCHEDULED MEETING**

The next scheduled Planning Commission meeting is Monday, April 5, 2010 at 7:00 p.m. There was no further business discussed at the meeting. Mr. Koffel made a motion which was seconded by Mr. Musselman to adjourn the meeting. The meeting was adjourned at 7:23 p.m.

Respectfully submitted,

Jamie P. Worman, Assistant Township Manager