

PROFESSIONAL LAND PLANNER

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PLANNER-IN-CHARGE PENNSYLVANIA

REGISTERED PROFESSIONAL PLANNER - NJ

VIA E-MAIL

February 11, 2019

TO: Whitpain Township Planning Commission  
FROM: E. Van Rieker, Township Planning Consultant  
RE: Township Planning Commission Meeting – February 12, 2019

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Regular Session – 7:30 P.M.

1. Approval of Minutes
2. Review of a Minor Subdivision Plan for 628 Cathcart Road (S-5-18). This application involves a two lot subdivision of approximately 4.88 acres of property located at 624-628 Cathcart Road, which is located on the eastern side of Cathcart Road between Morris Road and Boxwood Lane. Access to the site will be from Cathcart Road. The property is zoned R-1 Residential District.

*Comment:*

- *This is a relatively simple minor subdivision which for the moment at least does not generate any new development.*
  - *The generally wooded rear portion of the existing lot (628 Cathcart Road) will be subdivided and joined with the adjoining property of 624 Cathcart Road resulting in a new parcel having approximately 4 acres.*
  - *My only comment would be to inquire that the required utilities in support of 628 Cathcart Road are not impacted by the subdivision.*
3. Review Ordinance #4-252 – An Ordinance Amending the Zoning Ordinance by (1) Adding New Definitions of “Family”, “Group Home”, and “Single Housekeeping Unit” to Article II, Section 160-7 [Word Usage and Definitions]; and (2) Striking the Reference To “Park and Recreation District” In Article VI, Section 166-27 (F) [Park and Recreation Overlay/Development Regulations/Screening]

*Comment:*

- *This Ordinance Amendment basically deals with a reformatting of the definition of Family in the Township Zoning Code and adds two additional defined terms: "Group Home" and "Single Housekeeping Unit".*
- *The new definition for Family is one that has been embraced by a number of other Montgomery County municipalities to reflect evolving case law and the Federal Fair Housing Act which has expanded the definition of Family to include relationships that are not members related by blood or marriage.*
- *In addition, Family would include a Group Home provided that the Group Home functions like the equivalent of a Single Family which is to say functions as a Single Housekeeping Unit on a non-transient basis.*
- *This definition was prepared by the Township Solicitor and I would recommend a favorable recommendation by the Planning Commission and Board of Supervisors.*

4. Review current zoning hearing board applications:

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|-----------------|---|---|
| 1. ZHB #2175-18 | Christina Hayes & Andrew Gajan<br>(383 School Road) | Front Yard &<br>Non-Conforming<br>Expansion |
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*Comment:*

- *This is a residential application and typically the Planning Commission remains neutral unless the proposal has a community-wide impact.*

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| 2. ZHB #2176-18 | D. Tuffilaro & Sons Inc.<br>(1700 DeKalb Pike) | Parking, Front Yard,<br>Green Area, & Signage |
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*Comment:*

- *This appeal seems to be at least in part generated by the loss of property from the Penndot condemnation for the widening of Route 202.*

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| 3. ZHB #2177-19 | ELU Beachcomber LLC<br>(652 DeKalb Pike) | Floodplain |
|-----------------|--|------------|

*Comment:*

- *This property is currently the subject of a proposed land development plan. This request is for a special exception and/or variances to allow the construction of a culvert and roadway across regulated FEMA calculated floodplain.*



- *It is suggested that any approval granted by the Zoning Hearing Board be conditioned with the requirement that the subdivision and land development plan will be subject to review and approval by Township staff and outside agencies.*
- *The original application refers to "Four (4) new two family twin dwellings on 4 new lots". In order to avoid any confusion the application should clearly state that as a result of the appeal it would be a maximum of 5 dwelling units on the property.*

5. Review pertinent planning issues.

cc: Jim Blanch  
Kent Conway  
Ken Corti  
Joseph Fay  
Kurt Zintner  
Jen Gallagher

Greg Monte  
Joe Habboush  
Otis Hightower  
Cathy McGowan  
John Miller

John O'Hara  
Roman Pronzak  
Richard Shorin  
William McManus