

6-033  
C: Council

**JUNE 20, 2011**

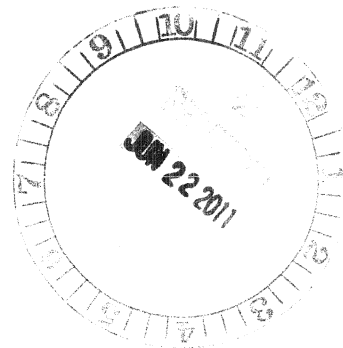
The Plymouth Township Zoning Board held a public meeting at the Plymouth Township Building on Monday, June 20, 2011.

The meeting was called to order at 7:00 PM.

The following were present:

Vincent Frangiosa	Chairman
Robert Esposito	Vice Chairman
James Saring	Member
Michael Mattioni	Member
Robert Sassi	Member

Joseph McGrory	Solicitor
David Conroy	Zoning Officer
Paula Meszaros	Court Reporter



The Pledge of Allegiance was recited.

The Board heard the following:

ROBERT E. LAMB, INC.: On an application for Variances from Plymouth Township Zoning Ordinance No. 342, as amended, Article XV, Section 1505.F.1 and Article XVIII, Section 1800.E.

The Variances requested are as follows: Request 33' front yard setback where 50' is required and an extension of a non-conforming building that does not comply with the front yard setback requirements.

The property is located at 1310 Conshohocken Road in a "Heavy Industrial" Zoning District.

Mr. David Child advised that he is a Project Architect with Robert E. Lamb, Inc. Mr. Child stated that Robert E. Lamb, Inc. represents Vento, Inc. which is the owner of the property.

Mr. McGrory advised that only an attorney can represent, and therefore Robert E. Lamb can not represent a party to an application. Mr. McGrory stated the Zoning Board is a judicial body, and unauthorized practice of the law results in criminal sanctions.

Mr. Child advised that he is not prepared to proceed with this matter. Mr. McGrory recommended that the Board dismiss the application because the legal owner, equitable

owner, or tenant is not present. Mr. McGrory advised that Robert E. Lamb, Inc. has no legal standing. Mr. McGrory stated that refiling can take place under the proper name.

Member Saring made a motion that the application for Robert E. Lamb, Inc. be dismissed because of lack of standing. Member Esposito seconded the motion. Members Saring, Esposito, Sassi, Mattioni, and Frangiosa voted in favor of the motion. The motion passed by the vote of 5-0.

EDNA KISCH: On an application for a Variance from Plymouth Township Zoning Ordinance No. 342, as amended, Article XIX, Section 1908.1.

The Variance is as follows: Install 16' X 16' shed, where a 12' X 12' shed is permitted.

The property is located at 455 Plymouth Road in an "A" Residential Zoning District.

Ms. Edna Kisch was sworn-in to testify.

Ms. Kisch advised that she desires to construct a bigger shed on her property. Ms. Kisch stated that this would replace the existing shed. Ms. Kisch advised that lawn equipment and motorcycles would be stored in the new shed.

Chairman Frangiosa asked what is stored in the garage. Ms. Kisch advised that cars and automotive equipment are stored in the garage. Ms. Kisch stated that these items are for home use only.

Member Sassi inquired about the storage in the garage. Ms. Kisch advised that cars and automotive equipment would be in the garage, and also 4' by 4' wood which her sons use would also be stored in the garage.

Member Mattioni asked if there are actually two garages. Ms. Kisch advised that there is a detached garage, and there is also an attached garage. Member Mattioni asked why a larger shed is needed when there are two garages. Ms. Kisch stated that there is a lot of equipment that needs to be stored. Ms. Kisch advised that she has a basement in her house. Member Mattioni noted that the applicant is allowed a smaller 12' by 12' shed.

Member Saring asked if both garages are two car garages. Ms. Kisch advised that the attached garage is a one car garage, and the detached garage is a two car garage.

Member Saring asked if the existing shed has been torn down. Ms. Kisch advised that this shed has been torn down. Ms. Kisch stated that this shed was existing when she purchased the property, and the garages were also existing. Ms. Kisch advised that

she has not talked to her neighbor, Brandywine, about the proposal.

Member Esposito asked if the applicant's sons live with the applicant at the property. Ms. Kisch advised that one of her sons has moved out, however he still stores his motorcycles and other items at her house. Ms. Kisch stated that her son does not have the room to store these items at his residence.

Member Esposito inquired about the proposed shed. Ms. Kisch advised that her son was starting to construct this shed, and then she was informed that variance relief is needed for the size.

There were no questions from the audience. There was no testimony for or against the applicant from the audience.

The Board discussed and decided as follows:

EDNA KISCH: Member Esposito made a motion that the application be denied. Member Mattioni seconded the motion. Members Esposito, Mattioni, Sassi, Saring, and Frangiosa voted in favor of the motion. The motion passed by the vote of 5-0.

STEVEN G. BLUM: On an application for Variances from Plymouth Township Zoning Ordinance No. 342, as amended, Article VII, Sections 702.C.1 and 702.D.

The Variances requested are as follows: Permit 8' side yard where 18' is required. Permit aggregate side yard of 20' where 30' is required. Permit 24.5' rear yard where 30' is required.

The property is located at 125 Meetinghouse Lane in a "C" Residential Zoning District.

Mr. Steven Blum was sworn-in to testify.

Mr. Blum advised that he proposes a two story addition for his house. Mr. Blum stated that the first floor addition will be for a single car garage and additional space for storage. Mr. Blum advised that the second floor addition will consist of a fourth bedroom.

Mr. Blum advised that presently there is no garage on the property. Mr. Blum stated that there is only a small 6' by 6' storage shed, and this shed is deteriorating. Mr. Blum advised that he would rather make an investment in the home rather than putting up a shed.

Mr. Blum advised that a car can be under cover in the new garage. Mr. Blum stated that bikes, tools, and other items would be stored in the new garage. Mr. Blum advised

that the trash cans can be kept inside of the garage so that they will not be blown over by the wind.

Mr. Blum advised that he and his wife's aging parents may need assistance in the future. Mr. Blum stated that the fourth bedroom may be helpful concerning this assistance.

Mr. Blum advised that the addition is proposed to be attached to the right side of the house. Mr. Blum stated that the house is on an odd shape plot of ground. Mr. Blum advised that despite the encroachment there will still be the appearance of a wide open space.

Mr. Blum advised that the addition may be as close as 20 feet for the back encroachment line. Mr. Blum stated that this will depend on the final plans that are drawn up.

Mr. Blum advised that the neighbor adjacent to the proposed addition is in favor of the proposal. Mr. Blum stated that this neighbor believes that there will not be an overcrowding of the land. Mr. Blum advised that the other neighbor has stated that he will support the proposal.

Member Sassi asked if there would be potential impact on drainage or water run off. Mr. Blum advised that no engineering studies have been done. Mr. Blum stated that there has never been an issue with the basement getting flooded or any other water issues on the property.

Member Mattioni inquired about the height proposed for the addition. Mr. Blum advised that the height will be no higher than the existing structure. Mr. Blum stated that he does not know the distance to his neighbor's house. Mr. Blum advised that this neighbor has put in a two car detached garage. Mr. Blum stated that there will still be open area between the two homes.

Member Mattioni asked if the impervious area specified on the plan includes the addition. Mr. Conroy advised that he calculated 33.5% impervious surface.

Member Saring asked if the addition will contain any kitchen or cooking facilities. Mr. Blum advised that there will be no kitchen or cooking facilities. Mr. Blum stated that a laundry room and pantry would be part of the addition.

Member Saring asked what is the status of the applicant's application before the Historical Architectural Review Board. Mr. Blum advised that this Board will review the plans after zoning relief is granted, and recommendations can be made at that time.

Member Esposito inquired about the shed in the rear. Mr. Blum advised that this shed will be removed. Member Esposito asked what happens if the plans do not meet the approval of the Historical Architectural Review Board. Mr. Blum advised that he would

be disappointed, however hopefully there can be solutions for any concerns that this Board might have. Mr. Blum stated that he does not desire to put up a new shed.

Mr. Conroy advised that the neighbor's garage at 127 Meetinghouse is four feet off of the property line. Mr. Blum stated that his rear setback could become less if the addition is shifted after final plans are completed.

Mr. McGrory asked if the applicant would be acceptable for 20' for the rear yard setback. Mr. Blum advised that this is acceptable.

There were no questions from the audience. There was no testimony for or against the applicant from the audience.

The Board discussed and decided as follows:

STEVEN G. BLUM: Member Saring made a motion that the application be approved subject to the following:

- 1) A 20' rear yard setback be permitted.
- 2) The existing shed be removed.

Member Sassi seconded the motion. Members Saring, Sassi, Mattioni, Esposito, and Frangiosa voted in favor of the motion. The motion passed by the vote of 5-0.

PLYMOUTH INDUSTRIAL CENTER, INC.: On an application for a Special Exception from Plymouth Township Zoning Ordinance No. 342, as amended, Article XIV, Section 1402.A.

The Special Exception requested is as follows: To allow retail sales and services for recreation and entertainment uses.

The property is located at 715 Conshohocken Road in a "Limited Industrial" Zoning District.

Member Esposito advised that he will recuse himself from this application.

Michael Clement, Esq. was present to represent the applicant in presenting their application.

Mr. Clement advised that currently the Tee's Golf Facility operates at the southern portion of the property in question. Mr. Clement stated that the property known as 715 Conshohocken Road is 4 & 1/2 acres, and the adjacent parcel is 60 acres. Mr.

Clement advised that a connector road operates at the request of the Township, and will act as an emergency access.

Mr. Clement advised that a special exception is being requested for retail because of the snack bar, and the request for recreation is for the proposed playing fields. Mr. Clement stated that one of the fields may be enclosed with fabric. Mr. Clement advised that the fields will be completed in phases. Mr. Clement stated that a hockey rink is a possibility.

Mr. Clement advised that the project will have no adverse affect on the community. Mr. Clement stated that the propose will be an excellent use for an area zoned light industrial.

Mr. Clement advised that the closes residences are about 1,000 feet away. Mr. Clement stated that the access along Conshohocken Road offers a sufficient traffic flow. Mr. Clement advised that the parking fields proposed are adequate. Mr. Clement stated that the applicant's engineer designed the ballfields for Germantown Academy, and that project turned out very well.

Mr. Clement advised that the Tornetta Family has always been a good neighbor to the community, and this project will continue that good neighborship. Mr. Clement stated that the passive use proposed will be healthy for the community. Mr. Clement advised that there is the need for multi use athletics. Mr. Clement stated that the project will generate new tax revenues and jobs for the Township.

Mr. Paul Tornetta, 1630 Sandy Hill Road, was sworn-in to testify.

Mr. Tornetta advised that he is Vice President and Managing Partner of Tee's Golf Center.

Mr. Tornetta advised that he agrees with the statements made by Mr. Clement.

Member Mattioni inquired about the three phases for the project. Mr. Tornetta advised that the first phase will be the two fields closes to the golf center with the concession building. Mr. Tornetta stated that the second phase will be an additional field and a fabric field which the applicant will partner with someone. Mr. Tornetta advised that an ice rink may be in the final phase.

Member Saring asked if the connector road would be for emergencies only. Mr. Tornetta advised that the iron bridge at the gas station on Conshohocken Road is due to close at this time next year. Mr. Tornetta stated that the Fire Marshal requested that this road be opened up so emergency vehicles can get to both residential and business properties.

Chairman Frangiosa asked if there will be any daily traffic on the connector road. Mr. Tornetta advised that the road will be posted as a private drive, however it will be

opened as an unofficial detour to the Township. Chairman Frangiosa commented that this will be a benefit to the community.

Mr. Conroy advised that Tee's Golf Center went in with 2 & 1/2 parking spaces per each driving range and batting cage. Mr. Conroy stated that parking requirements for the current proposal will probably be 4 & 1/2 parking spaces per every 1,000 square feet. Mr. Tornetta commented that currently at Tee's there are 60 to 75 parking spaces in the back that are never used. Mr. Clement advised that there are 35 reserve parking spaces.

There was testimony from the audience in favor of the application.

Mr. Robert Haines, 641 Elm Street, was sworn-in to testify.

Mr. Haines advised that he believes the applicant's plan is a good plan for the area in question. Mr. Haines stated that he supports the application.

The Board discussed and decided as follows:

PLYMOUTH INDUSTRIAL CENTER, INC.: Member Saring made a motion that the application be approved. Member Mattioni seconded the motion. Members Saring, Mattioni, Sassi, and Frangiosa voted in favor of the motion. The motion passed by the vote of 4-0.

The meeting was adjourned at 7:50 PM.

Respectfully Submitted,

  
Richard Clifford