

EDGMONT TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING MINUTES  
December 14, 2009

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Work Session – All members of the Planning Commission, municipal professionals, the Township Manager, and the Assistant to the Township Manager attended an advertised work session, which commenced at 6:30 p.m. Those in attendance generally discussed items on the agenda. No action was taken.

1. Open Meeting & Pledge of Allegiance: Mr. Miller called the meeting to order at 7:05 p.m. with the Pledge of Allegiance. In attendance were Chip Miller, Chairman; Joseph Raspa, Vice-Chairman; Robert Bristol, Member; Randy Bates, Member; Eleanor Tickner, Member; David Malman, Esq., Planning Commission Solicitor; Michael Conrad, P.E., Township Engineer; Edward Theurkauf, Township Land Planner; Samantha Reiner, Township Manager; and Christopher Bashore, Assistant to the Township Manager. There were 6 guests.
2. Public Comment: There was no public comment at this time.
3. Approve Agenda: Mr. Bates made a motion to approve the agenda for the December regular meeting of the Planning Commission. Mr. Bristol seconded the motion. There was no further discussion and the motion approving the agenda passed unanimously.
4. Meeting Minutes:
  - November 16, 2009: Mr. Raspa made a motion to approve the minutes from the November 16, 2009 meeting of the Planning Commission. Mrs. Tickner seconded the motion. Mr. Bates abstained due to his absence from the meeting. There was no further discussion and the motion approving the minutes passed with four (4) “Yes” votes and one (1) abstention.
5. Manager’s Report: Mrs. Reiner read her report onto the record, highlighting that the 2010 Census questionnaire will be mailed to residents shortly.
6. Old Business:
  - a. 4949 West Chester Pike  
Conditional Use application  
2<sup>nd</sup> appearance  
Plans last revised: November 23, 2009  
Time clock: January 2, 2010

Present: Michael Lyons, Esq., Applicant’s Attorney  
Angelo Capuzzi, P.E., Applicant’s Engineer  
Rick Renzulli, Applicant’s Body Shop Manager  
Joseph Valerio, Auto body shop supplier  
Steve Videon, Land Owner/Applicant

Mr. Miller stated that this is the applicant’s second appearance before the Planning Commission for this use. The applicant has submitted a revised Conditional Use narrative, dated November 23, 2009, which outlines the existing and proposed uses on the property. The narrative notes that a body shop was located on the property from 1973 until 1983. Of an approximately 10,000 sq. ft. building, the proposed body shop use will

comprise about 4,280 sq. ft. A meeting was held on December 1, 2009 between the applicant and the Township. Notes from this meeting are available for review. The plans consist of one (1) sheet and are dated October 30, 2009, last revised November 23, 2009.

Mr. Capuzzi provided a revised Conditional Use narrative which outlined the facility's plumbing and the proposed paint storage area. The last revised dated on the narrative is December 7, 2009. Mr. Capuzzi presented a revised plan for the proposed use, with a last revised date of December 15, 2009. Mr. Capuzzi stated that there is an existing storage shed which will be relocated to the rear of the property. The paint booth will be located in the northwest corner of the building, with a paint storage room located next to it; the existing floor drain will be capped in order to prevent any paint materials from entering the drainage system. The existing wash bay will be relocated within the building and a strip drain will be installed to catch the wash water run-off. This waste is stored in a 3,000 gallon holding tank on the property, which is pumped by Ace Disposal on an as-needed basis. There is an existing dumpster on the site used for domestic waste. Mr. Malman asked if the sewer line had been removed from the plan. Mr. Capuzzi stated that it had been.

Mrs. Reiner asked what is currently stored in the shed and what it will be used for when it is relocated. Mr. Videon stated that it is used for the storage of used parts. Mrs. Reiner asked if they were contained. Mr. Videon stated that they were and the shed will be used for this type of storage in the future. Mrs. Reiner stated that the Township typically does not issue Shed Permits for commercial properties and asked how long the shed has been on the property. Mr. Videon stated that it has been there for one or two years. Mr. Videon noted that he had obtained a permit, that it was temporary, and that it was to be relocated once the new facility was completed. Mrs. Reiner asked if the shed could be removed. Mr. Videon stated that he would prefer not to remove the shed.

Mr. Lyons provided a document which outlined how the building would function, three (3) environmental scenarios, and how the facility would handle environmental issues. The scenarios were the repair of a damaged vehicle, oil changes, and washing/detailing of cars. Mr. Capuzzi stated that any hazardous materials would be collected and stored in a suitable container and then collected by a licensed hazardous waste hauler. Mr. Capuzzi stated that there are two stages in the 3,000 gallon holding tank on the site; the first stage allows any solid waste to settle to the bottom and the second stage allows for the flow of clean water. There is an audible alarm and a sight alarm that activate when the tank reaches 2,000 gallons. Mr. Miller asked about the floor drains in the shop and if there is an oil separator. Mr. Videon stated that there was not one.

Mrs. Reiner asked about fluid leaking from a wrecked vehicle and if a holding area for wrecked vehicles could be installed. Mr. Capuzzi stated that the applicant would take precautions to ensure that a vehicle would not leak. In the event that a vehicle is leaking, the applicant would use a pan or towels to collect leaking fluid. Mr. Miller suggested that a holding area with curbs or "pigs" be examined. Mr. Renzulli stated that a vehicle being towed in after an accident is very rare because they are usually impounded first and then examined by the insurance agency.

Discussion then turned to Township Fire Marshal's comment about the storage of waste and how it should be covered. Mr. Capuzzi asked if it was normal to provide cover for domestic waste. Mrs. Reiner stated that dumpster screening was an ordinance requirement. Mr. Videon stated that the dumpsters on the property have lids on them.

Discussion then turned to the Township Engineer's review dated December 10, 2009. Mr. Conrad asked how the delivery of vehicles would occur when a new dealership comes into the building. Mr. Capuzzi stated that deliveries would be made to the new facility on the adjacent property and then driven over to the old facility. Mr. Miller asked what assurance would be provided to the Township that this would occur. Mr. Malman stated that the Township could require that some kind of lease agreement or license be produced. Mr. Conrad reiterated that outside storage of materials should be covered.

Discussion then turned to the Township Land Planner's review dated December 9, 2009. Mr. Theurkauf stated that lighting should be brought into compliance. A lighting plan will need to be submitted and reviewed for compliance. Mr. Miller noted that it will most likely mirror the approved lighting at the new facility. Mr. Theurkauf stated that he reviewed the plan for the new dealership and recommends that the applicant install one (1) tree at the lower most corner of the parking lot of the subject property in order to be consistent with the new facility. Mrs. Reiner suggested that the applicant should not be allowed to use the lights at the new facility until they are found to be in compliance. Mr. Lyons stated that the lighting will be brought into compliance by July 1, 2010 per General Note #15 on the plan.

Mr. Miller asked when the applicant planned to have the new dealer in the facility. Mr. Videon stated that he was hoping to have the new franchise in by May. Mr. Miller noted that the Township's Zoning Ordinance requires that the building have sprinklers. Mr. Videon asked if a dry, chemical system would be appropriate. Mr. Miller stated that a chemical system is appropriate so long as it is safe and suppressed; the spray booth will need to have a fire suppression system in compliance with manufacturer specifications. Mr. Videon asked why the building would need to have sprinklers. Mr. Miller stated that it is required if 40% of the building is renovated or if there is public water available.

Mr. Raspa made a motion to recommend that the application for 4949 West Chester Pike, plans dated October 30, 2009 by Chester Valley Engineers, last revised November 23, 2009, proceed to the Board of Supervisors for a Conditional Use hearing with the following conditions:

- Compliance with the Yerkes Associates review dated December 10, 2009
- Compliance with the TCA review dated December 9, 2009;
- Compliance with the memorandum of Stuart Pollock, Township SEO, dated November 24, 2009;
- Compliance with the review of the Edgmont Township Fire Marshal dated November 30, 2009;
- Applicant agrees to provide public water and public sewer (when available) to the property, pursuant to section 2112.A.7. of the Edgmont Township Zoning Ordinance prior to the issuance of a Certificate of Occupancy for any new use or

occupancy of the building beyond the body shop and spray booth or by July 1, 2010, whichever occurs first;

- The applicant must enter into an Operation & Maintenance Agreement for the on-site septic system on the property
- Applicant must install a sprinkler system for the property pursuant to sections 1900.E.1 & 2. of the Edgmont Township Zoning Ordinance prior to a Certificate of Occupancy being issued for any new use or occupancy of the building beyond the body shop and spray booth;
- Applicant must address any and all lighting issues and make necessary improvements therein pursuant to the Edgmont Township Subdivision and Land Development Ordinance prior to the issuance of a Certificate of Occupancy for any new use or occupancy of the building beyond the body shop and spray booth or by July 1, 2010, whichever occurs first;
- Applicant must enter into an agreement with a third-party hazard waste disposal contractor to dispose of all waste that cannot be disposed of on site. Said agreement shall be provided to the Township prior to the issuance of a Certificate of Occupancy for the body shop and spray booth;
- Removal of existing white, wooden sign along West Chester Pike.

Mr. Bates seconded the motion. Discussion was then had regarding the addition of “rental agency” to bullets five, seven, eight, and nine of the motion. Mr. Raspa made a motion to amend his motion as follows:

- Applicant agrees to provide public water and public sewer (when available) to the property, pursuant to section 2112.A.7. of the Edgmont Township Zoning Ordinance prior to the issuance of a Certificate of Occupancy for any new use or occupancy of the building beyond the body shop, spray booth, and rental agency or by July 1, 2010, whichever occurs first;
- Applicant must install a sprinkler system for the property pursuant to sections 1900.E.1 & 2. of the Edgmont Township Zoning Ordinance prior to a Certificate of Occupancy being issued for any new use beyond the body shop, spray booth, and rental agency;
- Applicant must address any and all lighting issues and make necessary improvements therein pursuant to the Edgmont Township Subdivision and Land Development Ordinance prior to the issuance of a Certificate of Occupancy for any new use beyond the body shop, spray booth, and rental agency;
- Applicant must enter into an agreement with a third-party hazardous waste disposal contractor to dispose of all waste that cannot be disposed of on site. Said agreement shall be provided to the Township prior to the issuance of a Certificate of Occupancy for the body shop and spray booth.

Mr. Bates seconded the motion. There was no further discussion and the motion recommending that the Conditional Use application for 4949 West Chester Pike proceed to the Board of Supervisors for a Conditional Use hearing passed unanimously.

7. New Business: There were no New Business items to discuss.

8. Miscellaneous Discussion: There were no items to discuss.
9. Announcements:
  - a. The Board of Supervisors will meet on Wednesday, December 16, 2009 at 7:30 p.m. for their regular meeting, with a work session at 6:30 p.m.
  - b. The Board of Supervisors will meet at 5:00 p.m. on Monday, January 4, 2010 for their annual organizational meeting. All staff appointments will be made at this time. The Board of Supervisors will meet at 7:30 p.m. on Wednesday, January 20, 2010 for their regular meeting, with a work session at 6:30 p.m.
  - c. The Planning Commission will meet on Monday, January 25, 2010 at 7:00 p.m. for their regular meeting, with a work session at 6:30 p.m.
  - d. The Zoning Hearing Board will not meet in December as no applications were received. If any applications are received, the next scheduled meeting is on Tuesday, January 26, 2010 at 7:00 p.m.
10. Adjournment: At 7:45 p.m., Mr. Bristol made a motion to adjourn the December meeting of the Planning Commission. Mr. Bates seconded the motion. There was no further discussion and the motion to adjourn the meeting passed unanimously.

Respectfully submitted,

Samantha Reiner, Recording Secretary  
Township Manager

Chip Miller, Chairman  
Planning Commission