



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
Colleen Leonard, President
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Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

ZONING NOTICE

SEPTEMBER 29, 2020 ZONING HEARING BOARD MEETING TO OCCUR VIA REMOTE MEANS

ZONING HEARING Z-2020-03

NOTICE IS HEREBY given that the Conshohocken Zoning Hearing Board will conduct a public hearing on September 29th at 7:00 p.m. prevailing time via remote means. The public is encouraged to participate as set forth below.

This meeting will be held using a Go-To-Meeting Platform. To the extent possible, members of the Conshohocken Zoning Hearing Board and Borough staff/professionals will participate via both video and audio. (INSTRUCTIONS ON SECOND PAGE)

At this time, the Conshohocken Zoning Hearing Board will hear testimony and accept evidence on the following request.

PETITIONER: Southeastern Pennsylvania Transportation Authority
1234 Market St., 5th Floor Philadelphia, PA 19103

PREMISES INVOLVED: 2 Oak St, Conshohocken, PA 19428
(intersection of Oak St. and Railroad Right-of-Way)
Specially Planned District 1, Specially Planned District 3, Floodplain
Conservation District

OWNER OF RECORD: Southeastern Pennsylvania Transportation Authority
1234 Market St., 5th Floor Philadelphia, PA 19103

The Petitioner is requesting variances from the following code sections: §27-1713 and §27-1714 to permit the construction of a train station use in the Floodplain Conservation District; §27-1609.1.B, §27-1609.1.C, and §27-1609.1.D regarding parking lot buffering and landscaping; §27-821.E regarding light mounting heights; §27-2007.I regarding access ways from an abutting street; and §27-2007 regarding parking space widths.

Persons who wish to become parties to the application must notify the Borough of their intent to ask for party status at least five (5) days prior to the scheduled hearing by emailing the attached entry of appearance form to zoning@conshohockenpa.gov. Said persons must be available to participate in the zoning hearing on the scheduled date and time. It is noted that submitting the attached entry of appearance form does not guarantee that you will be granted party status. The Zoning Hearing Board decides who may participate in the hearing before it as a party, subject to Section 908(3) of the Municipalities Planning Code (MPC). The MPC permits party status to any person "affected" by the application. Having taxpayer status alone is not enough to claim party status; however, a person whose property or business abuts the property that is the subject of the appeal is affected and should qualify as a party. Ultimately, the ZHB makes the party status determination after reviewing the request.

Thank you,
Zoning Hearing Board

ZONING HEARING REMOTE SESSION ACCESS INSTRUCTIONS

The public is encouraged to participate as follows:

Audio Feed Participation: You may dial-in to access the audio feed of the meeting. All participants (whether listening or providing comments) must use this method of audio participation, even those using Go-To-Meeting to access the video feed. To access audio, please use the below number and access code/ password information.

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(669\) 224-3319](tel:+16692243319)

Access Code: 779-258-741

We ask that you please keep your phones on mute at all times, unless giving a public comment as set forth in the Public Comment section below.

Video Feed Participation: The public may access the video feed by using the link provided below.

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/779258741>

(Link is also the Borough of Conshohocken website: www.conshohockenpa.gov)

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/779258741>

If you have already downloaded the Go-To-Meeting application, the link will redirect you to the application itself. Please follow the instructions.

It is recommended that you download the application in advance of the meeting time. If you attempt to sign in prior to the start of the meeting, the Go-To-Meeting application will inform you that the meeting has not started. Please close the application and log back in at the time of the meeting (7:00 PM).

Public Comment: There will be a designated time on the agenda for public comment. Those with public comment shall state their name and address. Prior to the start of the meeting, you may submit written comments by e-mailing them to Bmyrsiades@conshohockenpa.gov. Similarly, during the meeting, you may submit written comments by e-mailing them to bmyrsiades@conshohockenpa.gov.

Public comments submitted in this manner will be read by a member of Borough Administration during the public comment period. Because the actual time of the public comment period is determined by the pace of the meeting, please submit all comments as soon as possible, whether before or during the meeting. Written comments shall include the submitting person's name, address, and property in question.

The Conshohocken Zoning Hearing Board thanks you in advance for your cooperation during the remote meeting. If you encounter problems participating during the meeting, or have questions regarding the above prior to the meeting, please contact the Borough at bmyrsiades@conshohockenpa.gov.

The Borough of Conshohocken Zoning Hearing Board
Entry of Appearance as a Party

I/We _____

Request to be granted party status in Application Z _____.

Applicant: _____

Please print name and address below:

Please Sign Below:

Please return form via mail or e-mail to the below:
(Entry must be received no later than Thursday September 24, 2020)

MAIL:
Borough of Conshohocken
Attn: Bobbi Jo Myrsiades
400 Fayette St. - Suite 200
Conshohocken, PA 19428

E-MAIL:
zoning@conshohockenpa.gov



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

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Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

MEMORANDUM

Stephanie Cecco
Borough Manager

Date: July 30, 2020
To: Stephanie Cecco, Brittany Rogers
From: Eric P. Johnson, PE, Zoning Officer
Re: SEPTA Train Station Improvements Zoning Determination

History of the Site:

SEPTA proposes to redevelop the regional rail train station, currently located at 10 Washington Street, with a new station located along the train tracks to the west of the existing station at 2 Oak Street. The site is located in the SP-1 – Specially Planned District 1, SP-3 – Specially Planned District 3, Floodplain Conservation District, and Zone AE Regulatory Floodway as defined by the FEMA Flood Insurance Rate Map (FIRM). The proposed regional rail station will include ADA accessible full-length high-level platforms, ticketing office with public restrooms, new passenger shelters, covered bicycle parking, reconfigured parking lot, sidewalks with connection to the Schuylkill River Trail, SEPTA Key equipment, passenger drop-off loop, landscaping, and stormwater management facilities. A new at-grade crossing is also proposed, extending Elm Avenue across the train tracks, providing direct access to the train station and Washington Avenue. The new train station development and subsequent redevelopment of the existing station property is occurring concurrently with the Land Development at 51 Washington Street and 101 Washington Street.

Current Request:

The applicant is seeking a variance from the following Zoning requirements:

- From §27-1713 to permit a train station use in the Floodplain Conservation District, whereas the use is not permitted.
- From §27-1714 to permit new construction in the Floodplain Conservation District, whereas new construction is prohibited.
- From §27-1609.1.B to permit a surface parking lot outer perimeter buffer less than 10 feet in width and with a reduced number of landscaping plantings.
- From §27-1609.1.C to permit parking lots without shade trees planted in islands of not less than 36 square feet.
- From §27-1609.1.D to permit parking areas closer than 10 feet from internal collector driveways, whereas a 10-foot wide landscaped area is required.
- From §27-821.E to permit light mounting heights of 24 feet, whereas a maximum of 15 feet is permitted.
- From §27-2007.I to permit more than one access way from an abutting street.
- From §27-2007 to permit parking spaces measuring 8.5 feet in width, whereas 9 feet is required.

Zoning Determination:

Train stations are a permitted use in the underlying SP-1 and SP-3 zoning districts; however construction of buildings, roads, parking lots, stormwater basins, and related site improvements are generally prohibited in the Flood Conservation District because of the risk of inundation of flood waters. The SEPTA train track right-of-way within the Borough is located entirely within the Floodplain Conservation District; therefore, a train station serving the Borough cannot be located outside of the Flood Conservation District.

Part 17, Article F of the Borough Zoning Code outlines the procedures and conditions for granting relief from the strict application of the Flood Conservation District requirements if an exceptional hardship is imposed by the requirements. When seeking a variance for development within Zone AE, the applicant must demonstrate any construction, development, use or activity, together with all other existing or anticipated development, will not increase the Base Flood Elevation more than one foot at any point. The applicant has submitted a Flood Study signed and sealed by a Professional Engineer indicating the proposed development, along with the soon to be constructed developments on adjoining properties, raises the Base Flood Elevation by less than 1-foot. After review of the Flood Study, additional technical supporting documentation has been requested from the applicant to supplement the Study; however, it is not anticipated the requested information will impact the findings of the Study.

When considering the variance application, the Zoning Hearing Board should consult Code Section 27-1722; and if a variance is granted, the technical provisions outlined in Code Section 17, Article G should be attached to the approval.

In addition, the applicant is seeking dimensional relief with regard to the proposed parking lot, access drives, landscaping, and lighting.

Section 27-1609.1.B requires the outer perimeter of all surface parking lots shall be buffered with a landscape area at least 10 feet in width and contain at least three 3.5-inch caliper trees and at least 30 ornamental/flowering shrub plantings per 100 linear feet. The provided plans do not indicate the required number of plantings along the parking lot perimeter. Additionally, the applicant is seeking to reduce the width of the buffer. A variance would be required for a reduced buffer width or reduced number of plantings.

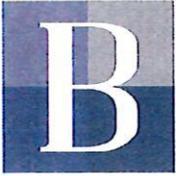
Section 27-1609.1.C requires parking lots to be intensively landscaped with a minimum of one 3.5-inch caliper shade tree, along with ornamental and flowering shrubs, for every 10 parking spaces, planted in islands containing a minimum of 36 square feet of planting area. The provided plan does not include any landscape islands in the parking lot; therefore a variance would be required.

Section 27-1609.1.D requires parking areas to be separated from internal collector drives by a landscaped area at least 10 feet in width. The applicant is proposing five parking spaces accessed directly from the passenger drop-off road adjacent to the train station and internal to the site; therefore, a variance is required.

Section 27-821.E requires all proposed lighting to be pedestrian-oriented, downward directed and shall have a mounting height not exceeding 15 feet. The applicant is proposing parking lot lighting mounted up to 24 feet in height; therefore, a variance is required.

Section 27-2007.I requires a property to have not more than one access way on each street on which the property abuts. The applicant proposes 2 one-way access drives from Washington Street serving the parking and passenger drop-off area adjacent to the train station; therefore a variance is required.

Section 27-2007 requires vehicle parking spaces to have a minimum width of 9 feet. The applicant proposes parking spaces measuring 8.5 feet in width, as is standard practice at SEPTA train stations but would require a variance.



BUCKLEY BRION
MCGUIRE & MORRIS LLP

MICHAEL S. GILL, ESQUIRE
p: 484.887.7534
f: 610.436.8305
e: gillm@buckleyllp.com
118 W. Market Street, Suite 300
West Chester, PA 19382-2928

January 30, 2020

VIA HAND DELIVERY

Borough of Conshohocken Zoning Hearing Board
Borough of Conshohocken
400 Fayette Street, Suite 200
Conshohocken, Pennsylvania 19428

Re: Southeastern Pennsylvania Transportation Authority
Conshohocken Station Improvements

Dear Members of the Borough of Conshohocken Zoning Hearing Board:

This Firm represents Southeastern Pennsylvania Transportation Authority (SEPTA) with regard to the above matter. On behalf of SEPTA, we enclose the following materials.

1. Borough of Conshohocken Zoning Application (the "Application").
2. Site Plan by SEPTA (together with an aerial photograph of the subject property and a version of that photograph with SEPTA's Site Plan superimposed thereon).
3. This Firm's Check No. 31458 in the amount of Five Hundred and 00/100 Dollars (\$500.00) as payment of the Application Fee with regard to the Application.¹

Kindly accept the enclosed materials pursuant to the Pennsylvania Municipalities Planning Code and the Borough Zoning Ordinance. Please, also, inform us of the date and time at which the Application will be considered.

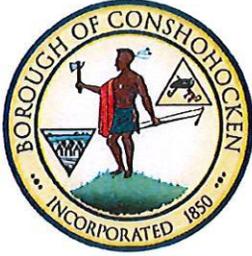
Very truly yours,

Michael S. Gill

MSG/mm
Enclosures

cc: Stephanie Cecco, Borough Manager (*via electronic mail, without enclosures*)
Michael P. Clarke, Esquire (*via electronic mail, without enclosures*)
Michael Peters, Esquire (*via electronic mail, without enclosures*)
Daniel Dwyer, Esquire (*via electronic mail, without enclosures*)
Alicia Nardo, P.E. (*via electronic mail, without enclosures*)

¹ As a matter of course, and due to the manner in which it receives and processes funds for capital projects, SEPTA does not post escrow funds for municipal review services. SEPTA, however, does have in place with the Borough of Conshohocken and Professional Services Agreement and will pay actual and reasonable review fees pursuant to that document.



BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Zoning Application

Application: Z-2020-03
Date Submitted: Feb. 2020
Date Received: Jan 31, 2020

1. Application is hereby made for:

- Special Exception Variance
- Appeal of the decision of the zoning officer
- Conditional Use approval Interpretation of the Zoning Ordinance
- Other _____

2. Section of the Zoning Ordinance from which relief is requested:

27-1413; 27-1414; 27-1609.1.D

3. Address of the property, which is the subject of the application:

2 Oak Street (Intersection of Oak Street and Railroad Right-of-Way)

4. Applicant's Name: Southeastern Pennsylvania Transportation Authority (Attn: Dan Dwyer, Esquire)

Address: 1234 Market Street, 5th Floor, Philadelphia, Pennsylvania 19103

Phone Number (daytime): 215.580.7496

E-mail Address: DDwyer@septa.org

5. Applicant is (check one): Legal Owner Equitable Owner ; Tenant

6. Property Owner: Southeastern Pennsylvania Transportation Authority

Address: 1234 Market Street, 5th Floor, Philadelphia, Pennsylvania 19103

Phone Number: 215.580.7496

E-mail Address: DDwyer@septa.org

7. Lot Dimensions: 1.88 +/- Acres. Zoning District: SP-1 / SP-3

8. Has there been previous zoning relief requested in connection with this Property?

Yes No If yes, please describe.

9. Please describe the present use of the property including any existing improvements and the dimensions of any structures on the property.

Parking associated with existing Conshohocken Train Station.

10. Please describe the proposed use of the property.

New Regional Rail passenger station.

11. Please describe proposal and improvements to the property in detail.

SEPTA will construct a new fully ADA accessible station and station access improvements at Conshohocken Station on the Manayunk/Norristown Regional Regional Rail Line. The new station will include: (A) full length high-level platforms; (B) passenger shelters; (C) accessible pathways, sidewalks and handrails/guardrails; (D) bike facilities; (E) additional roadway access to the station; (F) new signage and lighting; (G) stormwater management systems and (H) landscaping. SEPTA will also construct at-grade parking facilities.

12. Please describe the reasons the Applicant believes that the requested relief should be granted.

The existing Conshohocken Regional Rail passenger station consists of a trailer and at-grade parking facilities, is not fully ADA accessible, does not include passenger shelters, and is functionally obsolete. SEPTA will construct a new Regional Rail passenger station in order to address these, and other, deficiencies. Because the existing rail line is located entirely within the Flood Conservation District, SEPTA cannot construct the new Conshohocken Regional Rail passenger station in any location other than where proposed.

13. If a Variance is being requested, please describe the following:

a. The unique characteristics of the property: The property is located adjacent to SEPTA's existing Regional Rail tracks and infrastructure and entirely within the Flood Conservation District.

b. How the Zoning Ordinance unreasonably restricts development of the property:

Pursuant to Section 27-1713, train stations are not a permitted use within the Flood Conservation District. Pursuant to Section 27-1714, new construction is, generally, prohibited in the Flood Conservation District. Landscape buffer requirements (Section 27-1609.1.D) are also implicated.

c. How the proposal is consistent with the character of the surrounding neighborhood.

The location of the new Conshohocken Regional Rail station is adjacent to the location of the existing Conshohocken Regional Rail station and within the SP-1 Zoning District and SP-3 Zoning District, in which train stations are permitted by-right.

d. Why the requested relief is the minimum required to reasonably use the property; and why the proposal could not be less than what is proposed.

The scope and size of the new Conshohocken Regional Rail station will be designed and constructed to serve Passengers within the Borough and nearby communities. SEPTA will not construct a station which is larger than appropriate to serve its current and foreseeable customer needs.

14. The following section should be completed if the applicant is contesting the determination of the zoning officer.

a. Please indicate the section of the zoning ordinance that is the subject of the zoning officer's decision (attach any written correspondence relating to the determination).

Not Applicable.

b. Please explain in detail the reasons why you disagree with the zoning officer's determination.

Not Applicable.

15. If the Applicant is requesting any other type of relief, please complete the following section.

a. Type of relief that is being requested by the applicant.

Not Applicable.

b. Please indicate the section of the Zoning Ordinance related to the relief being requested.

Not Applicable.

c. Please describe in detail the reasons why the requested relief should be granted.

Not Applicable.

16. If the applicant is being represented by an attorney, please provide the following information.

a. Attorney's Name: Michael S. Gill, Esquire (Buckley, Brion, McGuire & Morris LLP)

b. Address: 118 West Market Street, Suite 300, West Chester, Pennsylvania 19382-2928

c. Phone Number: 610.436.4400

d. E-mail Address: gillm@buckleyllp.com

I/we hereby certify that to the best of my knowledge, all of the above statements contained in this Zoning Application and any papers or plans submitted with this application to the Borough of Conshohocken are true and correct.

Michael R. Paul (Counsel for Applicant Southeastern Pennsylvania Transportation Authority)
Applicant

Southeastern Pennsylvania Transportation Authority

Legal Owner

January 30, 2020

Date

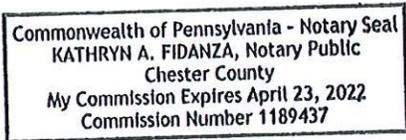
COMMONWEALTH OF PENNSYLVANIA

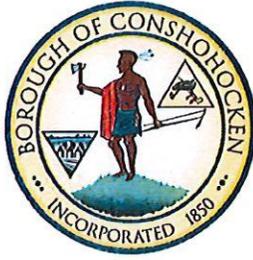
COUNTY OF MONTGOMERY

As subscribed and sworn to before me this 30th day of January, 2020.

Kathryn A. Fidanza
Notary Public

(Seal)





BOROUGH OF CONSHOHOCKEN
400 Fayette Street, Suite 200, Conshohocken, PA 19428
Phone (610) 828-1092 Fax (610) 828-0920

Decision

(For Borough Use Only)

Application Granted

Application Denied

MOTION:

CONDITIONS:

BY ORDER OF THE ZONING HEARING BOARD

	Yes	No
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

DATE OF ORDER: _____



BOROUGH OF CONSHOHOCKEN

Office of the Borough Manager

MAYOR
Yaniv Aronson

BOROUGH COUNCIL
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Tina Sokolowski, Vice-President
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Anita Barton, Member
James Griffin, Member
Jane Flanagan, Member
Karen Tutino, Member

Stephanie Cecco
Borough Manager

February 27, 2020

Michael S. Gill, Esquire
Buckley Brion McGuire & Morris LLP
118 W. Market Street, Suite 300
West Chester, PA 19382-2928

**RE: Variance Application
SEPTA Conshohocken Train Station Improvements**

Dear Mr. Gill:

Conshohocken Borough is in receipt of the Variance Application submitted by Southeastern Pennsylvania Transportation Authority (SEPTA) in connection with the proposed redevelopment of the Conshohocken Regional Rail Train Station. The application was received on January 31, 2020. SEPTA is seeking a variance from §27-1713 to permit a train station use in the Floodplain Conservation District; from §27-1714 to permit new construction in the Floodplain Conservation District; and from §27-1609.1.D requiring a 10-foot landscaped area between parking areas and internal collector drives.

Per §27-1718, an application seeking approval for any construction, development, use, or activity within the Floodplain Conservation District requires the submission of a study and supporting documentation evaluating the impact of the development, along with all other existing or anticipated development, on the Base Flood Elevation. The required study was not provided in the received Variance Application. On February 5, 2020, I spoke with Tamra Dann, PE, Director, SEPTA Project Compliance Department. Tamra indicated the required study was currently being prepared but was not ready for submission to Conshohocken for review.

To date, the Borough has not received the required studies and supporting documentation for the application to be reviewed and a Zoning Determination made. The Variance Application will be held until all required information as outlined in Part 17, Article F of the Borough Zoning Code is provided.

If you have any questions or concerns, please feel free to contact the undersigned.

Sincerely,

Eric P. Johnson, PE
Zoning Officer
PENNONI ASSOCIATES INC.

EPJ/epj

cc: Stephanie Cecco, Borough Manager (via email)
Michael P. Clarke, Esquire (via email)
Michael Peters, Esquire (via email)
Daniel Dwyer, Esquire, SEPTA (via email)
Alicia Nardo, PE SEPTA (via email)
Tamra Dann, PE, SEPTA (via email)



MICHAEL S. GILL, ESQUIRE
p: 484.887.7534
f: 610.436.8305
e: gillm@buckleyllp.com
118 W. Market Street, Suite 300
West Chester, PA 19382-2928

June 10, 2020

VIA ELECTRONIC MAIL

Borough of Conshohocken Zoning Hearing Board
c/o Brittany Rogers, Executive Assistant to the Borough Manager
Borough of Conshohocken
400 Fayette Street, Suite 200
Conshohocken, Pennsylvania 19428

Re: Southeastern Pennsylvania Transportation Authority
Conshohocken Station Improvements

Dear Members of the Borough of Conshohocken Zoning Hearing Board:

This Firm represents Southeastern Pennsylvania Transportation Authority (SEPTA) regarding the development of the new Conshohocken Regional Rail Station ("New Conshohocken Station"). On behalf of SEPTA, we respectfully amend the Application which SEPTA filed on January 30, 2020 (the "Application") to add the following variances to the relief which SEPTA is requesting.

1. Variance from Section 27-821.E. of the Zoning Ordinance to permit light poles measuring 24' in height instead of 15'.
2. Variance from Section 27-1609.1.B. of the Zoning Ordinance to permit the buffered landscape area at the outer perimeter of the subject property to measure 6' in width instead of 10'.
3. Variance from Section 27-1609.1.C. of the Zoning Ordinance to permit development of the New Conshohocken Station without planting islands measuring not less than 36² of planting area.
4. Variance from Section 27-2007.I. of the Zoning Ordinance to permit more than one accessway to an adjacent roadway.
5. Variance from Section 27-2007 of the Zoning Ordinance to permit parking spaces to measure 8.5' in width instead of 9'.



Borough of Conshohocken Zoning Hearing Board
c/o Brittany Rogers, Executive Assistant to the Borough Manager
Borough of Conshohocken
June 10, 2020
Page 2

Kindly inform us of the date and time at which the Zoning Hearing Board will consider the Application, as amended.

Thank you for your courtesies.

Very truly yours,

Michael S. Gill

Michael S. Gill

MSG/mm

cc: Michael P. Clarke, Esquire (*via electronic mail*)
Michael Peters, Esquire (*via electronic mail*)
Daniel Dwyer, Esquire (*via electronic mail*)
Alicia Nardo, P.E. (*via electronic mail*)