

At-A-Glance: Background Relating to Creekside Commons Development Plan

The following is background relating to the Creekside Commons development plan submitted by Highway Materials Inc. for the construction of a 500,000 square-foot office park on 54 acres at Corson Quarry Hole #1 on Stenton Ave.

- In 2002, the then Whitmarsh Township Board of Supervisors denied the Creekside Commons development plan.
- The developer appealed the Board's denial to the Montgomery County Court of Common Pleas.
- After several years of legal arguments, the court in July 2008 agreed with the developer and ordered the current Board to reconsider the plan under the zoning laws in place when the developer filed its plan in 2001.
- The Board appealed the decision to the Commonwealth Court, but the appeal was denied in February 2009. The Board was again ordered to reconsider the plan and review it for compliance with both land development and sanitary sewer requirements existing in 2001.
- By law, the Board must approve the preliminary plan if, upon review, it meets the applicable standards.
- Additionally, the developer recently filed a separate, but related complaint against the Township in federal court seeking damages as well as counsel fees. The court dismissed the suit. However, the developer has filed an appeal, which is expected to be heard in March.
- The developer also has filed a third suit against the Township in state court seeking damages related to the development dispute.
- The Board has scheduled a public hearing for Thursday, February 11, 2010 to provide community members a formal opportunity to ask questions and voice thoughts on the preliminary plan. The developer has been asked to attend the meeting.
- A preliminary plan is not a final plan. If a preliminary plan is approved, the developer will be required to obtain outside agency approvals including but not limited to approvals from PennDOT, the Pennsylvania Department of Environmental Protection and the Montgomery County Conservation District prior to final approval.