

**Planning Commission Meeting
MINUTES**

October 4, 2006

The meeting was called to order at 7:05 p.m. by Chairperson Barbara Lindtner and opened with the *Pledge of Allegiance*.

Members present were: Bobb Carson, Scott Douglas, Stefanie Campbell, Walt French, Pete Lamana and Barbara Lindtner. C. Robert Wynn, Township Engineer, and Terry Clemons, Township Solicitor, were also present. Absent: Jim Brownlow

Planning Commission Work Session

Barbara Lindtner suggested two Planning Commission meetings might be required in November because of the number and complexity of potential plans on the November 1 agenda. A determination will be made later in the month after the agenda items are confirmed as to whether a second meeting will be held on November 16.

Scott Douglas mentioned that the EAC had been asked to review a forestry logging plan on a property that has a Conservation Easement on it. Scott feels that a decision must be made about what we are trying to accomplish on these conserved properties. From the Planning Commission perspective, he feels we often look at the conservation easements as a method of deed restricting a property from further subdivision. Scott feels we need to think deeper about the purpose for conserving parcels. Are they serving as watersheds; are they serving as storm water runoff management areas; are they serving as agricultural? Scott feels that we need to come up with a specific plan for Conservation Easements, and that they should be serving a higher purpose than simply preventing further subdivision. In some situations, putting a Conservation Easement on an isolated piece of property may not be beneficial. However, if it is linked to a larger plan— infiltration or storm water management, for example—then it serves a dual purpose.

Both Terry Clemons and Scott Douglas will provide additional written comments on possible ways to address this issue for discussion at a later date.

Scott Douglas referred to a Public Notice in the Federal Registry by the Army Corp about riparian buffers and changes in their regulation of storm water management facilities that was emailed to members of the Planning Commission. Scott feels that it is important that Bob Wynn and Terry Clemons review this article. He feels that it has a direct bearing on issues our Township is working on. For one thing, the Corp has changed their definition of what protection different stream categories should receive. Ephemeral and intermittent streams would receive similar protection to what perennial streams now do. The other thing they said is that they reserve the right to review all storm water management facility plans, which could be very difficult for us in terms of having the federal government involved in another piece of the local

planning process. At this time, the Corps proposal is open for public comment, and Scott feels that at least our professional staff should comment on their proposal.

Approval of Minutes

Bobb Carson **moved** to approve as revised the minutes of the September 6, 2006, Planning Commission meeting. Scott Douglas **seconded**; motion **passed** unanimously.

Public Comments (Agenda Items)

Bart Fleishman, referring to the discussion about forestry, suggested the Township might want to contact the state of Vermont. Vermont has very concise rules about conservation and forestry issues.

Friendly Review

Bob Hill, owner of Village Center Gulf Automotive, Route 212, Springtown, Pennsylvania, presented a tentative plan to replace the sale of gasoline at his station with the sale of no more than 5 cars which he would display on his current station property. He would also retain his automotive repair business at the site.

He is suggesting this change because of sink holes near his station. He is concerned that there might be movement of the ground which would cause a rupture of the gas line to the tanks buried under his station. This would be particularly damaging because his property is near Cooks Creek and there is potential, should such a rupture occur, for gasoline to leak into Cooks Creek.

Mr. Hill also feels the proposed land use change will be a better fit for Springtown village. Additionally, it would cut down the number of vehicles exiting and entering onto Route 212 from his station daily.

He understands that he will need to go to the Zoning Hearing Board to obtain approval for this new, non-conforming use, but he would like the Planning Commission to submit a letter indicating their support of the proposed use change for his property. Barbara Lindtner asked the Members for a consensus as to whether they approved Mr. Hill's request. In concept, the Members are in agreement with the suggested use change; however, they would need to see an actual plan before they could approve the project itself. Barbara indicated that a letter would be given to the Zoning Hearing Board to that effect, with a copy to the Board of Supervisors, when his Zoning Hearing was scheduled.

Sketch Plan

Posh Sketch Plan #3 (Hottle Road) – Evan Pelligrino, Urwiler & Walter, Inc., presented for the applicant, Joseph Posh. This plan proposes 12 building lots with frontage on a public loop roadway accessing Hottle Road. Lot 1 is identified as the farmlot and is 23.6 acres. Lots 2 through 12 are 1+ acre lots. All lots are to be served by on-lot wells and sewage disposal systems.

Before discussion of the Township Engineer's review letter dated September 27, 2006, Barbara Lindtner asked for comments and/or questions from the Commission.

Walt French and Scott Douglas asked whether this plan was designed using the current zoning ordinance or the new ordinance being drafted. The engineer was not aware that a complete revision of the Zoning Ordinance was being done, and stated that this plan complies with the current Zoning Ordinance.

Bobb Carson pointed out that the new dwelling shown on Lot 1 is not permitted on a farmland lot, as noted on page 90, Section 512.E.4.b. of the Zoning Ordinance. He also noted that under the new ordinance, each lot will need to have two tested locations suitable for septic systems.

No action was taken on this plan.

Confirmed Appointments

McArdle Subdivision (Roundhouse Road) – Scott Mease, Mease Engineering, presented for the applicants Edward and Jane McArdle, who were also present.

This is a 51+ acre site proposed for subdivision into 4 lots. The existing home is located on Lot 1, which is 31.5 acres.

There was discussion about Item 1 of the Township Engineer's review letter as to whether the applicant was willing to deed restrict Lot 1 at this time. There is no willingness to deed restrict Lot 1; therefore, Barbara Lindtner prefers to see this plan redesigned to include a through road. This would eliminate the need for the flag lot now proposed for Lot 2.

Scott Mease initially wanted to discuss items 1, 3 and 7 of the Township Engineer's September 28, 2006, review letter. However, in light of the discussion of Item 1 of the review letter, items 3.B., C. and D. were not discussed at this time. Barbara Lindtner felt that until there was resolution about Item 1, the Commission was not ready to comment on any of the waiver requests.

Referring to Item 7.B., Scott Mease indicated that the applicant would like to request a waiver from storm water controls for the existing structures on Lot 1. Bobb Carson indicated he felt that storm water controls should be required for Lot 1.

Bobb Carson also asked for verification of the date at which the enclosed lot (TMP 42-20-27-1) was subdivided, as it does not appear on the township zoning map of 1990.

Scott Douglas asked if information was available about when replacement of the County bridge on Old Bethlehem Road would take place, as this property is now accessed off the old, one lane metal bridge. Karen Bedics indicated she had information from Representative Clymer that repair of the bridge is scheduled in late 2007. Scott is concerned about heavy use of the dangerous one-lane bridge.

No action was taken on this plan.

Josh Duke Minor Subdivision (Route 212/Old Bethlehem Road) – Todd Myers, Cowan Associates, Inc., presented for the applicant.

This is a 2-lot subdivision located on Old Bethlehem Road in Pleasant Valley. Josh Duke is the fiancé of Mr. and Mrs. Tim Olshevski's daughter, and they want to build a single dwelling on the rear portion of the Olshevski's property after their marriage. The front portion of the lot is in the Village Commercial District, and the back of the property is in the Agriculture District. A flag lot is proposed to access Lot 2 from Old Bethlehem Road. After the subdivision, Lot 1 will be slightly over 3 acres and Lot 2 will be 6+ acres.

In February, Olshevskis went before the Zoning Hearing Board and were successful in seeking relief to access Lot 2 via a flag through the Village Commercial District as well as relief for an existing shed that will remain on Lot 1. With the granting of the relief, Miss Olshevski as well as the property owners agreed that Lot 2 would be deed restricted from further subdivision.

Todd wants to bring before the Commission tonight comment #3 from the Township Engineer's review letter dated June 26, 2006. Referring to the Zoning Hearing Board decision which should be received soon, the decision should read that the applicants are reducing the driveway width to 8 feet with a 2 foot wide infiltration trench. They are proposing to put everything on the south property line to give the maximum amount of room between the edge of the drive and the existing trees that are along the common property line. There will be 13 feet to the 36 inch oak tree, which is the last tree. The average distance is between 13 to 15 feet, which the Zoning Hearing Board felt was adequate. The adjoining property owner testified at the Zoning Hearing that some of the trees were in bad shape; several of the maples are infested with carpenter ants and the 33 inch oak to the rear has a split in it.

Bobb Carson, commented on the waiver request in 4.A. of the Township Engineer's review letter relative to showing existing features within 100 feet of the tract boundaries. Although our engineer felt this waiver should be granted, Bobb would prefer to see these features on the plan in a smaller scale so that features such as houses, wells, septic systems, etc. within 100 feet of the tract boundaries can be seen. He also asked whether there would be any problem regarding driveway grading and was assured there would not be any.

No action was taken on this plan.

Bettler Minor Subdivision (Reed Lane) – Paul Dietz, Urwiler & Walter, Inc., presented for the applicant, John F. Bettler. A 2-lot subdivision is proposed for this property. A prior 3-lot submission of this plan was deemed incomplete by Bob Wynn's office because it did not show sufficient detail in terms of being able to access this property. They have now produced the record plans that show that access to the property is available, and in fact, there is a right-of-way that runs along the property. There was a discussion about the existence/limits of Reed Lane right-of-way, which Paul Dietz culminated by requesting whether or not the Township wanted Reed Lane to be a thru road. If the Township does not want the thru road, the applicant will put a cul-de-sac in to service the homes.

Barbara Lindtner feels the applicant get direction from the Supervisors of both Haycock and Springfield Townships as to whether they want Reed Lane to be a thru road. After that is determined, the Commission can discuss this plan further. Paul Dietz asked for a consensus from the Planning Commission about whether they feel Reed Lane should be a thru road in case the Supervisors request their opinion. Barbara Lindtner polled the Members and the results were:

Walt French	–	In favor of Reed Lane being a thru road
Stefanie Campbell	–	“
Barbara Lindtner	–	“
Bobb Carson	–	“
Scott Douglas	–	“
Pete Lamana	–	“

Barbara Lindtner directed that we send a recommendation to Springfield Township supervisors with a copy going to the supervisors of Haycock Township and to Paul Dietz to make Reed Lane a thru road (in regards to this plan). The applicant will go before the Board of Supervisors at their October 24 meeting.

Terry Clemons requested copies of whatever documentation Paul Dietz has that establishes his belief that Reed Lane is a public road.

No action was taken on this plan.

Plans to Accept for Review Only

The following plans were accepted for review:

- Carl Duke Minor Subdivision (Gruversville Road)
- Crossroads Subdivision (Locust Valley & Trolley Bridge Roads)
- Kramer Minor Subdivision (Deer Trail Road)

New Business

Rolling Hills Estates (Route 212 & Slifer Valley Road) – Eric Angle, geologist, DelVal Soil & Environmental Consultants, Inc., presented for the applicant. They are requesting approval of the hydrological testing program to get the proposed community water supply wells installed. They prepared a testing plan and submitted it to the Township for review by the Planning Commission in order to get approval to obtain the permits to begin the testing process.

Walt French questioned what plan submission this request is related to—the plan that has already been submitted or a plan that will be submitted. Eric Angle referred the Commission to the fold-out plan located in the rear of the Groundwater Monitoring Plan booklet each Member had been provided. Walt commented that the plan in the fold-out was not a plan that had been submitted to the Township. Terry Clemons felt that the applicant’s request was appropriate in that someone could come in without any plan being submitted at all and request permission to do a water resources impact study in order to prepare a plan. Bobb Carson added that it was his understanding that what was being requested was a hydro geologic study of the site and not of any particular plan.

Eric Angle indicated that three drilling permits had been obtained for the individual lot plan over a year ago. When the move was made to go to a community well system, it was submitted in March 2006 with wells in basically the same locations. The only thing is that if the test wells are put in, reamed out, tested, and everything looks good, it will limit what can be done because there are set-backs, etc. Eric then discussed transferring two of the three approved drilling permits to drill these two 6-inch test wells for potential production wells with Jeff Mease. After Jeff investigated further, he determined that a monitoring testing plan needed to be submitted to get approval to get the drilling permits to drill the wells.

Barbara Lindtner asked whether the 6-inch test wells could end up being the actual production wells for the site. Eric indicated that if the 6-inch test well results were positive, the production wells would most likely be at the test well locations. .

Bobb Carson asked what criteria were used for determining the location for the test wells. Eric replied that the sites were chosen after some fracture trace analyses were done on the tract and, secondly, to try to fit the plan layout. Bobb requested to see the aerial photographs and DeVal's interpretation of those photographs. In addition, Bobb asked whether Eric felt that the locations they selected could have a significant impact on surface waters. Eric advised that DeVal had a sanitary inspection done by PA DEP. They were fine with the sites and recommended testing to check out the wetland. Bobb asked, assuming that the wells are completed and go to production pumping and produce a cone of depression, what would happen to the wetlands. Eric replied that they do not know until they do the testing recommended by the PA DEP. Bobb asked when that testing will take place. Eric replied that he was under the impression that his appearance before the Commission at this meeting was primarily to discuss well network issues and not environmental issues. Bobb feels that the suggested placement of these wells will have maximum impact on the surface water. He feels that with all the land available, the wells could be located somewhere that would have a much lesser impact on Cooks Creek and/or wetland/stream that cuts through the property. Bobb further feels that DeVal needs to establish that the locations they are proposing are the only places on this 78 acre lot where a well can be completed that yields the production that is needed, or else other sites on the tract need to be proposed. He is concerned that because these wells are separated by only 75 – 100 feet, if both wells end up being pumped, the cone of depression will affect the other well. Also, both proposed wells are positioned next to a potential wetlands/stream location on the property, when there are acres of property that are not wetlands/stream locations where the wells could be placed. Unless DeVal can show that the joint pattern or the lithology of the Brunswick Formation in that area indicates that is the only place they can get production, Bobb would suggest they look for another location on the tract. In addition, Bobb feels if they are moved in towards the interior of the property, there will far less chance that neighboring properties will be affected.

Bobb Carson also had questions about how DeVal planned to interpret the data from the neighboring properties' wells they are proposing to monitor. Bobb feels that it will not be possible to accurately interpret records from wells which are being actively pumped by the neighbors, but rather, static wells would be better to monitor. He quoted the SALDO Section 408.5.E., which states that "sufficient numbers of monitoring wells shall be constructed, subject to the approval of the Township, to allow for the construction of hydrographs to show a record of well levels before, during and after the pumping tests." Bobb feels that DeVal needs to propose

a series of test wells that will be monitoring wells now and in the future, that will not be pumped, that lie on this property or near the perimeters of this property.

Walt French pointed out that no structures (which wells and sewers are considered to be) are permitted on the open space, but must be situated within the subdivision.

Barbara Lindtner concluded that a revised Groundwater Monitoring Plan will need to be submitted for review, keeping in mind the comments made relative to ordinance requirements at this meeting.

Several neighbors indicated they did not receive a letter requesting permission to monitor their wells. It was determined that each had been mailed a certified letter, but that the letters had not been claimed. These unclaimed notices are available from DeVal.

Joint Meet of the Planning Commission & Supervisors with Bucks County Planning Commission – This meeting will be held on October 31, 2006, at 7:00 p.m. The Commission noted that they were impressed with the thoroughness of the BCPC's review of our draft Zoning Ordinance. Scott Douglas will try to put together some information regarding a possible watershed overlay and watershed protection plan for the Members to review.

Old Business – None

Correspondence – None

Public Comments

Susan Dermody – She and another neighbor expressed concern about the Posh Sketch Plan reviewed tonight which proposed a subdivision on Hottle Road. Some areas of concern they identified were: destruction of trees, the danger of additional numbers of cars entering onto and traveling Hottle Road, and increased storm water issues in an area that already has problems. She was assured by the Commission that all of these issues would be carefully addressed as the plan progresses through the review process.

Karen Bedics – Karen asked for clarification about the speed limit on Hottle Road and possible site distance issues relating to the Posh Sketch Plan and possible subdivision.

Second, she asked who currently maintains Reed Lane. Bob Wynn stated that the responsibility is shared by Springfield and Haycock Townships. Karen feels this will be a question the Supervisors have when this comes before them. Bobb Carson said that routinely, roads that are in different townships are maintained to the township line by the appropriate township road crews.

Karen asked if she had heard correctly that each home in the Rolling Hills subdivision would use 8,400 gallons of water per day and was advised that was the figure given. (NOTE: This response was incorrect. The daily use per residence defined by the Springfield Township SALDO is 75 gpd per person and 3.5 persons per dwelling, or 263 gpd per dwelling. The 8,400 gpd figure is the designated consumption for the 32 proposed homes in this development (263 gpd times 32 dwellings).

Karen thanked Bobb Carson for addressing the wetlands issue as relating to the Rolling Hills subdivision.

Finally, Karen asked whether the Commission recommends when storm water plans come before them that natural storm water infiltration be used whenever possible. She was referring to the storm water plans on the Palumbo site which had recently come before the Supervisors. The Commission stated they do not normally review individual storm water plans. Bob Wynn indicated that we cannot impose requirements not supported by our current Storm Water Ordinance. It was noted that the Storm Water Ordinance needs to be reviewed and possibly revised.

Scott Douglas commented briefly on the work of the Regional Storm Water Subcommittee. The next meeting of the subcommittee will be held on October 23.

Patrice Ryan – Regarding a dwelling on a farmland lot, Patrice asked if there was agreement among the members that the home on a farmland lot could not be a new home, but was limited to an existing dwelling. She was assured the Members agreed that no new homes were permitted and that this would be clarified in the final draft of the Zoning Ordinance.

Planning Commission Comments

Pete Lamana – Pete Lamana presented each Member with a copy of a Morning Call letter to the editor from a Durham township resident entitled *Losing the Battle to Stop Suburban Sprawl*. Second, he encouraged the Members to review carefully the Delaware Valley Planning Commission booklet that is being circulated among them. Pete feels that this is an excellent edition and one of the most comprehensive publications that he has seen in a long time.

Pete asked Terry Clemons to comment about whether a person who bought deed restricted land 30 years ago upon which he could put one building could will a portion of that land to one of his children to build a home on. Specifically, could that child build a home on the inherited land they received? Terry stated that the child could not build a residence on a deed-restricted property.

Adjournment

At 10:00 p.m., Barbara Lindtner **moved** that the meeting be adjourned. Walt French **seconded**; the motion **passed** unanimously.

Respectfully submitted,

Sandra L. Everitt
Recording Secretary

Next meeting: November 1, 2006