

**Planning Commission Meeting  
MINUTES**

March 7, 2007

The meeting was called to order at 7:10 p.m. by Chairperson Barbara Lindtner and opened with the *Pledge of Allegiance*.

Members present: Bobb Carson, Walt French, Bruce Fritchman, Peter Lamana and Barbara Lindtner. Bob Wynn, Township Engineer, and Terry Clemons, Township Solicitor, were also present. (Absent: Stefanie Campbell, Scott Douglas)

**Planning Commission Work Session - None**

**Approval of Minutes**

Pete Lamana **moved** to table approval of the January 3, 2007, minutes, until work groups & project assignments are added. Barbara Lindtner **seconded**; the motion **passed** unanimously.

Barbara Lindtner **moved** to adopt the February 7, 2007, minutes as corrected by Bobb Carson. Pete Lamana **seconded**; the motion **passed** unanimously.

**Public Comments (Agenda Items)**

**Hans Reimann** commented on the Act 167 Stormwater issue, noting that DEP representatives had attended a recent EAC meeting. Barb Lindtner advised that Bob Wynn's report on this topic would be discussed under New Business during this meeting.

**Karen Bedics** spoke regarding the driveway at Karen's Furniture which was installed with low volume traffic anticipated. She wondered whether the anticipated new usages proposed for this property will increase the use above the low volume level for which it was designed. Bob Wynn indicated this will be covered during discussion of this plan later in the meeting.

**Patrice Ryan** requested an update on the status of Rolling Hills. Barb Lindtner advised that a discussion on Rolling Hills will take place at this meeting.

**Confirmed Appointments**

**Rolling Hills Subdivision – Route 212 & Slifer Valley Road** (applicant withdrew from agenda 3/6/07)  
Although Rolling Hills withdrew from this agenda, discussion on the plan was opened. The applicant has received and acted upon several Township Engineer review letters without having appeared before the Commission to discuss important plan issues. The applicant has indicated classifications for soils on the tract that are different than what the Township understands to be present on that site. Accurate soil determination for the tract is important and will affect how the site can be developed. Barbara Lindtner **moved** to request that the Supervisors authorize the Township's soil scientist to review and

validate the type(s) of soils present on the site. Pete Lamana **seconded**. Barbara Lindtner noted that this soil review could be billed to the applicant's escrow account and would not incur expense to the Township. Barbara called for the question. The motion **passed** unanimously.

Walt French expressed his ongoing concern that this applicant continues to correspond with the Township Engineer and/or Solicitor without permitting the Planning Commission and the Township residents to comment on the plan. Bob Wynn clarified that his office had not communicated directly with the applicant, other than in response to information that was forwarded to his office from the Township.

Terry Clemons stated that because of the significant number of design issues that require review by the Planning Commission, it is appropriate to advise the applicant that they will be placed on the April 4, 2007, agenda for dialog with the Planning Commission.

Rich Schilling noted that in January the Planning Commission strongly cautioned developers not to waste their time, or the Planning Commission's and the public's time, by coming before the Planning Commission with outstanding, unresolved review issues from Bob Wynn's letters. For that reason, caution is in order. However, in this instance, Rich agrees that Rolling Hills should be advised that their plan will be placed on the April 4 agenda.

Bruce Fritchman noted that Rolling Hills had received multiple extensions, and questioned if there was a limit as to how many extensions could be given. Terry Clemons noted that this process involved give and take between the Planning Commission and the developer.

Bruce feels Rolling Hills is an example of how developers are using the Township Engineer to help them design their plans. He noted that the Township Engineer had produced two lengthy review letters which resulted in revised plans for the project that had never received any comment from the Commission.

Terry Clemons noted that there are court decisions which state that municipalities are obligated to provide comments on plans and then permit the applicant to address those comments.

Bob Wynn recommended that the geology report presented with this plan be forwarded to the Township geologist, Kent Littlefield, of SAIC. Terry Clemons indicated that the Board would need to take action for that to take place. Bob Wynn indicated that this same process should also apply to the Summit Farms/Mandarino Subdivision.

Barbara Lindtner **moved** to recommend to the Board of Supervisors that a copy of the Carbonate Geology report for Rolling Hills and Summit Farms/Mandarino Subdivisions be forwarded to the Township geologist for review. Walt French **seconded**; the motion **passed** unanimously.

Barbara Lindtner **moved** to recommend to the Board of Supervisors to hire a soil consultant to review the report submitted by the applicant for Rolling Hills Subdivision. Walt French **seconded**; the motion **passed** unanimously.

Because of the multiple issues relating to the Rolling Hills plan which need to be reviewed by the Planning Commission, the Planning Commission requested that Terry Clemons send the applicant and

his representatives a letter advising them that their plan will be placed on the April 4 agenda for discussion.

**Karen's Furniture Waiver of Land Development (Route 309)** – Tom Cochrane, principal of the applicant, presented his own plan.

Referring to Bob Wynn's review letter of February 27, 2007, Mr. Cochrane indicated he will comply with all of the items listed in the review letter.

Tom indicated they met with PennDOT and were advised that the current permit allows 750 cars per day (through traffic) to access/exit his facility. He will submit verification from PennDOT which authorizes the level of use approved under the current permit. Tom indicated his business is currently under the E-12 designation. E-15 is the designation for a "high traffic" business (ie, CVS, WaWa, dry cleaner, Dunkin' Donuts, etc.). Tom indicated he will not include "high traffic" businesses as tenants for the expanded use of his property.

Regarding the wastewater system currently in place, Tom Cochrane indicated it was approved for 800 gallons a day. He metered the current use and it is approximately 10 gallons a day. He will submit documentation for the 800 gallons-per-day use. Tom indicated that a letter will be provided to the Bucks County Health Department stating he will not lease space in his facility to food businesses.

No action was taken on this plan pending submission of referenced information to the Township Engineer for review.

**Spear Land Development (Springfield Street)** – Scott Mease, Mease Engineering, presented for the applicant, Gerald Spear, who was also present.

This proposed land development is for construction of a 20,500 square-foot manufacturing building, a 5,600 square-foot detached pole barn/garage, a 25-space parking lot, and stormwater management facility. The tract is a 13.74 acre (gross) tract within the Planned Industrial Zoning District on Springfield Street.

Scott Mease indicated that requested changes were made to the plan regarding road improvements, road widening, curbs, trees and the stormwater basin. Following discussion about sidewalk installation and/or escrow for installing sidewalks at a later time, Walt French **moved** to recommend to the Board that preliminary plan approval be granted, conditional upon satisfactory completion of all items contained within the February 26, 2007, engineering review letter. With respect to Item 1.A. regarding installation of sidewalk along Springfield Street within the frontage of the site, the Planning Commission recommended that an escrow in the full amount of the cost of the sidewalk be established, and that an agreement be executed with the applicant to guarantee installation of the sidewalk when determined necessary by the Township, or, if sooner, at the discretion of the applicant. Bobb Carson **seconded**; the motion **passed** unanimously.

**McArdle Subdivision (Old Bethlehem Road)** – Ed Wild, Benner & Wild Attorneys, presented for the applicants Edward McArdle, who was also present.

Referring to Bob Wynn's February 28, 2007, review letter, Mr. Wild indicated the applicant will comply with Items 3 through 11. They wished to discuss Items 1 and 2 (Item 2 lists the waivers being requested).

Barbara Lindtner asked Bob Wynn if he was in agreement with the wetlands report submitted by the applicant; Bob indicated he was.

Because Lot 1 of this proposed subdivision can be further subdivided, the Planning Commission indicated they needed to review the current subdivision anticipating that future development will take place. Because of this, a through road would be required. Ed Wild indicated that three lots are currently proposed for this 18-acre tract. He feels that this through road requirement would accelerate development of Lot 1.

Following a lengthy discussion about design of this tract with future development in mind, Ed Wild requested that the Commission act on the waivers.

Barbara Lindtner **moved** that the waiver listed in 2.A. (403.2.A.) pertaining to plan scale be recommended for approval. Pete Lamana **seconded**; the motion **passed** unanimously.

Barbara Lindtner **moved** that the waiver listed in 2.B. (504.2.D.) pertaining to lot lines intersecting street lines at right angles from the street be recommended for approval. Walt French **seconded**; the motion **passed** unanimously.

Barbara Lindtner **moved** to recommend denial of the waiver listed in 2.C. (504.2.J.) pertaining to a residential lot access fronting on an arterial or collector street. Pete Lamana **seconded**; motion **passed** unanimously.

Barbara Lindtner **moved** to **table** further discussion on waivers listed in 2.D. and 2.E. Pete Lamana **seconded**; the motion **passed** unanimously.

Mr. Wild requested to be placed on the April 4 Planning Commission agenda.

**Prime Building Group (Cherry Road)** – Attorney Ed Wild, Benner and Wild, presented for the applicant, Gary Lucas (Prime Properties), who was also present. Kirk Clauss, Schlosser & Clauss Engineers, was also present.

This plan proposes 5 single-family dwelling units within the Village Residential Zoning District. Water is proposed from on-lot wells and all lots will be served by public sewer facilities provided by the Milford-Trumbauersville Area Sewer Authority (MTASA). A Homeowner's Association will be established.

Referring to Bob Wynn's October 19, 2006, review letter, Ed Wild indicated the applicant was requesting a waiver from Section 519.1B (Item 2, ¶ 2 of Bob Wynn's letter) pertaining to public water on lots under 1 acre. Bobb Carson asked Bob Wynn what impact granting of such a waiver would have. Bob Wynn indicated that a Water Resource Impact study prepared by DeVal Soil concluded that no adverse impact to the site or surrounding area is expected to occur.

Ed Wild indicated that a grinder pump was proposed to pump wastewater to the sewer main on Cherry Road. Bob Wynn added that the MTASA preferred gravity flow to the sewer main on Old Bethlehem Pike, but the adjacent property owner across whose land that line would have to run had refused permission.

There was discussion about a clear sight triangle at the intersection of the internal roadway and Cherry Road. Bob Wynn indicated a waiver request, in writing, will be required.

After additional discussion on the stormwater management plans for the subdivision, appropriate lighting (consistent to lighting already in place in the area of this development), the need for all requested waivers to be submitted in writing, etc., the applicant indicated that he would work on the items discussed and return in a month or two.

### **Plans to Accept for Review Only**

The following plans were accepted for review:

- 1. Bilger-Saver Lot-Line Adjustment (State Road)**
- 2. Cory Lot-Line Adjustment (Pleasant Hollow Road)**

### **New Business**

**Act 167 – Stormwater** – Bob Wynn reviewed with the Commission his March 1, 2007, letter regarding stormwater management, and specifically PADEP Best Management Practices Manual and Model Ordinance.

After a lengthy discussion, Barbara Lindtner **moved** to recommend to the Board of Supervisors that they authorize Bob Wynn to prepare a revision to the Stormwater Management Ordinance to include new policies and procedures of the PADEP Model Stormwater Management Ordinance, including provisions contained within the Stormwater Management Manual. Additionally, Bob will be asked to identify those areas of the Zoning and Subdivision Ordinances which may need revision to implement nonstructural and structural BMPs referenced in the Stormwater Management Manual. Bruce Fritchman **seconded**.

Hans Reimann suggested there might be a possible duplication of efforts, in that the EAC was working on a regional Stormwater Ordinance. After some discussion, Bobb Carson and Barbara Lindtner summarized their understanding was that what Bob Wynn was being authorized to do was an interim step to upgrade our existing Stormwater Ordinance so that it meets the criteria of the new best management practices. Following this process, the EAC project would tie the revised Ordinance into a larger, regional framework. The process Bob Wynn is charged with will take several months, while the project the EAC is working on will take several years. Bobb Carson suggested that it would be helpful if EAC could copy the Planning Commission on drafts, RFPs, etc., that they are working on regarding this issue. Conversely, if Bob Wynn is tasked to move forward, the EAC should be kept informed of his progress in revising the current Stormwater Ordinance.

Barbara Lindtner called for action. The motion **passed** unanimously.

### **Old Business – None**

## Correspondence - None

### Public Comments

**Ray Janus** provided the Commission with the website address for the DEP: [www.dep.state.pa.us](http://www.dep.state.pa.us).

**Hans Reimann** indicated that the Open Space Committee is working on a draft of the ranking criteria that will be used to rank parcels for being considered for preservation. He indicated that the Planning Commission's comments would be welcome when the draft is finalized. Barbara Lindtner encouraged Hans to request to be on the agenda for a future work session to present the draft when it is completed.

**Rich Schilling** responded to earlier comments made about the length of time required to complete the revision of the Township's Zoning Ordinance. He stated that the average municipal Comprehensive Plan takes 2 ½ to 5 years to complete, and that the time required for our Zoning Ordinance revision is within the normal range.

### Planning Commission Comments - None

### Adjournment

At 10:35 pm, Barbara Lindtner **moved** that the meeting be adjourned. Bruce Fritchman **seconded**; the motion **passed** unanimously.

Respectfully submitted,

Sandra L. Everitt  
Recording Secretary

Next meeting: Wednesday, April 4, 2007