

**SPRINGFIELD TOWNSHIP, BUCKS COUNTY
PLANNING COMMISSION MEETING
MAY 5, 2004**

The meeting was called to order at 7:00 p.m. by Vice Chair Nancy Young with the Pledge of Allegiance. Members present were: Barbara Lindtner, Walter French, Barbara Schmoyer and Brad Schultz. Township Engineer Bob Wynn was present.

The members held a brief work session.

The meeting officially started at 7:05 p.m.

Minutes of April 7, 2004 Meeting

Walter French suggested a change to the minutes on page 3, second full paragraph change the word **approval** to **submission**. Barbara Schmoyer moved to approve the minutes as corrected. Seconded by Walter French. Vote was unanimous.

Action Required

Springtown Country Manor – Extension requires May 31, 2004 action. Bob Wynn stated the Township has not received revised plans and there is additional information needed regarding carbonate geology. According to a letter from Kent Littlefield, SAIC, dated March 31, 2004, additional testing is required.

Barbara Lindtner moved to recommend denial of the Springtown Country Manor Plan based on the outstanding issues listed in Wynn Associates letter dated July 1, 2003, and information required by SAIC unless the applicant offers an extension of time prior to the Board of Supervisors Meeting of May 11, 2004. Seconded by Brad Schultz. Vote was unanimous.

Evergreen Estates – Action Required by May 31, 2004.

Mr. Litzenberger is present and will discuss his plan later on the Agenda.

Cross Creek Minor Subdivision/Lot Line Adjustment - Richard Brooks, Ashley Development was present

Richard reminded the Planning Commission members this plan consolidates three previously approved lots into one building lot. The approved subdivision created three 10 acre parcels out of the 45 acre site. The lot line adjustment combined the three lots into one 33 acre lot.

Richard referred to a letter from Wynn Associates dated January 16, 2004. One of the items which the Township Engineer requires is a copy of the Zoning Hearing Board decision. This was heard in August. The Township will provide the copy to Mr. Wynn's office.

The other outstanding items from the January letter were discussed.

Barbara Lindtner moved to recommend Preliminary/Final approval for the Cross Creek Lot Line Adjustment conditioned upon the following items, as contained in the Wynn Associates letter dated January 16, 2004:

- A. A copy of the Written Decision from the Zoning Hearing Board must be submitted for review and verification that any conditions of approval required by the Zoning Hearing Board have been met.
- B. A note must be included on the plan specifying that Lot 1 will be deed restricted from further subdivision. Deed restriction must be noted on the record plan and a restricted covenant recorded in a manor satisfactory to the Township and Township Solicitor concurrent with final plan approval.
- C. All property monumentation must be installed and be certified in writing by the responsible surveyor prior to plan recordation. Additionally, legal descriptions for the revised lot areas and easements shown on the record plan must be accomplished in a manner satisfactory to the Township in conjunction with plan recordation.
- D. Development/Financial Security Agreement must be executed between the applicant and Township to guarantee installation of required improvements including but not limited to stormwater management facilities on Lot 1, driveway construction and stream crossing (between Drifting Drive to a location on the west side of the stream), and erosion and sediment control measures. An "Opinion of Cost", prepared by a registered professional engineer, must be submitted to the Township for review and agreement preparation.

Seconded by Barbara Schmoyer. Vote was unanimous. Barbara Lindtner commented this is the type of planning the members like to see.

FRIENDLY REVIEW

Verna Land – Automobile Sales Use – Land Development Waiver Request - Sketch Plan reviewed by Township Engineer. Todd Meyers, Cowan Associates was present.

Todd stated the property is located north of Bubba's on the west side of Route 309. The parcel is owned by Mary Creticos, who used the site as a Real Estate Office. Todd does not believe this project falls under Land Development and approached the planning commission at the April meeting to request a recommendation for a waiver.

Tim Fulmer suggested a formal sketch plan be presented for review by the Township Engineer to insure that all issues were addressed prior to recommending a waiver of land development.

Barbara Lindtner asked what Mr. Verna will gain if the Township agrees to waive land development. Todd Meyers replied he will be allowed to pave over stone lot. The applicant will have to complete Stormwater, and comply with PennDot and Zoning Regulations.

Walter French moved to recommend waiving Land Development for the Verna Automobile Sales Use conditioned upon the following items listed in Wynn Associates letter dated April 20, 2004:

- 1 The applicant must comply with all requirements of the Zoning Ordinance and Stormwater Management Ordinance, regardless whether the Township grants a waiver of land development.
- 2 In accordance with Sections 505.16, 506.4.A, 512, and 513 of the Land Development Ordinance, drainage improvements, cartway reconstruction/overlay, cartway widening, curb, and sidewalk must be installed along existing roadways within the frontage of the site. The “Zoning Analysis Plan” proposes installation of curb along Route 309 within the frontage of the site, in addition to driveway access improvements. Proposed improvements within the right-of-way of Route 309 must receive approval from PennDOT via issuance of a Highway Occupancy Permit, in accordance with Section 505.2 of the Land Development Ordinance. Additional design information relative to installation of curb, cartway widening, and drainage improvements should be submitted, as required by Section 403.10 of the Land Development Ordinance.

As discussed at the Planning Commission meeting held on May 5, 2004 the applicant’s design engineer advised that the applicant will remove the driveway access from Clay Avenue and establish that area as lawn.

3. In Accordance with Section 506.2.A, the ultimate right-of-way of Route 309 and Clay Avenue should be offered for dedication as an easement to the Township by plan notation, and be accepted by the Township to facilitate future roadway improvements, if desired by the Township.
4. In accordance with Section 515.1.A of the Land Development Ordinance, street trees must be installed along all existing roadways within the frontage of the site. Additionally, parking facilities must be landscaped in accordance with Sections 515.2 and Section 523.5 of the Land Development Ordinance.
5. Although the plan identifies paving for the entrance driveway and driveway on the north side of the existing dwelling, Section 523.6 of the Land Development Ordinance requires that access driveways and aisles be paved. As discussed at the Planning Commission meeting held on April 7, 2004, consideration should be given to paving the entire parking area (including vehicle display area) to improve efficiency of snow removal and to limit the potential for dust and other nuisances resulting from a stone parking lot.
6. A lighting plan should be submitted for review, to verify compliance with outdoor illumination requirements of Section 502 of the Zoning Ordinance, and lighting requirements of Section 526 of the Land Development Ordinance.

7. Written verification of approval for proposed erosion and sediment control measures to be implemented during construction activity should be received by the Bucks County Conservation District.
8. A water resources impact study in accordance with Section 408 of the Land Development Ordinance, will not be required in this case.
9. Township should receive certification from the Bucks County Department of Health relative to the adequacy of the existing sewage disposal facility on the site. In the event that the Bucks County Department of Health requires an upgrade of the system, Township should receive written verification of approval from Bucks County Department of Health relative to the system upgrade prior to zoning permit issuance.
10. Proposed development is a regulated activity in accordance with Section 104 of the Stormwater Management Ordinance. Therefore, the applicant must submit a stormwater management plan to verify compliance with performance principals of the Stormwater Management Ordinance, unless the application qualifies for an exemption of Stormwater Management Ordinance requirements as contained in Section 105.A. Compliance with Stormwater Management Ordinance requirements (or verification of compliance with exemption criteria) is required regardless of whether the application is deemed to require land development approval from Springfield Township.
11. In accordance with Section 503.H and I of the Zoning Ordinance, a 50 feet wide buffer yard is required where the commercial use is adjacent to noncommercial uses (which occurs along the boundary common with TMP #42-4-55). Plantings should be proposed in accordance with Section 503.1 within the required buffer yard, to provide a visual screen between the commercial use and the adjoining residential property.
12. The above comments are cursory only, and are based on limited information included on the Zoning Analysis Plan. In the event more detailed design information is submitted, additional comments may be raised.

Brad Schultz seconded the motion. Vote was unanimous.

William Glazier Subdivision - Sketch Plan – Kevin Kester, Van Cleef Engineering Associates, Attorney Mark Jonas, Eastburn and Gray.

Kevin Kester stated this property is located on Peppermint Valley Road. It consists of 37 acres and is zoned Agricultural. Mr. Glazier proposes to divide the property into two 18 acre parcels. He referred to Bob Wynn's letter dated April 27, 2004.

1. Access to the parcels is via a 50 feet wide lane to Peppermint Valley Road. The lane is to be divided between the two proposed lots so each lot contains a 25 feet wide access lane as required by the Zoning Ordinance. However, it appears that the flag lots are configured in non-compliance with Section 501.F.8. of the Zoning Ordinance. Specifically, flag lots shall not be permitted beyond the second tier as measured from the existing street line. The first tier shall consist of all those lots having the minimum lot width at the minimum building setback line measured from the street line. The first tier need not be on the same tract of land being subdivided.
2. A significant portion of the site is identified as 'FEMA Floodplain'. Driveway access to both dwelling locations will cross the identified floodplain area. Identification of floodplain area must be based upon field survey contours and in the event FEMA boundaries are not based upon floodplain studies and calculations, the 100-year flood must be determined by an onsite survey with supporting data and calculations. Verification of the floodplain boundary must be received with the submission of a formal plan.

Pursuant to Section 509.B.1.e. no structures, filling, piping, diverting, or stormwater detention shall be permitted within the floodplain except that roads, dams, culverts, bridges, storm sewer or sanitary sewer facilities may be located in the floodplain where approval is obtained from PADEP and Township by Special Exception, and other regulatory agencies.

3. Soils identified on the plan include Bowmansville silt loam which is a hydric soil and indicator of potential wetlands. Pursuant to Section 509.3 of the Zoning Ordinance, wetlands shall not be altered, regarded, developed, filled, piped, diverted, or built upon except that roads may cross wetlands where approval is obtained from the Township by Special Exception by the Zoning Hearing Board and PADEP, and where no other access to the property is available. The property owner/applicant shall identify wetlands and where encroachment is anticipated shall obtain the applicable State and Federal Permits. A site specific wetland delineation must be submitted pursuant to requirements of the Subdivision Ordinance. Additionally, a wetland margin shall extend to a depth of 75 feet beyond the wetland boundary pursuant to Section 509.B.3c. of the Zoning Ordinance.
4. Proposed dwellings will be served by on-lot sewage disposal systems. Planning Modules for sewage facilities must be submitted with the formal application and receive approval from the Bucks County Department of Health, Springfield Township, and PADEP.
5. Stormwater management for the proposed dwellings and driveways (any other proposed impervious surface) must be addressed in accordance with Section 516 of the Subdivision Ordinance and Springfield Township Stormwater Management Ordinance 121 adopted on September 10, 2002.

Walt French expressed concern about the creek and wetlands. He asked if the applicant intends to deed restrict the lots. Attorney Jonas replied Mr. Glazier does intend to deed restrict. He is creating two estate lots.

The applicant will have to appear before the Zoning Hearing Board to resolve the creek crossing. It was suggested that Mr. Kester prepare plans similar to what is required for a submission to the planning commission to the Zoning Hearing Board and request the Zoning Hearing Board to authorize the Township Engineer to review the plans and provide comments prior to the Zoning Hearing. Depending upon the outcome of the Zoning Hearing, the plans can then be submitted to the Township for review by the Planning Commission.

Evergreen Estates – Sam Litzenberger (John Gigliotti-Gigliotti Group, Inc.)

Sam was present to discuss a sketch plan of his property which shows a 1,500 foot cul-de-sac instead of the P-Loop which is the plan formally submitted to the Township.

Sam stated he and his wife Jane had lived in Springfield Township since 1977. Prior to that Sam resided in Durham Township, Jane in Riegelsville Borough. It was always the intention of the Litzenbergers to sell the property at Route 212 and Bodder Road at some point.

Sam discussed his tenure as a member of the Palisades School Board and his input in hiring Dr. Francis Barnes as Superintendent of Schools. Palisades has made great strides in education and as a result, people want to live in Springfield Township and send their children to Palisades Schools.

Sam expressed concern about a discussion that took place after the planning commission meeting in January. Apparently the Planning Commission was not in agreement with the Township Solicitor's letter stating the P-Loop was in compliance with Township ordinances. The members indicated they would approve a cul-de-sac not the P-Loop.

Although Sam felt the current plan complies, some planning commission members stated they could deny waivers customarily granted by the Township. Sam quoted from the Planning Commission Annual Report which contains statistics relative to waivers granted.

Sam stated a P-Loop is part of the Martin's estates plan. There are two lots in the middle and that plan was approved by the Township.

Since the January meeting Scott Mease and Sam met with Bob Wynn and Tim Fulmer to discuss the January review letter. It was agreed the issues could be resolved with work.

Walter French responded to Sam's references to the discussion that took place during the January meeting when Sam was not present regarding the P-Loop. Walt stated Scott Mease participated in the discussion. Walt has no objection to the P-Loop, however each of the planning commission members have different opinions. Walt is in the minority on the Board. Personal preferences defer to the majority opinion. Walt feels the four acres in the P could be a community park; 9 lots with a community park could be a solution.

There was discussion about combining lots to end up with a total of 7 or 8. Walt stated he does not believe anyone will go for a 1500 foot cul-de-sac. Cluster is also an option on the property.

Barbara Lindtner reminded Sam he came before the Planning First with a sketch plan and at that time some of the members said they would like to see what the property would look like with a cul-de-sac design. Nancy Young said she believes a cluster would be the best plan for this property.

John Gigliotti stated his company builds 25 to 40 homes each year in the \$650,000 to \$2,000,000. range. They are concerned about quality. They have completed projects in Bucks and Montgomery Counties, also Solebury and Buckingham.

John feels the township is correct to be concerned about 1,500 foot cul-de-sac for safety reasons. He referred to a plan which his company developed that had a P-Loop with a wet pond in the middle of the subdivision. John explained the P-Loop on Sam's plan is heavily buffered he feels trees and limited disturbance are a marketing benefit.

There was discussion about why a house that expensive would be placed on three acre lots. John explained they market to New York and New Jersey, relocating buyers. They prefer large homes on small lots. Nancy Young mentioned a cluster option which would be smaller lots with open space.

Sam stated the current plan complies with the Zoning Ordinance.

Public Comment

Bruce Fritchman stated if there is a disagreement about whether or not the plan complies to the ordinance, the remedy is to go to the Zoning Hearing Board for an interpretation of set backs in a P-Loop property. In this case, the Zoning Officer agrees with Sam. There is a letter from Solicitor McNamara however, the zoning officer did not take a stance.

Bruce has two major issues with the development of this property. One is the run off from the property. The second is water for the homes. More important that P-Loop vs. cul-de-sac is sufficient water.

Pat McGinnis – is concerned about the traffic on Bodder Road. He is also concerned about the water run-off.

Donald Lindsay owns 10 acres on Bodder Road and feels we need a buffer zone. Also the water problem must be studied.

Adele Millett is concerned about the affect the run-off may have on Haults Bridge Road. This road is in poor condition and will be made worse with the water coming from all over the place. Bruce Fritchman stated there was a 36 inch pipe in front of his house and this was not handling the water. He gave permission for a second 36 inch pipe to be installed on his property.

Bruce remembers a time in the late 1950's during an extended dry period several wells went dry in that area. John Gigliotti stated monitoring wells will be drilled. Bruce replied that won't help if there is not sufficient water after the fact.

Zoning Ordinance Re-Write –

The members reviewed the Draft Scope of Services for the re-write of the Zoning Ordinance. They agreed this covers the requirements to request professional services.

Barbara Lindtner moved to request the Supervisors to authorize advertising for a Request for Professional Services for the re-write of the Zoning Ordinance. Also, to authorize the members of the Planning Commission with the assistance of the Township Engineer to work on the Ordinance. Seconded by Nancy Young. Vote was unanimous.

PUBLIC COMMENT

Dennis Steskal – feels Mr. Litzenberger went on too long.

Carol Mease thanked Cross Creek for doing what was in the best interest of the Township with their lot line adjustment from three lots to one.

ADJOURNMENT

Brad Schultz moved to adjourn the meeting at 9:05 p.m. Seconded by Barbara Schmoyer. Vote was unanimous.

Respectfully Submitted

Barbara A. Smith
Secretary