

**Planning Commission Meeting
MINUTES**

May 7, 2008

The meeting was called to order at 7:00 p.m. by Chairperson Bobb Carson and opened with the *Pledge of Allegiance*.

Members present were: Bobb Carson, Scott Douglas, Robert Ritter, Bruce Fritchman, Barbara Lindtner and Volker Oakey.

Bob Wynn, Township Engineer; Terry Clemons, Township Solicitor; David Taylor, Zoning Officer and Heather Radick, Recording Secretary, were also present.

Approval of Minutes

Scott Douglas **moved** to approve the March 5, 2008 with Bobb Carson's revisions. Barbara Lindtner **seconded**; the motion **passed** unanimously.

Scott Douglas **moved** to approve the April 2, 2008 minutes with Bobb Carson's revisions. Barbara Lindtner **seconded**; the motion **passed** unanimously.

Public Comments (Agenda Items) – None

Sketch Plans

Bruno Estates - Stoney Garden Road – Applicant did not appear at meeting.

Baumer/Deininger Tract – Pullen Station Road - Susan Rice and Michael Tacconelli from Stout, Tacconelli & Associates; and Alan Zander, Keller Williams presented for the applicant. Susan Rice explained that the plan shows a 10.75 acre lot with 2+ acres in Haycock Township. They still do not have the required acreage to create a farmland lot in Springfield Township. Barbara Lindtner noted that they are proposing to create a flag lot, noting the plan shows no access to Lot 5. After some discussion, it was determined that there is no established road between Pullen Station Road and Molasses Way; it is an easement. Therefore the easement would not make the properties two separate tracts and could not be used as an access for subdivision. Sketch Plan 5's proposal meets the objectives of the ordinance but does not have frontage on the Pullen Station Road, creating a flag lot. Susan Rice noted that Haycock Township's Planning Commission would like to see "road" maintained as an easement and did not want to create a public road. Terry Clemons suggested that the applicants create a "farmland lot" in Springfield Township along the township line that is attached to and part of land in Haycock Township which has sufficient frontage on Pullen Station Road. In this configuration, a house could be built in Haycock and be the owner of the "farmland lot" in Springfield. A conservation easement would be placed on the 10 acres in Springfield Township, and no residence could be built on that property. The applicants will be submitting a preliminary plan using the Planning Commission's direction.

Baker - Route 412 & Route 212 -Scott Mease, Mease Engineering and Rick Swantek presented for the applicant, James C. Baker, who was also present. Scott Mease explained that the sketch plan shows a new layout that complies with the farmland lot and natural resources on the sight by removing 2 lots. Bobb Carson and Bruce Fritchman noted the location of a pond on the property that separates the eastern and western (L-shaped) portions of the farmland lot. Scott Mease stated the pond could be considered an agricultural feature. Bruce Fritchman suggested that the lots in the southwestern portion of the property be extended to the property boundary to eliminate the L-shaped tail on the farmland lot. To do this, the applicant would have to give up an equivalent amount of land on the eastern end of the development, but such a revision would result in a farmland lot that met the ordinance requirement for a regular shape that is configured to accommodate normal farming practices. Bobb Carson noted that the pond margin takes up all of the 200 feet width of the farmland lot at that location. Scott Mease expressed his opinion that the new ordinance only allows for 50 percent of woodland to be cleared, and trees cannot be

cleared for farming. Bobb Carson stated that the landowner can clear trees over time, but a developer cannot come in and log more than 50 percent of the property in order to develop it.

Barbara Lindtner felt that the proposed development is on a site that is too restrained. She stated that there are too many site constraints on the property with the natural resources, agricultural soils, and they may not be able to meet the new ordinance. She noted that the plan has not changed enough, and the applicant may have to give up a couple more lots.

Bobb Carson inquired about the other open space located in the upper (northwestern) portion of the property. He asked Scott Mease who would own and maintain the storm water protection structure. James C. Baker would be the owner of the open space. Bobb Carson referred to Point 2 of the April 17, 2008 Township Engineer's review letter. He suggested that the issue needs to be resolved in order to meet the requirements of the ordinance.

Bobb Carson referred to 3E of the April 17, 2008 Township Engineer's review letter. The applicant will send a revised carbonate geology report with the preliminary plan.

Bobb Carson referred to Point 5 of the April 17, 2008 Township Engineer's review letter regarding the narrow bridge. Scott Mease will be meeting with Bob Wynn regarding the bridge. Bob Wynn noted that ultimately PennDOT will have to be involved.

James C. Baker stated that a former dump on the site is in the process of being cleaned up, and Del Val Soils is to examine the site to make sure there are no chemical deposits left.

Confirmed Appointments

Joseph Minor Subdivision – Scott Mease presented for the applicant, Meril Joseph, who was also present. The proposal is for a lot line change that would add 0.6 acres to the single lot being subdivided from Meril Joseph's present property.

Terry Clemons explained that Meril Joseph is in process of applying for a conservation easement through Springfield Township. In recognition of that, the Board of Supervisors has approved a request of waivers of subdivision. Bob Wynn has prepared an estimate of the costs of the improvements that have been waived, which equals \$271,606. Terry explained that the applicant is to pay the Township the sum of \$271,000 in lieu of construction of improvements that are required by the subdivision ordinance, if the property has not acquired a conservation easement within 3 years of the date that the plan is recorded, unless extended by the Board. Meril Joseph stated that procuring an easement is a long process. She would like the opportunity for the easement to happen, stating that she needs a longer time frame than 3 years.

Meril Joseph will look at the estimate of improvements being waived, and will take Terry Clemons' proposal to a lawyer for review. Bobb Carson stated that unless the property is put in a conservation easement, the improvements will need to be made to subdivide the 3.6 acre lot. Terry Clemons is to negotiate an agreement on a longer time frame.

Barbara Lindtner **moved** to approve the lot line change as noted in the April 17, 2008 Township Engineer's review letter. Bruce Fritchman **seconded**; the motion **passed** unanimously.

The Land Group – Route 212 – The applicants sent a request to be removed from agenda on May 5, 2008. The Planning Commission discussed the process of applicants requesting removal from agendas.

Barbara Lindtner **moved** to add The Land Group to the June 4, 2008 Planning Commission meeting agenda and to have Terry Clemons write a letter requesting their attendance. Scott Douglas **seconded**; the motion **passed** unanimously.

W.C. Land Acquisitions Minor Subdivision – Cherry Road & Clay Avenue – Scott Mease presented for the applicants, Curt Weiss and David Clauser, who were also present. Scott Mease explained that they are proposing to divide the 7.65 acre property into 2 lots. Lot 1 is proposed to total 4.035 acres with an existing house. Lot 2 is proposed to total 2.984 acres and proposed for a single family detached dwelling.

Bobb Carson referred to one of the waivers listed in 3A of the April 21, 2008 Township Engineer's review letter. There was a lengthy discussion about stormwater management systems. The proposal is to have a stormwater management system on Lot 1, and no additional system is to be placed on Lot 1. A note is to be added to the plan stating that any additional impervious surface on Lot 1 would require a stormwater management system.

Scott Douglas **moved** to approve the waivers requested in section 3A of the April 21, 2008 Township Engineer's review letter regarding SALDO Section 504.2.D. Volker Oakey **seconded**; the motion **passed** unanimously.

Scott Douglas **moved** to approve the waivers requested in section 3B of the April 21, 2008 Township Engineer's review letter regarding SALDO Section 504.2.K. Bruce Fritchman **seconded**; the motion **passed** unanimously.

Bob Wynn stated that he is satisfied that the shoulder and swale do not need work. The applicants agreed to pay the \$4000 fee in lieu of road improvements for the new lot.

Barbara Lindtner **moved** to approve the waivers requested in section 3C of the April 21, 2008 Township Engineer's review letter regarding SALDO Sections 505.16, 506.4.A, 512 and 513. Scott Douglas **seconded**; the motion **passed** unanimously.

Scott Douglas **moved** to approve the waivers requested in section 3D of the April 21, 2008 Township Engineer's review letter regarding Stormwater Management Ordinance Section 305.C Barbara Lindtner **seconded**; the motion **passed** unanimously.

Scott Mease submitted the planning modules to the health department and they should be ready on May 8, 2008. The applicant is to come back with a solution for the sight distance problem regarding the speed limit posting. They will also return with the sewage planning modules. The plan was tabled until next month. An extension was granted until June 30, 2008.

Plans to Accept for Review Only – None

New Business

The Ridings – Monitoring Well – Al Reshetar inquired about being released from drilling a monitoring well, noting that wells in the Township are not currently monitored. When the subdivision plan was first submitted, the ordinance required that a monitoring well be installed. Bobb Carson explained that in the past, the Township has requested that monitoring wells need to be drilled in subdivisions of a certain size. He explained that the issue is whether a well is in place so it can be monitored. A monitoring well is currently required for subdivisions of 10 or more dwellings. The Township does not presently have a regular ongoing monitoring program for the wells, but in the future, there will be management and inspections of storm water facilities and most likely monitoring wells. He asked if the board felt that a well should be installed or would they accept a fee in lieu of improvements. The Planning Commission's consensus is that a monitoring well should be drilled and they will recommend that to the Board of Supervisors.

Barbara Lindtner **moved** that the Planning Commission send the Board of Supervisors their recommendation requiring that The Ridings install the monitoring well as approved on the specifications on their plan. Scott Douglas **seconded**; the motion **passed** unanimously.

Discussion about Parks & Recreation Board – Barbara Lindtner updated the Planning Commission about plans for the creation of a Parks & Recreation Board. She suggested putting a plan together to ask developers for fees to be set aside for the Parks and Recreation plan. In discussions with Terry Clemons it was concluded that as a municipality, a Township is entitled to assess a fee as long as there is a Parks & Recreation plan in place before the Township can accept land or fees for Parks and Recreation. Barbara feels the Township might be able to get a parks and recreation plan done for \$5000 to \$8000. The general consensus of the Planning Commission is to have one Planning Commission member be part of the group that will undertake formulation of a Parks and Recreation plan and will keep the Commission updated on what the Park and Recreation Board is doing.

Old Business

a. Actions Regarding Pending Plans – Bobb Carson moved to recommend denial of the plan submitted by Dushant Sharma Land Development in the absence of an extension granted by applicant before June 10, 2008 based on the issues raised in the July 16, 2007 Township Engineer’s review letter and the July 6, 2007 Bucks County Planning Commission letter, and to recommend denial of the plan submitted by Brinley Court Subdivision in the absence of an extension granted by the applicant before June 4, 2008 based on the issues raised in the September 5, 2007 Township Engineer’s review letter. Robert Ritter seconded; the motion passed unanimously.

Correspondence – None

Public Comment

Scott Mease expressed his concern with the definition of ephemeral streams regarding berms and if they are considered natural or man made. He is concerned with creating a site that will have ephemeral streams everywhere because storm water control devices will be determined as natural. He stated the need for specifics for determination of ephemeral or man made watercourses. Bobb Carson stated that Scott Mease’s concern is noted, and the issue will be taken up. Scott also expressed concern about buffers and berms affecting neighboring properties.

Planning Commission Comments & Project Reports

a. Sewage Facilities Plan – Lombardo Associates is working on gathering data for the GIS system from the Bucks County Planning Commission, but has been told that only data on microfiche can be provided. Rich Schilling is working with the Health Department and the County on this matter to see that digital data can be accessed.

b. Stormwater Ordinance- Bob Wynn is to copy Bruce Fritchman with any changes to the draft by the end of the month for the July work session.

c. Other Comments – Bobb Carson gave his report on the April 7, 2008 Zoning Hearing Board meeting regarding the Kukowski application. The decision allowed the steam crossing and positioning the septic tank within the water course margin. On the same date, the ZHB heard the Marter application and provided a decision that will allow building a house on Old Woods Road. Well and septic permits were issued previously and the special exception was granted. The ZHB allowed the removal of 3 trees greater then 20 inches in diameter.

There was a lengthy discussion on the definition of roads and tree cutting on agricultural land.

Planning Commission Work Session

CCW Overlay – Scott Douglas explained the stream definitions discussed previously and expressed the need to buffer natural watercourses in order to protect the exceptional value watershed. He is recommending revising the springs, seeps, bogs, ephemeral, and wetland definitions in the zoning ordinance. Scott feels that manmade storm water conveyance streams do not need a buffer because they should be maintained but natural streams should have a buffer. The discussion is to be continued during the upcoming work session.

Adjournment

At 11:20 p.m., Bobb Carson moved that the meeting be adjourned. Barbara Lindtner seconded; the motion passed unanimously.

Respectfully submitted,

Heather Radick
Recording Secretary

Next meeting: Wednesday, June 4, 2008