

**Planning Commission Meeting
MINUTES**

June 4, 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, and Volker Oakey. Bob Wynn, Township Engineer; Terry Clemons, Township Solicitor; David Taylor, Zoning Officer; Rich Schilling, Township Manager and Heather Radick, Recording Secretary, were also present.

Approval of Minutes

Pete Lamana **moved** to approve the May 7, 2008 with Bobb Carson's revisions. Scott Douglas **seconded**; the motion **passed** unanimously.

Public Comments (Agenda Items) –None

Sketch Plans

Confirmed Appointments

W.C. Land Acquisitions Minor Subdivision – Cherry Road & Clay Avenue – Scott Mease, Mease Engineering, presented for the applicants. Scott explained that the new driveway on Lot 2 has sight distance greater than required looking to the right and to the left, and greater than what is required for the advisory speed. Bob Wynn said that PennDOT's 85th percentile calculation will determine the speed limit.

In order to address Point 2 of the May 22, 2008 Township Engineer's review letter, Terry Clemons suggested that prior to recording the plan, the applicant perform a speed study to determine an appropriate speed limit. The applicant would also pay to the Township the cost to advertise and adopt an ordinance establishing the speed signage. If the PennDOT study comes back showing that the speed limit cannot be posted at the appropriate speed for the driveway location, the applicant will need to revise the plans in a matter to address the sight distance and reappear in front of the Planning Commission.

Scott Mease agreed with the procedure, and noted that all other items in the May 22, 2008 Township Engineer's letter are will complies.

Volker Oakey **moved** to grant conditional final approval based on all the items listed in the May 22, 2008 Township Engineer's review letter and on tonight's discussion and Terry Clemons' explanation of the speed limit posting procedure that was agreed to. Robert Ritter **seconded**; the motion **passed** unanimously.

The Land Group – Route 212 – Craig Edwards, Edwards & Litman; Kevin Fruck, Cornerstone Consulting Engineers & Architectural, Inc; and Jeff Marshall, Heritage Conservancy presented for the applicant, Donald Metzger, who was also present. Kevin Fruck presented the Commission with a yield plan in order to help determine how many lots can be obtained under the ordinance. Kevin explained that the 254.30 acre property, comprised of three tax map parcels, is proposed to be split into three sections listed as areas A through C. Area A, located at the parcel's south side, proposes 22 lots and a farmland lot. Area B at the east side proposes 18 lots, and Area C which contains a house and barn, proposes 21 lots. All proposed lots are approximately 1 acre in size.

The boundary line between Areas A and C is proposed to be removed to make it a single parcel. Bobb Carson asked what is proposed for Area B, since it is a separate parcel, divided from the other parcels by PA Route 212, and

cannot be considered a part of Area C. Kevin Fruck disagreed, saying the ordinance allows a subdivision to have one major road in between parcels. Bobb Carson stated that the ordinance states that no lot can be subdivided or extend across a road. Bobb explained that because Area B is more than 10 acres a farmland lot will need to be established on that parcel. Craig Edwards asked if the Planning Commission considers a tax parcel under the definition of a lot. Bobb Carson responded no, and explained that a road runs through the 3 parcels, but Parcel B located east of Route 212 needs to be considered a separate parcel and have a farmland lot.

Bruce Fritchman stated that if the yield plan does not resemble or relate to the plan submitted in 2006, he feels the current plan would then be reviewed under the current ordinance. Terry Clemons explained that the term parcel is used when a property is separated by an arterial and is not easily developed as a whole and is deducted from the base site area. It will have an impact on the yield plan and layout of the subdivision.

Bobb Carson inquired about the total area of farmland lot that lies outside of the stream and wetland buffers. The applicant will provide that information with the next submission, along with the key to the soil types.

Kevin Fruck stated that Point 2A of the May 19, 2008 Township Engineer's letter is a "will comply". Bobb Carson expressed a concern with the shape of the farmland lot, noting that half of a strip of the proposed area is within a wetland margin. Kevin replied that it can be part of the open space property. The Township Engineer's review letter recommends relocating lots 14 through 20 in Area A to accomplish the required maximum protection of agricultural soils. Bobb Carson stated protecting the maximum amount of prime agricultural soils needs to be accomplished on a contiguous farmland lot. Craig Edwards stated that he feels they have met the requirements of the farmland lot in the ordinance. He stated they will move lots out of the protected agricultural soils, but will not drop lots on the plan so as not to affect density. Bobb Carson said that lots may have to be dropped in order to meet the requirements of the ordinance. Terry Clemons noted that Lot 22 includes soils of statewide importance.

Bobb Carson referred to Point 2C of the May 19, 2008 Township Engineer's review letter. Bobb noted that Lot 22 cannot be further subdivided and there will be deed restrictions placed on all lots. The applicant agreed.

Kevin Fruck stated that the wetland delineations still need to be legally described, then sent to the Army Corps of Engineers.

Karen Bedics asked Donald Metzger if the soil conservation study on his property has been completed. Donald Metzger replied that it has not been done yet, and he is looking at grants to do the conservation study. Terry Clemons suggested that the Planning Commission explore the conservation easement potential of the property. Jeff Marshall explained that the Heritage Conservancy works as an intermediary with the township and property owners to preserve as much of a property as possible while developing a portion of it. After a lengthy discussion, it was suggested that the discussion go forward with the Board of Supervisors and possibly a member from the Planning Commission. Terry Clemons and Craig Edwards are to draw up a letter of understanding stating that Mr. Metzger is pursuing the preservation options and during that period it would not be considered a lack of due diligence regarding the currently submitted plan, and Mr. Metzger would also not sue the Township if the Township turns down the subdivision plan. Rich Schilling will speak to the Board of Supervisors on how to proceed.

Plans to Accept for Review Only – None

New Business – None

Old Business - Actions Regarding Pending Plans

Scott Douglas **moved** to recommend denial of the Cohen and Walbridge plans if no action is received by June 17, 2008. Pete Lamana **seconded**; Bruce Fritchman **abstained**; the motion **carried**.

Correspondence – None

Public Comment

Jim Herman, who recently purchased 40 acres on Hottle Road, inquired about being on the agenda.

Planning Commission Comments & Project Reports

- a. Sewage Facilities Plan – Bobb Carson has not heard from Pio Lombardo of Lombardo Associates regarding receiving mapping information from the Bucks County Planning Commission. Mr. Lombardo has sent letter to the Bucks County Planning Commission.
- b. Stormwater Ordinance – Bob Wynn gave Bruce Fritchman a copy of the ordinance and it is planned for discussion during the July work session meeting.
- c. CCW Overlay – Scott Douglas should be prepared to have a discussion during the June work session, and plans to send out information to Planning Commission members 3 to 4 days prior to the work session.
- d. Zoning hearing report – There was no meeting in March. A decision will be made regarding Kukowski application at the next zoning hearing board meeting.
- e. Comments/Discussion – The Commission will, for the foreseeable future, end the regular meetings at or before 10:30 p.m. To accomplish this, the chairman will limit the amount of time spent on plan presentations and discussion.

Pete Lamana stated that a Planning Commission member should not be part of the conservation easement discussion between the Supervisors and an applicant seeking to subdivide a property because the PC member may have an influence in one direction or another. Bobb Carson feels that at least one Planning Commission member should be part of the discussion when negotiation of a conservation easement is part of a subdivision process. Otherwise, a negotiated plan comes to the Planning Commission largely as a “done deal” that does not allow the normal discussion regarding plan revision and optimization. Bruce Fritchman stated that a Planning Commission member would be familiar with the ordinance and could help steer the applicant in the right direction. The Commission will be looking to the Supervisors and the Township Manager to define a process to discuss conservation easements that are part of a subdivision.

Planning Commission Work Session

A. Geographic Information System needs – Bobb Carson stated that GIS needs to be incorporated into the Township planning process (and, perhaps, for road and police work as well). Initial GIS data sets (including tax parcels, roads, topography, and environmental data) will be provided to the township as part of the Sewage Facilities Plan that is currently being developed by Lombardo Associates, Inc. He suggested that the Township should begin to think about how it might effectively use this information. One or more township employees will need to be trained to access and manipulate the data and the Township will have to decide how to provide GIS information to the public. Bobb feels by 2009, when the GIS data sets prepared for the Sewage Facility Plan are complete the Township should be ready to utilize them. Since 2009 budgetary requests are to be considered by late this summer, we need to consider both hardware and software needs. Scott Douglas suggested that we contact Bill Brokaw at the Heritage Conservancy for advice. Bob Wynn noted that Upper Saucon Township was particularly effective in presenting agenda and plans digitally at their PC meetings. Bobb Carson will investigate what others are doing and then will ask Rich Schilling to set up a joint work session with the Board of Supervisors later this summer.

Adjournment

At 10:00 p.m., Bobb Carson **moved** that the meeting be adjourned. Robert Ritter **seconded**; the motion **passed** unanimously.

Respectfully submitted,

Heather Radick
Recording Secretary

Next meeting: Wednesday, July 2, 2008