

Springfield Township, Bucks County

2320 Township Road · Quakertown, PA 18951

Planning Commission Meeting MINUTES

September 1, 2004

The meeting was called to order at 7:00 p.m. by Chairman Jim Brownlow. He opened with the *Pledge of Allegiance*.

Members present: Jim Brownlow, Walter French, Pete Lamana, Barbara Schmoyer, and Brad Schultz. Township Engineer Bob Wynn was present.

Pete Lamana **moved**, Walt French **seconded**, to adopt the minutes of the August 4, 2004, meeting as presented. The motion was **adopted**.

Friendly Review – Alan Keller / Salem Road Lot Line Adjustment: Alan Keller (1579 Salem Road) proposes to purchase one acre of property from Marcella Schaffer (1559 Salem Road) by way of a lot line adjustment. This one acre purchase would relax impervious surface restrictions on Mr. Keller's existing lot to permit construction of a small utility building. The area being added is 90% woods and he intends to remove only diseased trees as necessary. The construction would not be on the wooded, acquired acre. The members did not see any problem with the applicant's plan and he will obtain an engineer and proceed with their plans.

Sketch Plan – Lutz Minor Subdivision – West Cherry Road: Scott Mease, Mease Engineering, presented for applicants Mr. and Mrs. Chris Lutz. They have a 2-acre lot (VR District; adjacent to the Penn Meadows Subdivision in Zion Hill, on the Old Bethlehem Pike side.) They wish to divide the lot into two 1-acre lots. There are three lots between their property and Old Bethlehem Pike, each lot approximately 1 acre. Sidewalks front the Penn Meadows Subdivision and end just before their property. They want to know if they will need to put in side walks or a walking path in front of their property if their lot subdivision is submitted. If they would be required, it would require significant change to their front yard which is close to the road and has a rather steep slope going to the road.

Pete Lamana **moved** to table a decision about this until several of the members could visit the location and make a better determination on the sidewalk issue. Barbara Schmoyer **seconded** the motion; it **passed** unanimously.

Confirmed Appointments

Haney Major Subdivision, State Road - Scott Mease, Mease Engineering, presented for the applicants. The Haney 9+ acre property is located in the RR zoning district on State Road, where a 2-acre minimum is required for a building lot. The parent lot is "L" shaped and they wish to divide this tract into three lots with approximate sizes of 3 ½ acres (Lot 1), 2 ½ acres (Lot 2) and 3 acres (Lot 3). The existing home is on Lot 3.

It is the intention of the applicant to meet all storm water requirements. Mr. Mease stated that whether or not the waivers are granted will have a great impact on the development of this property. Brad Schultz **moved** to recommend approval of the waivers requested in Bob Wynn's August 4,

2004, review letter (listed in 1.A, B, C, D, and E), subject to the lot line being realigned between Lots 2 and 3 as suggested by Mr. Wynn in item 1.B. Pete Lamana **seconded**; the motion **passed** unanimously.

Newman Minor Subdivision, Harrow Road – Pete Lamana **moved** to table discussion on this subdivision plan until the outstanding conditions of the Newman lot line adjustment plan have been fully complied with and the plan has been recorded. Jim Brownlow **seconded**; the motion with 3 “yes” and 2 “no” votes.

Solomon Asser 3-lot Subdivision, Lehnenberg Road – Todd Myers, Cowan Associates, Inc., presented for the applicant. The plan has been revised to improve the lot line configuration as discussed at the August 4, 2004, Planning Commission meeting. This plan includes access to Lot 1 and 2 by a shared driveway centered on the common property boundary. Lot 3 will be consolidated with adjoining TMP #42-22-18-1.

Walt French **moved** to approve the waivers as described in Bob Wynn’s review letter dated August 23, 2004, under 3.A, B, C, D, E, and F, subject to the granting by applicant of right-of-way as an easement to the Township along the frontage of TMP 42-22-18-1 to permit future improvements if necessary. Pete Lamana **seconded**; the motion **passed** unanimously. An extension until December 15, 2004, was granted by Todd Myers for the applicant.

Cummings Subdivision – Scott Mease, Mease Engineering, presented for the applicant. This revised subdivision plan is for four 10+ acre lots (to be deed restricted from further subdivision) located at the intersection of Routes 412 and 212. Brad Schultz **moved** to recommend that the Supervisors grant preliminary approval of this plan contingent upon completion of all outstanding items contained within Township Engineer Bob Wynn’s review letter of August 23, 2004, and the August 31, 2004, correspondence from Kent Littlefield, Township Geologist. Walt French **seconded**; the motion passed unanimously. In addition, all waivers requested by the applicant were recommended for approval subject to conditions contained within items 3.A through F of the August 23, 2004, Township Engineer review letter.

Michael & Jacqueline Rossetti Lot Line Adjustment, Harrow Road – Jim Brownlow **moved** to recommend that the Supervisors deny the Michael Rossetti major subdivision originally submitted to the Township on September 10, 2003, unless we receive a letter from the applicant or his designate withdrawing that subdivision. Pete Lamana **seconded**; the motion **passed** unanimously. (A letter was received from Cowan Associates on 9/2/04 removing the major subdivision application and stating that the subdivision will be resubmitted as a new application after the Lot Line Adjustment Plan currently being reviewed by the Planning Commission receives preliminary/final approval from the Board of Supervisors.)

Todd Myers, Cowan Associates, Inc., presented for the applicant. This lot line adjustment for the 14+ acre site located on Route 412 would convey a part of the Rossetti property to the adjoining Popivchak tract.

Brad Schultz **moved** that the waivers requested in 2. A – D in the Township Engineer’s review letter of June 16, 2004, be granted; Barbara Schmoyer **seconded**; motion **passed** unanimously, with a note added that should further subdivision take place, the street improvements along Route 412 as outlined in Item 2.D, would need to take place.

Brad Schultz **moved** to recommend preliminary final approval subject to the completion of items 1, 3, 4, 5, and 6 outlined in the waiver requests in Bob Wynn's August 16, 2004, review letter. Pete Lamana **seconded**; motion **passed** unanimously.

At 8:50 p.m., Chairman Brownlow called for a 5-minute break. The meeting resumed at 8:55 p.m.

Solteck Equities 4-lot Subdivision, Winding Road – Dan Soliday and Paul Dietz, Urwiler & Walter, Inc., presented for the applicant. The tract is approximately 38 acres, with a proposed subdivision into 4 frontage lots on Winding Road and taking the rear 25 acres and putting them into a conservation easement so that there will be no further subdivision.

Paul Dietz presented a letter dated June 9, 2004, revised September 1, 2004, listing 7 waivers previously submitted and 3 just submitted the day of the meeting. The applicant will comply with all other issues outlined by the Township Engineer in his review letter of August 17, 2004, and requests that the ten waivers outlined in the September 1 letter be granted. Pete Lamana **moved** to grant the waivers requested in the June 9, 2004 (revised September 1, 2004), Urwiler letter subject to all the conditions pertaining to those waivers listed in Bob Wynn's review letter of August 17, 2004. Brad Schultz **seconded**; the motion **passed** unanimously.

Brad Schultz **moved** to recommend to the Supervisors that preliminary approval be granted to this subdivision, subject to compliance with conditions outlined in Bob Wynn's letter of August 17, 2004. Jim Brownlow **seconded**; the motion **passed** unanimously.

Valley Manor Nursing Home, Route 309 – Todd Myers of Cowan Associates presented for Valley Manor a land development waiver request for a proposed small addition to the rear of the existing building. Pete Lamana **moved** that a waiver from formal land development be recommended for approval. Brad Schultz **seconded**; the motion **passed** unanimously. It was noted that the approval was granted subject to compliance with Items 3, 4, 5, and 6 contained in the Township Engineer's review letter dated August 17, 2004.

Springtown Country Manor – Jim Brownlow **moved** to recommend denial of this subdivision application dated July 1, 2003, and December 10, 2003, unless the applicant grants an extension before next the September 14, 2004, Supervisors meeting. Brad Schultz **seconded**; the motion **passed** unanimously. The basis for the denial is the latest engineering review dated July 1, 2003, and the SAIC correspondence dated December 10, 2003.

Mondschein Lot Line Adjustment/Major Subdivision, Hottle Road/State Road/Route 212

Although Ted Koven of Urwiler & Walter, Inc., had requested to be on this agenda, this subdivision was not placed on the agenda for this meeting because a revised engineering review had not been prepared by Bob Wynn. In Bob's letter dated August 23, 2004, he noted that the Mondschein's had removed from consideration the lot line adjustment, which would have consolidated a large portion of the tract with adjoining lands of Paul and Melissa Mondschein. Due to this revision, the proposed subdivision is noncompliant with the Zoning Ordinance which requires that a subdivision of five or more lots must be on internal streets. Additionally, Lots 2 and 4 are configured as flag lots which are not permitted within the Development Zoning District. Because of these non-compliances with Zoning Ordinance requirements and because the issues outlined in his August 11, 2004, review letter remained relevant to the currently submitted plan, he did not prepare a revised engineering review.

The applicant and his representative, Ted Koven, Urwiler & Walter, Inc., requested that they be placed on the agenda and receive direction from the Planning Commission so that they could proceed with further planning. Their request was granted.

This is a proposed 5-lot subdivision in the Development Zoning District. The issues about which the applicant needs clarification are:

1. Will this be perceived as a 5-lot subdivision needing an internal road?
2. If it is not, then there is a second zoning issue of flag lots.

There was input from the members that this would be considered a 5-lot subdivision, and the applicant and his representative will review their submission with this consideration in view and come back at a later time with a revised submission.

New Business

The following two plans have been accepted by the Township and will be placed on the October 6 Planning Commission agenda as Confirmed Appointments:

1. Naceville Land Development
2. Thornton Land Development

Old Business

Chairman Brownlow advised that at their July 28, 2004, work session, the Planning Commission had selected the Urban Research & Development Corp. to recommend to the Supervisors to revise the Zoning Ordinances. This recommendation was made to the Supervisors, and the contract was awarded to Urban Research at the August 10, 2004, Supervisors meeting.

Correspondence

Zoning Board Letter re. Planning Commission Comments on Kendikian Property, Zion Hill –

A letter was received by each member of the Planning Commission asking for a confirmation of the accuracy of the portion of the minutes of the June 2, 2004, Planning Commission meeting covering the friendly review of the Kendikian Property, Zion Hill. It was noted that the June 2 minutes were correct and had been approved by the members. The Zoning Board also requested that the members share any additional comments that may not appear in the minutes, in particular, with respect to the impact of the original formation of the lot and Milford Township zoning requirements.

Pete Lamana **moved** to authorize Jim Brownlow, Chairman, to send the requested letter to the Zoning Board. Barbara Schmoyer **seconded**; the motion **passed** unanimously. Jim Brownlow dictated to the Planning Commission secretary the basic letter which she will further develop for his consideration. In the future, when an issue is discussed by the Planning Commission and it is forwarded to the Zoning Board for further action, a copy of the minutes will be made available for their use prior to the hearing date.

Nancy Young Letter – Nancy Young's husband has accepted a position in Alabama and they will be moving there sometime in the fall. Her resignation letter, effective August 31, 2004, was read. Although her resignation will be officially accepted by the Supervisors, it was suggested that we send Nancy a letter of thanks for her years of service to Springfield Township.

Penn Meadows/Robert & Barbara Schmoyer Subdivision – A letter from Attorney Robert Moffett, representing Robert and Barbara Schmoyer, was received today. It requests conveyance of an 18-foot wide access area from deeded open space in the Penn Meadows Sbudivision to the Schmoyers. There appears to be a right-of-way that was lost to the Schmoyers. He has asked that our Township Engineer review this and that his findings be referred to the Supervisors for a decision.

Public Comment

Bruce Fritchman thanked the members of the Planning Commission for their help with the Evergreen Estates. He expressed disappointment with the actions of the Board of Supervisors in granting preliminary approval and stated that he and the neighbors will be appealing in the courts the decision passed by the Supervisors.

He further stated that there is a perception in the Township that the residents are not welcome to have open discussion with the Planning Commission or the Board of Supervisors. They feel that the present environment is hostile and is an adversarial one which is not conducive to open expression. He suggested that the Township should send a form letter to adjacent property owners when a development is being considered. Mr. Fritchman had requested to be placed on the agenda for this meeting, but because Evergreen Estates was not being considered by the Planning Commission, he was told he could make his comments during the *Public Comment* portion of the meeting.

Mr. Fritchman again reviewed his concerns about Evergreen Estates, and its detrimental effect on Cooks Creek, an exceptional value stream.

As a follow up to Mr. Fritchman's concerns, Bob Wynn suggested that we add a *Public Comment* section to the agenda in the beginning after the approval of the minutes as well as at the end of the agenda. This will be done in the future.

There was a suggestion made that when the zoning ordinances are rewritten, consideration should be given to roads within a development.

Adjournment

At 10:55 p.m., Pete Lamana **moved** that the meeting be adjourned. Walt French **seconded**; the motion **passed** unanimously.

Respectfully submitted,

Sandra L. Everitt
Secretary

Next Meeting: October 6, 2004