

Springfield Township Planning Commission

Meeting Minutes January 4, 2017

Chairperson Bobb Carson called the meeting to order at 7:00 pm with Jay Fuggiti, Scott Douglas, Bruce Fritchman, Steve Smith and Karen Bedics present. Mr. Carson announced the resignation of Curtis Reiss.

**Reorganization**—Ms. Bedics assumed the duties of temporary chairperson and called for nominations. Motion by Karen Bedics, seconded by Steve Smith, to elect Bobb Carson as Chairperson for 2017. All in favor. Motion carries. Mr. Carson assumed the duties of Chairperson.

Motion by Scott Douglas, seconded by Bruce Fritchman, to elect Steve Smith as Vice Chairperson for 2017. All in favor. Motion carries.

Motion by Steve Smith, seconded by Karen Bedics, to elect Jay Fuggiti as Secretary for 2017. All in favor. Motion carries.

Motion by Scott Douglas, seconded by Steve Smith, to approve the December 7<sup>th</sup> minutes, correcting a typo in Mr. Douglas' name and correcting the density of poultry to read, "Minimum lot size of .25 acres for domestic poultry with a density of 20 poult/acre proportionate to lot size (ie. .75 acres = 15 poults)." All in favor. Motion carries.

**Eller variance application (TMP 42-9-58-2, 1488 Peppermint Rd)**—Mr. and Ms. Eller were present and were represented by Ed Wild, Esq. The applicant received an enforcement notice after applying for renewal of a home occupation permit in early 2016. The applicant owns and operates a paving/concrete/landscaping business, and was granted home occupation permits starting in 2009. The renewal was denied on the grounds the intensity of business activity no longer qualifies as a home occupation. As a separate matter, the enforcement notice cited added impervious coverage added to the lot without benefit of a stormwater permit as well as adding at least one building without the benefit of a permit. In December 2016 Mr. Wild amended the variance application to add a request to exceed the maximum impervious surface ratio on the lot. Mr. Wild stated the applicant was asking for a variance to be granted for a G3 Contractor Services use, and was willing to freeze the size of the operation at its current level and to comply with the stormwater permitting requirements. Mr. Eller acknowledged that one building was built without a permit and that the use had expanded over the years. He now has several pieces of equipment associated with the business on the lot. Mr. Eller stated that in 2001 he paved the drive after more than one complaint from the Township about gravel washing down onto Peppermint Road. The property is in the RP zoning district and is about 6 acres in size.

Motion by Bobb Carson, seconded by Steve Smith, to recommend the Board of Supervisors not object to the grant of a variance for a G3 use provided the applicant submit a land development plan and comply with the performance standards for G3 uses, that a stormwater management plan be part of the application, that no further expansion of the use be allowed, and that an appropriate mechanism to monitor compliance be established. All in favor. Motion carries.

**Ranson Fuel variance application (TMP 42-4-54-4, 1536 Route 309)**—The applicant was represented by Mike McGinnis, Esq and Scott Mill, RLA. The applicant presented a plan drawn by Van Cleef Engineering dated November 18, 2016. The plan was reviewed by the Township Engineer with a review letter dated

December 7, 2016. The lot contains an old structure in very poor condition, a freestanding sign advertising a defunct motor vehicle sales business and several hundred square feet of parking area that violates yard requirements. The lot is less than 1 acre and is non-conforming due to size for the HC Highway Commercial zoning district. The applicant has zoning permission to establish a D2 office for the fuel delivery business and park the fuel delivery trucks on the lot as H6 outside storage. The applicant intends to:

- Raze the existing building and construct a 2400 square foot building for truck parking with 300 square feet of office space.
- Reconfigure the access to Route 309 and establish access to Clay Avenue.
- Remove 867 square feet of impervious parking on the south side of the lot.
- Comply with buffer yard requirements on the south lot line, adjacent to the existing residential use.
- Create parking for 4-6 fuel delivery trucks and a similar number of employee vehicles.
- Ask to establish a 672 square foot billboard in the northeast corner of the lot.

Mr. Mill explained that when all yard setbacks, buffer yard and other offsets required by the ordinance are applied to the lot, a triangular shaped building envelope of approximately 480 square feet is all that's left. The applicant has cited the building and parking areas to minimize the impact on the lot to the south. The applicant needs 16 variances to implement the plan, of which 6 are unique to the request for a billboard. The applicant agreed to comply with the Township Engineer's comments #1-4 in the December 7<sup>th</sup> review letter and correct the ordinance citations.

The Planning Commission debated the advisability of having an access onto Clay Avenue. On the one hand the road is narrow and the Commission is concerned the fuel trucks (33,000 GVWR) will break down the edges of the road. On the other hand the Commission thought it preferable to have northbound fuel trucks enter Route 309 at the traffic signal at Cherry Road, necessitating travel via Clay.

Motion by Scott Douglas, seconded by Steve Smith, to recommend the Board of Supervisors support the dimensional variances required to establish the office building and parking configuration as depicted on the plan, with the condition the applicant provide a traffic study during land development to address the question of northbound egress onto Route 309. All in favor. Motion carries.

Motion by Scott Douglas, seconded by Steve Smith to recommend the Board of Supervisors oppose the variances needed to establish a billboard as depicted on the plan. All in favor. Motion carries.

**Livezey/Oakley special exception (TMP 42-4-84, Salem Road)**—The applicant was not present. The applicant seeks a special exception to build a single family detached dwelling on a lot nonconforming due to size in the RR Rural Residential district. Mr. Oakley applied for and received a special exception for the exact same purpose in 2006, however he didn't take any steps to implement the order. Section 1011 of the Zoning Ordinance terminates unimplemented zoning orders after 2 years.

Jay Fuggiti expressed concern over placement of the septic system so it didn't impact adjacent wells.

Motion by Scott Douglas, seconded by Karen Bedics, to recommend the Board of Supervisors take no position on the application. In favor—Bedics, Carson, Douglas, Fritchman, Smith. Opposed—Fuggiti. Motion carries.

**Timber Land Associates land development (TMP's 42-4-78, 79 & 79-1, corner of Springfield Street & Salem Road)**—The applicant was present and represented by Scott Mease, PE. The 3 parcels currently contain 2 single family detached dwellings and an accessory building in the PI Planned Industrial zoning district. The applicant proposes to combine the lots to create a single lot of 4.66 acres and establish a parking lot for vehicles. One single family dwelling and accessory building will be razed. The other single family dwelling (584 Springfield Street) will be converted to D2 office use. The applicant owns a transportation company that provides school buses to a nearby school district. The applicant will move the buses and refueling capability from their current location at Springfield Street and Route 309. The applicant's plan is dated December 14, 2016 and was reviewed by the Township Engineer in a letter dated December 22, 2016. Numbered comments refer to the review letter.

The applicant will comply or request waivers on item #2.A.(1), 2.B-2.E, 3, 4, 6-8, 10-16.

Item #2.A.(2)—the applicant requests that no capital contribution be required in-lieu of improvements along Salem Road.

Item #5—applicant will comply, but requested a site visit with the Township Engineer to determine the extent to which existing vegetation could count towards buffer requirements, and to identify which trees could be preserved during construction.

Item #9—the applicant agreed to close and cap the southernmost well and will comply with the remaining requirements.

The applicant distributed a revised waiver request letter dated January 4, 2017 for the Commission's recommendation.

The applicant agreed to provide a sign detail with the final plan.

Motion by Bobb Carson, seconded by Scott Douglas, to recommend the Board of Supervisors grant the waivers as requested in the applicant's January 4, 2017 letter, and not require a capital contribution in-lieu of improvements on Salem Road, but require a capital contribution in-lieu of sidewalks on Springfield Street. All in favor. Motion carries.

Motion by Scott Douglas, seconded by Karen Bedics, to recommend preliminary plan approval of the plan drawn by Scott Mease dated December 14, 2016, subject to the condition the applicant is granted waivers as requested and the final plan comports to the findings in the Township Engineer's review letter and these minutes. All in favor. Motion carries.

**Codification issues (404.A.1, A.5 and H5 animal regulations)**—The Commission discussed Version 3.1 dated December 26, 2016.

- Revise manure regulations for all 3 uses to read, "storage and application will comply with state law."

- Accept the Department of Agriculture's definition for Concentrated Animal Feeding Operations and rely on the DEP permitting process to regulate it.
- Create the distinction that all lots of less than 5 acres will be considered H.5 uses and subject to those regulations. All lots over 5 acres could be considered A.1 uses if otherwise meeting the criteria. A.5 uses will still require at least 25 acres.
- Group miniaturize horses with swine, goats and sheep for the purpose of determining animal density.

The meeting adjourned at 10:22 pm.

Respectfully submitted,



Michael J. Brown  
Township Manager