

**Planning Commission Meeting
MINUTES**

November 1, 2006

The meeting was called to order at 7:05 p.m. by Chairperson Barbara Lindtner and opened with the *Pledge of Allegiance*.

Members present were: Bobb Carson, Scott Douglas, Stefanie Campbell, Walt French, Pete Lamana and Barbara Lindtner. C. Robert Wynn, Township Engineer, and Terry Clemons, Township Solicitor, were also present. Absent: Jim Brownlow

Planning Commission Work Session

There was a discussion about the Zoning Ordinance revision currently in progress. It was determined that when the draft is received from Urban Research and Development, the meeting of November 16, 2006 will be used to resolve outstanding policy issues that remain and a determination will be made about whether a second meeting will be required on November 30, 2006, to send the Ordinance forward to Bucks County Planning Commission and the Supervisors. Barbara Lindtner **moved** that if the draft received from URDC is not in the format the Planning Commission agreed upon, and/or if we are not in favor of proceeding further with URDC, that we conclude our services with URDC and ask the BCPC for their assistance in completing the document. Scott Douglas **seconded** the motion; the motion **passed** unanimously.

Approval of Minutes

Pete Lamana **moved** to approve as amended (by Barbara Lindtner and Bobb Carson) the minutes of the October 4, 2006, Planning Commission meeting. Barbara Lindtner **seconded**; motion **passed** unanimously.

Public Comments (Agenda Items)

Donald Litman agreed to hold his comments relating to the Zoning Ordinance Draft Revision until the Old Business section later in the meeting.

Confirmed Appointments

Thornwood/Hermo Subdivision (Quarry Road) – Scott Mease, Mease Engineering, presented for the applicant Ray Hermo. Most of the comments from the October 5 Township Engineer review letter have been addressed in the final plan submitted. The remaining outstanding items pertaining to agreements, posting escrow for security, etc., will be taken care of when final approval is granted.

The planning module was delayed because of issues (bog turtles) requiring the U.S. Fish Wildlife to come and make a site visit. Their inspection cleared the problem up and Mr. Mease anticipates the planning module should come through in about a week.

Mr. Hermo agreed to place a note on the plan indicating it is deed restricted from future subdivision. He also agreed to pay \$6,000 in lieu of waived improvements.

No action was taken on this plan.

Sartori Subdivision (Hunter Road/Route 412) – Scott Mease, Mease Engineering, presented for the applicants Donald and Marilee Sartori. This was submitted as a final plan; planning module approval from DEP has been received. Most of the outstanding items in the Township Engineer's review letter will be taken care of when final plan approval is granted.

It was noted that the June 5, 2006, Zoning Hearing Board decision granting a special exception to locate a driveway in a stream/watercourse margin on this site was received and is on file at the Township. Bobb Carson requested that the Planning Commission see a copy of the planning module for this and all submissions. Rich Schilling indicated that upon request, the Township copy of the planning module could be made available for review by any interested Planning Commission member. Planning modules are not something that can be copied because they involve large plans and often are very large, depending on site conditions of a subdivision and/or the size of the subdivision.

Scott Douglas is concerned that no particular body appears to be doing a technical review of the planning modules. Because of the DEP's assertion that the Township is responsible for septic issues, he feels it is vital that someone on the Township level ensure that the planning module is adequate. Rich Schilling asked, with the involvement of the Bucks County Health Department (which is currently the Township's designated Sewage Enforcement Officer), whether the Township could have as a consultant an independent geologist who specializes in wastewater treatment, review all the planning modules. Bob Wynn indicated that individual would need to be on site when the perc tests are being performed, standing by the Health Department representative who is there to do the same thing. Terry Clemons noted that some other townships in Bucks County do have their own SEO. Rich Schilling noted that if we do move in this direction, the Township would incur no costs, as the services would be billed to an escrow account. Terry Clemons suggested that it might be best to have our own SEO involved only when there are specific concerns raised by our engineer or the BCHD that would warrant this safeguard. Barbara Lindtner asked that further discussion of this issue be held for Planning Commission Comments at the close of this meeting.

Barbara Lindtner had some questions regarding the July 24, 2006, Township Engineer review letter. The applicant has agreed to make a contribution of \$6,000.00 in recognition of the waivers being granted from the requirements to construct sidewalks and roadway improvements. The applicant has also agreed to post 25 MPH speed limit signs along Hunter Road. Terry Clemons advised the Supervisors it would not be necessary to adopt an ordinance regarding the speed limit on Hunter Road. Regarding Item 3 of the July 24 review letter, Scott Mease advised that the notes on the plan to deed restrict will be changed to reflect no exception for lot line adjustments where no new lot is created. This change was not made on the final plan because it was submitted prior to the Planning Commission requesting the change.

It was noted that resolution of Items 3 and 10 of our Attorney's August 9 letter are of special importance to obtain final approval for this plan, although resolution of all enumerated items are important.

No action was taken on this plan until the items noted in Bob Wynn's July 24 review letter and Terry Clemons August 9, 2006, Conditional Preliminary Approval letter have been completed.

Carl Duke Subdivision (Gruversville Road) – Todd Myers, Cowan Associates, presented for the applicant Carl Duke, who was also present. This is part of the 20-acre Christopher Duke Subdivision which was presented in 2005. Since then, 5 acres were cut off the corner of the property near Wrecsics Road and Richlandtown Pike for Christopher Duke. Carl Duke now desires to essentially divide the remaining 15-acre tract into two lots. One lot has an existing house on 7 +/- acres and Lot #2 (slightly over 7 acres) which fronts on Gruversville Road will be for Carl Duke to build a new home.

Referring to Item 1 in Bob Wynn's October 25, 2006, review letter, Barbara Lindtner questioned whether this proposed subdivision would be creating a fifth lot, thus requiring an internal road. Todd Myers indicated that the deeds for TMP #42-9-144-1 and 144-2 indicate both were created prior to 1975 when Section 516 of the Zoning Ordinance was enacted, thus no internal road would be required. Todd will forward copies of these deeds to Bob Wynn for review.

Todd Myers particularly wanted to discuss the waivers outlined in Item 3.B. and C. of Bob Wynn's letter. Bobb Carson requested information on what appears within 100' of the proposed drain field and well shown on this plan. Todd Myers will provide that information. Mr Myers indicated that his client was not willing to deed restrict Lots 1 and 2 because they feel that the wetlands across Richlandtown Pike and the utility easement bisecting Lots 1 and 2 essentially will deed restrict the properties from further subdivision. Barbara Lindtner felt that Lot 1 might permit a further subdivision based upon location of the building on the lot.

Mr. Duke questioned why the Planning Commission wanted the deed restriction placed on Lot 1. Barbara Lindtner explained that if a future subdivision came in for this lot, an internal road would be required. It would just be good planning at this stage to design the property now to incorporate the through road unless the property is deed restricted.

Referring to item 3.D., Todd Myers stated Mr. Duke is willing to contribute \$3,000 to the Capital Improvement Fund for waivers of street improvements.

Regarding the remaining portions of the review letter, the applicant is willing to comply with the revisions as requested.

Bobb Carson questioned on Item 4 whether the wetland area of the lot had been verified, because the wetland area defined does not coincide with the hydric soils designation. A wetland report done by a professional was submitted to Bob Wynn for review as part of the Christopher Duke Subdivision which was deemed acceptable by the Township at that time. Scott Douglas had a copy of the current Wetland Report which he shared with Bobb Carson. Scott felt that the site field survey would be better to go with than soils in the state-wide soil survey. Bobb Carson agreed with that but is concerned because the hydric soil shown on the map and is not mentioned

in the report. Todd Myers will check with the individual who prepared the Wetland Report and provide that information when it is available.

Referring to the waiver request in 3.F. and G. regarding street trees and street lighting, Bob Wynn is comfortable that street trees and lighting are not warranted.

No action was taken on this plan.

Crossroads Subdivision (Locust Valley and Trolley Bridge Roads) – Scott Guidos, Van Cleef Engineering, presented for the applicant Pierre Corrado (Castle Development), who was also present. This project is in four townships and two counties, with six lots in Springfield Township. The applicant is requesting final conditional approval on this project pending resolution of some outstanding issues (with which the applicant will comply) as identified in Bob Wynn’s October 4, 2006, review letter.

Planning modules have been approved and are on file in the Township.

There will be a note on the final plan indicating that Lot 13 will be deed restricted from further subdivision.

Bob Wynn was comfortable with granting conditional final approval on this plan. Barbara Lindtner stated that the final plan presented to the Supervisors would need to include the note regarding deed restriction of Lot 13, and further, that granting of final approval by the Supervisors should only be made if that note was on the plan. Barbara Lindtner **moved** that a recommendation be made to the Supervisors to grant final conditional approval on the Crossroads Subdivision based upon completion of the outstanding items in the October 4, 2006, Township Engineer’s review letter and contingent upon a note appearing on the plan regarding deed restriction of Lot 13. Pete Lamana **seconded**; the motion **passed** with one abstention (Walt French).

Kramer Minor Subdivision (Deer Trail Road) – Scott Mease, Mease Engineering, presented for the applicant Leonard Kramer, who was also present. This is the first presentation of this 2-lot minor subdivision. The property is approximately 7¼ acres and is located on the east side of Deer Trail Road. Lot 1 will contain 3 acres and the existing dwelling with frontage on Deer Trail Road. Lot 2 is a proposed building lot containing 3.73 acres and is configured as a flag lot, with a 25-foot wide access pole to Deer Trail Road. Lots 1 and 2 will be served by a shared driveway common with adjoining lands of N/L Weinhold (TMP #42-9-72).

Scott Mease raised a question about the attenuation trench required by our Subdivision Ordinance. He feels that the number of trees that will need to be removed to put in the storm water accommodations is counterproductive. Although our Ordinance does require the storm water provision, Bob Wynn will review Scott Mease’s concerns. Scott Douglas added that he feels that infiltration on the site is the preferred method to dissipate storm water rather than collecting it.

Bobb Carson expressed concern that structures on the adjoining properties are not shown on the plan. He is concerned that should there be a failure of storm water provisions during a major storm, water not be directed toward adjacent property structures.

Barbara Lindtner asked a question about the trees within the vicinity of the existing driveway entrance and along the vicinity of the proposed shared driveway. Scott Mease indicated that large trees in the vicinity of the shared driveway will be shown on a future plan and will be protected during construction activity.

Bobb Carson asked about the nature of the wastewater disposal system on Lot 2 and was advised it was a proposed as a standard in-ground system. The planning modules are currently at the Department of Health.

The applicant has agreed to make a \$3,000.00 contribution to the Capital Improvement Fund for waived street improvements to Deer Trail Road. However, Bob Wynn feels improvements will be required at the site entrance relative to the shared driveway access/drainage.

No action was taken on any of the requested waivers or on the plan.

Karen's Furniture (Cochrane) Waiver of Land Development (Route 309) – Tom Cochrane, applicant, presented his request for waiver of land development . He rehearsed the history of the development of his property from 1992 to the present. In January 2005, Mr. and Mrs. Cochrane decided to reduce the size of their operation to one store on Route 309 in Quakertown. Therefore, he closed his other stores in Warminster, Voorhees, Emmaus and Colmar and consolidated stock back to the Quakertown store. Currently, he feels he no longer needs the entire Route 309 building. He would like to lease 16,000 sq. ft. to Pastor David Smith, Community Baptist Church, for approximately 3 years while his church goes through land development in preparation for building a permanent facility. Mr. Cochrane provided a letter outlining and elaborating upon this information, along with a copy of the original subdivision plan, for each Planning Commission member.

Mr. Cochrane met with Jeff Mease about how to proceed and he directed him to meet with the Planning Commission. The Members asked whether Bob Wynn had reviewed this waiver request and were advised that no fee had been submitted to the Township to cover an engineer's review and therefore, he had not been authorized to review the plan.

There were several concerns expressed by Planning Commission Members—sanitary facilities, adequate parking, etc.—about possible upgrades to the current facility to accommodate a place of worship.

Barbara Lindtner felt that it would be beneficial, both to the Members and to the applicant, for him to submit a fee to the Township for the Township Engineer to review the plan. This step might ultimately save the applicant money (preventing unnecessary upgrades to the property for stormwater, parking, etc.) and would ensure the Planning Commission Members that any changes required for a place of worship were identified.

Mr. Cochrane added that the church is anxious to find a temporary location where they can have full-time access of the facilities for the congregation as quickly as possible. They are currently meeting in the Upper Bucks Senior Center and have to tear the chairs down after every service and set up the facility for the Senior Center.

Walt French commended the applicant for his presentation and stated that although he is personally in favor of accommodating a place of worship in the Township, he wants to be assured that the facility is adequate (sanitary facilities, etc.) for a place of worship.

To hasten the process, Bob Wynn suggested the applicant could go directly to the Bucks County Health Department to get clarification about whether the septic system and well can handle the larger numbers anticipated with a place of worship. Barbara Lindtner feels that once the Township Engineer's review is done, the approval process should be fairly quick depending on what needs to be done to upgrade the facility.

No action was taken at this meeting and the applicant will provide an escrow fee to permit the Township Engineer to review the plan in preparation for it to be reviewed at the December 6 meeting.

Plans to Accept for Review Only - None

New Business

Barbara Lindtner **moved** that a recommendation be made to the Supervisors to deny McArdle Subdivision and Adler Land Development plans unless extensions are received by November 14, the date of the next Supervisors' meeting. Walt French **seconded** the motion; it **passed** unanimously.

Old Business

Joint Meeting of the Planning Commission & Supervisors with Bucks County Planning Commission – This meeting was held last evening, October 31, 2006, at 7:00 p.m. There was a productive discussion with Bucks County Planning Commission. The conclusion of the meeting was that some changes were being made to the draft Zoning Ordinance by Charlie Schmehl, Urban Research and Development. Another meeting is scheduled for November 16 with an additional possible meeting on November 30. If the changes made by URDC are not adequate, the Members plan to forward the document to Bucks County Planning Commission for their assistance in finishing up the process. The document will need to go to the BCPC anyway for the 45-day review period, so hopefully this will expedite the entire process.

There are also a number of policy and discussion items that need to be resolved at the November 16 meeting, not including other items that will be addressed later and will not be part of the Ordinance revision, but rather will be added as amendments to the Ordinance at a later time.

Scott Douglas and Terry Clemons are working on some definitions of perennial, intermittent and ephemeral streams. These need to be defined more clearly in the Zoning Ordinance as buffers are developed to protect them. Our current Zoning Ordinance does not adequately protect intermittent and ephemeral streams.

Barbara will forward to each Member the information she received from BCPC (via email) outlining what several municipalities are working on regarding this same issue.

Correspondence – None

Public Comments

Donald Litman – Mr. Litman discussed concerns about the proposed Zoning Ordinance changes. He provided a letter to the Members outlining his concerns, but basically, he is concerned that there is no central business district proposed as called for in the Comprehensive Plan. He feels that the Ordinance does not address areas of the Township that are very important to the future progress of the Township. A Central Business District was once put forth, but now it is not included. He feels this needs to be carefully considered. One of the important things he indicated needs to be recognized is that there are citizens within the Township with various physical and mental disabilities that need a Central Business District. These people cannot walk great distances to shop. The buffers required between parking and the shops are creating obstacles to those who are handicapped. These considerations are nowhere addressed in the current Zoning Ordinance or the proposed draft revision. Further, a Central Business District that is connected by mass transit allows people who cannot drive to do business and fill legitimate needs. A Central Business District allows people to live here and spend their money here. Instead of having a community where dollars leave the community, we would have a community where the dollars stay here and create jobs within the community. The economy of this community would be better served by having these considerations put into the Zoning Ordinance.

He also indicated there is nothing in the draft Zoning Ordinance about stations for bus service, rail service and/or airport service. Mass transit is an important element of progress and of the community. He feels the Central Business District along Route 309 should be addressed in the total Ordinance revision and not in later amendments that may not be consistent with other parts of the Ordinance.

He requested that his letter be appended to the minutes and that he be placed on the November 16 Zoning Ordinance Revision Meeting agenda for additional, more complete comments.

Barbara Lindtner thanked him for his comments. She indicated that the November 16 meeting (as well as all previous meetings held) are primarily for the Revision Team and are work sessions. Although the public is welcome and may contribute comments, the meeting needs to be focused on where the Ordinance draft currently is and what needs to be done to enable it to be passed forward to the BCPC. The Draft covers critical issues which affect Springfield as a community and which affect us on a monthly basis as plans come in for review. We need to be able to protect the resources and assets that Springfield Township has to offer. It is not productive at this time to hold back completion of the larger document in order to continue to look at new items which are exceptions to the existing draft and would take several additional meetings to work through. Barbara did assure him that the Central Business District would be looked at in the future.

Donald Metzger – Mr. Metzger asked why the Central Business District was eliminated from the Zoning Districts. Barbara Lindtner does not feel there was an overt decision to exclude it and that it is an issue that will be reviewed again for possible inclusion sometime in the future. Bobb Carson added that it has not been part of any prior Zoning Ordinance, and he feels they may be confusing the Zoning Ordinance Map with the Comprehensive Plan Map.

Planning Commission Comments

Barbara Lindtner brought up the discussion started earlier about the planning module procedure in place in the Township. Terry Clemons explained that the planning module segments come in at different times during the life of the subdivision. Bobb Carson is concerned that some Planning Commission Member should be taking a look at planning modules for various subdivisions.

Bob Wynn stated that the planning module procedure in place with BCDH and DEP now states that Township signatures are required early in the process, based on soil testing, prior to the design of the system and before the planning modules are ever approved by DEP.

Bobb Carson added that part of the problem is that the Township's Act 537 plan doesn't specify a sequence of preferred system options for on-lot systems. It does for community systems, which are virtually non-existent in the Township, but for on-lot systems it simply states "the preferred system is a septic system with subsurface disposal." It doesn't say that if conditions are inadequate for a standard septic system and drain field there is the following sequence that you need to work through to determine what type of system is to go on the lot. Bobb and his sub-committee are currently working on reviewing the Act 537 to recommend a possible revision to bring it up to date.

Barbara Lindtner **moved** that Bobb Carson be the representative of the Planning Commission to review planning modules when they are complete. Scott Douglas **seconded** the motion; it **passed** unanimously. Bobb accepted this assignment on a trial basis. Sandy Everitt, Planning Commission recording secretary, was asked to contact Bobb when the modules are complete enough to be reviewed. However, in all cases, planning module should be reviewed prior to recommending final plan approval to the Supervisors. It was determined that Bobb Carson would then be the Planning Commission representative to sign the planning modules.

Pete Lamana commented on the remarks made by Donald Litman. He feels that it is difficult to change the mindset of people in the community. He feels that people in the Township would question why we need a central business district when The Promenade and other business districts are located close to the Township.

Adjournment

At 9:48 p.m., Pete Lamana **moved** that the meeting be adjourned. Scott Douglass **seconded**; the motion **passed** unanimously.

Respectfully submitted,

Sandra L. Everitt
Recording Secretary

Next meeting: December 6, 2006