

**Planning Commission Meeting  
MINUTES**

June 6, 2007

The meeting was called to order at 7:12 p.m. by Chairperson Barbara Lindtner and opened with the *Pledge of Allegiance*.

Members present were: Bobb Carson, Scott Douglas, Walt French, Bruce Fritchman, Pete Lamana, and Barbara Lindtner. Absent: Stefanie Campbell.

Bob Wynn, Township Engineer; Terry Clemons, Township Solicitor; Rich Schilling, Township Manager; Heather Radick, Recording Secretary; and Sandy Everitt, Secretary/Treasurer, were also present.

**Planning Commission Work Session – None**

**Approval of Minutes**

Barbara Lindtner **moved** to approve the April 4, 2007, minutes. Scott Douglas **seconded**; the motion **passed** unanimously.

Barbara Lindtner **moved** to approve the May 2, 2007, minutes. Bobb Carson **seconded**; the motion **passed** unanimously.

**Public Comments (Agenda Items)**

**Patrice Ryan** offered to show the planning commission five photos of the Rapp property showing the water run off on the northeast corner of the property and onto her land. Barbara Lindtner accepted the photos for review and offered to send them on to the supervisors.

**Ray Bodnar** feels the Rolling Hills property is overdeveloped, with three road entrances coming out to Route 212, and wetland encroachment on lots 18 to 23 and 33 and 34. His major concern is a possible rupture of an 18 inch gas pipeline and the inability to stop the rupture. He feels the site could be developed in a place other than across the interstate line. He also noted that because the developer is asking for numerous waivers and revision of the Act 537, it shows that there is overdevelopment.

**Rich Schilling** noted the compelling information about the pipeline. He wanted to know where Ray Bodnar got the information on the pipelines. Ray Bodnar noted the website [www.ppliec.com](http://www.ppliec.com).

Rich Schilling wanted to know whether the website stated that once there is a rupture, the flow cannot be stopped. The latter point was unresolved.

**Confirmed Appointments**

**The Land Group (Metzger) Subdivision – Route 212** Kevin Fruck, Cornerstone Consulting, presented for the applicant, Donald Metzger of the Land Group, who was also present. The 254.30 acre site (comprised of three tax map parcels) is proposed to be subdivided into 97 single family detached dwelling lots in the Agricultural Zoning District. The applicant re-submitted plans and reports to the commission. They received Bob Wynn's May 21 letter with clarifications on the plan. Kevin Fruck asked that the application be tabled so they could meet with Bob Wynn and revise the plans. Barbara Lindtner felt the board had given clear direction in their last meeting for submitting a preliminary plan, and the applicant had 4 or 5 months to submit a complete plan. She noted that no work has been done on natural resource mapping or soil testing. The plan is not compliant with zoning, and needs significant revision. She feels the plan should not have been submitted under the circumstances, because there is nothing for the board to review.

Bruce Fritchman stated that the submission of this plan is an insult to the planning commission, supervisors, and residents, and forces them to spend time and effort reviewing an incomplete plan. He agrees with the recommendation to deny the plan due to noncompliance.

Scott Douglas stated that the applicant is proposing a major development in an exceptional value watershed, without taking into account the natural resources, especially since making public comments that they understood that it was in an exceptional value watershed. Bob Wynn noted that no flood plan study had been done.

Terry Clemons stated the plan required action, but if an extension is asked for, the applicant can be given another chance to address the matters. Terry Clemons noted that it does not mean the applicant can extend the process forever. If another plan with the same kind of defects is submitted, there are grounds for denial.

Donald Metzger commented he has reviewed historic data, and some of the preliminary plan requirements being required from him have been never been required before. He strongly advised the board against exercising requirements on one applicant that haven't been required of others before. He feels that there are issues about civil rights and discrimination that might result in a plan the township doesn't want.

Barbara Lindtner stated that there is nothing that they are recommending in terms of revisions or comments that haven't been required with all applicants in prior plans.

Barbara Lindtner **moved** to accept the 12/31/07 extension granted by the applicant. Walt French **seconded**. Voting No: Bruce Fritchman; Voting Yes: Bobb Carson, Scott Douglas, Walt French, Pete Lamana, and Barbara Lindtner. The motion **passed**.

**Rolling Hills – Route 212 & Slifer Valley Road** Although the applicant withdrew their plan, a discussion was held because the plan was on the agenda. An extension offered by the applicant until 8/31/07 was granted for the preliminary plan and sewage modules. Bobb Carson felt that if sewage planning modules are to be discussed, it should be requested that the applicant's sanitary engineer be present. The applicant and soil science people may not be able to answer questions about wastewater treatment. Terry Clemons suggested it would be appropriate to send the applicant a letter stating that the extension was received and accepted, and to request their presence, and their consultants' presence, at the next planning commission meeting on 7/18/07.

**Pawar Subdivison – Shale & Winding Roads and Oak Lane** John Rice Esq Grim, Biehn & Thatcher, and Jay Musselman, Musselman Associates, represented for the applicant, Rajendra Pawar, who was also present. John Rice asked for direction on how to proceed on the project, noting that most natural resources on the property are the woods. He noted a previous plan with special exceptions approval for the road and a variance had expired. Applicant feels the B3 use would be acceptable because the property is not being farmed. Bobb Carson noted that page 99 of the zoning ordinance states that the purpose of use B3 is to allow for continued farming while accommodating limited development. The only proposed change is to monument the building envelopes and to grant the township a conservation easement on the approximate 60 acres remaining outside of the building envelopes. The plan proposes the building envelopes would be less than 15% of the whole tract. Applicant is agreeable to conservation easement components that are normally used in Springfield Township easements. An extension was granted to 9/01/07.

**Bilger/Sauer Lot Line Adjustment – State Road** John C. Deschu Jr. represented for the applicant, Ray Bilger, who was also present. Applicant is preparing to sell 4.362 acres to his neighbor, leaving Ray Bilger with 7.09 acres and bringing Sauer to 9.38 acres. Deschu explained he will be making three new deed descriptions. Correspondence was received from Bob Wynn requesting moving the 75 foot setback line away from a wetland open space area. The setback will be moved to 125 feet out of the open space area. Monuments are to be installed before July 31. Barbara Lindtner **moved** to approve the waivers as referenced in Bob Wynn's May 29 letter, and written in the May 9 letter by registered surveyor John C. Deschu Jr. Scott Douglas **seconded**; the motion **passed** unanimously. Barbara Lindtner **moved** to recommend preliminary and final approval conditional upon completion of the items enumerated in Bob Wynn's May 29, 2007, letter. Pete Lamana **seconded**; the motion **passed** unanimously.

**Cuff Major Subdivision – Passer Road** - Withdrawn from agenda by the applicant

**Prime Properties Subdivision - Cherry Road** - Ed Wild, Benner & Wild, presented for the applicant. Kirk Clauss, project engineer Schlosser & Clauss Consulting Engineers Inc., was also present. Ed Wild feels outstanding issues from Bob Wynn's May 22, 2007, review letter have been addressed. They also met onsite with adjacent neighbor, Mr.

Boyskey, about a potential sanitary sewer and storm water management easement. Mr. Boyskey's property fronts on Old Bethlehem Pike. They have proposed that the outfall from the basin would be piped underground into a swale on his property before it hits Old Bethlehem Pike. They are also seeking a short connection for sanitary sewer onto Old Bethlehem Pike. Bruce Fritchman asked if the engineer offered payment for the easement. Barbara Lindtner strongly encourages that an offer to purchase an easement from this neighbor be made. Bruce Fritchman said as far as storm water management, this is not a good plan. Ed Wild feels this is a compliant plan. Walt French has a safety issue concern. He noted the two vehicular deaths in Upper Bucks County since their last meeting. Bob Wynn feels the storm water meeting with the neighbor went well. Bobb Carson's primary concern is the outflow from the retention basin. Where the grinder pump for sewage is located is a lesser problem. He recommends de-coupling the two issues, and that it is more important to get the storm water underground over the neighbor's property. If applicant is coupling the storm water and sewage and saying all or nothing, then in fact, the commission's concern has been circumvented. Barbara Lindtner stated that if the waiver about centralized water is not approved, then it is not a compliant plan. Barbara Lindtner also received a memo about the proposed name of Prime Road. She would like to see a more creative name. Applicant filed an extension until 8/14/07.

**Plans to Accept for Review Only - None**

**New Business – None**

**Old Business – None**

**Correspondence**

Photos submitted from Mrs. Neumann showing storm water problems on the Walbridge Subdivision have been received by the commission.

**Public Comment**

**Joseph Raynock** feels there needs to be a case study and warranties to ensure that the on-lot storm water systems proposed for Rolling Hills will actually work, especially in clay soils. He is worried about the systems failing, and who will take responsibility for a system failure. He also asked about the procedures for keeping public comments for the records.

**Planning Commission Comments- None**

**Zoning Ordinance Draft Revision**

Bob Wynn, technical engineer, took the technical notes regarding the Zoning Ordinance Draft. Those notes are appended to these minutes. Barbara Lindtner made a **motion** to remove the clustering option under 1 acre in all residential and agricultural districts. Bobb Carson **seconded**. The motion **passed** unanimously. Barbara Lindtner made a **motion** to change and amend RP district to require clustering. Bruce Fritchman **seconded**. The motion **passed** unanimously. Barbara Lindtner concluded that Bob Wynn will be making some of the suggested changes, and he will also review some of the sections in particular, and any recommended comments or changes he will email to all the Planning Commission members.

**Adjournment**

At 11:10 p.m., Barbara Lindtner **moved** that the meeting be adjourned. Bruce Fritchman **seconded**; the motion **passed** unanimously.

Respectfully submitted,

Heather Radick  
Recording Secretary

Approved: August 1, 2007  
Next meeting: Wednesday, July 18, 2007