

Planning Commission Meeting
MINUTES

July 7, 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, Walt

French, Pete Lamana, Barbara Schmoyer and Brad Schultz. Township Engineer Bob Wynn was present.

The members held a brief work session after which the official meeting began at 7:05 p.m..

Brad Schultz **moved**, Pete Lamana **seconded**, that the minutes of the May 5, 2004, meeting be accepted as presented. The motion was **adopted**.

Friendly Review – Thomas Schmooch, Possible lot line change between TMP 42-4-176-4 and 42-4-176-9, located on Tumblebrook Road, Coopersburg. Mr. Schmooch presented his desire to swap land with his neighbor to gain enough property to build a garage on it. Both lots would retain the required 3 acres after the line adjustment. He attended a Planning Commission meeting last year to try to buy a piece of land from his neighbor. He was sent to the Zoning Board and they turned down his request because his neighbor's lot would have been under the required 3 acres and he did not prove a hardship. After review and with the understanding that all zoning requirements would be adhered to, Mr. Schmooch was given the go ahead to complete an application and bring back to the Planning Commission a formal proposal drawn up by an engineer.

Confirmed Appointments

Evergreen Estates, Revised Plans – Applicant: Samuel Litzenger – Marc Jones, Esq., Eastburn & Gray, represented the applicant. Also attending for the applicant were John Gigliotti, Ray Zieger (Gigliotti Group, Inc.) and Scott Mease from Mease Engineering. Scott Mease presented a colored representation of the proposed 10 lot subdivision. It would include a reverse P-loop road off Bodder Road—lots 1 through 9 would encircle the loop and lot 10 (4 acres+) would be in the loop.

Mr. Mease stated that the engineering issues which had been identified at the May Planning Commission meeting have been discussed with Bob Wynn, the Township engineer, and resolved satisfactorily and there are no zoning issues involved in the subdivision design.

After a lengthy discussion about various member concerns, primarily about the precedent being set by a lot within a P-loop and the stormwater issues on Bodder Road, the waivers requested by the applicant in the engineering review, dated June 21, 2004, Item 1, were voted upon individually:

- A. Requesting waiver (Section 403.2.A) to draw the Plans at a scale of 1" = 100' instead of 1" = 50' to enable the entire site to be shown on single plan sheets, provided that increased scale for detail items be provided upon request of the Township.
Brad Schultz **moved** that the waiver be granted; Pete Lamana **seconded**; motion was **adopted** unanimously.
- B. Requesting waiver (Section 403.4.H) to utilize the current soil mapping requirements which are required by Bucks County Conservation District rather than utilizing the older SCS Mapping, dated 1975, as required in our ordinance Section 403.4.H.
Brad Schultz **moved** that the waiver be granted; Barbara Schmoyer **seconded**; motion was **adopted** unanimously.
- C. Waiver request (Section 504.2) deals with lot depth/width ratio for Lots 7, 8 and 9; waiver is requested due to the existing shape of the parent tract.
Brad Shultz **moved** that the waiver be granted; Barbara Schmoyer **seconded**; motion was **adopted** with one dissenting vote.
- D. Waiver requests (Sections 505.16, 506.4.A, 512, and 513) deals with Bodder Road improvements, which would include full width cartway leveling/overlay, installation of a three feet wide stabilized grass shoulder, swale grading, and storm water improvements within the frontage of the site, consistent with the minimum requirements recommended previously by Bob Wynn's office.
Brad Schultz **moved** that the waivers be granted; Pete Lamana **seconded**; motion was **adopted** unanimously.
- E. Waiver request (Section 519) requiring two monitoring wells within subdivisions of five lots or more, is partially waived provided one well is installed in compliance with requirements of the proposed Subdivision Ordinance Amendment, location of the well internal to the site is subject to resolution with the Township.
Brad Shultz **moved** that this waiver be granted subject to the Supervisors acceptance of the proposed new Amendment; Pete Lamana **seconded**; motion was **adopted** unanimously. (If the Supervisors reject the proposed Amendment, this waiver will not be granted.)
- F. Waiver request (Section 526) is to install driveway lampposts on each lot in lieu of streetlights at all intersections of existing and proposed roadways.
Jim Brownlow **moved** that this waiver be granted if the Township approves this change; Barbara Schmoyer **seconded**; motion was **adopted** unanimously.
- G. A waiver from Section 304.D of the Stormwater Management Ordinance, which requires installation of checker blocks on the spillway embankment due to the amount of fill at the spillway location (3" – 12") conditioned upon the emergency spillway being lined with jute netting to permit establishment of stabilizing vegetation during construction activity.
Jim Brownlow **moved** that this waiver be granted; Barbara Schmoyer **seconded**; motion was **adopted** unanimously.

After additional discussion, Jim Brownlow **moved** to recommend preliminary approval of this subdivision to the Board of Supervisors; Brad Schultz **seconded**; motion **adopted** unanimously with approval of all waivers requested by the applicant subject to the conditions noted in "E" and "G."

Newman Lot Line Adjustment – Revised Plans - Scott Mease, Mease Engineering, was the presenter. Ms. Majda Newman was present.

The Newman property, approximately 25 acres in size, fronting along Harrow Road (which is Route 412) and School Road, is interested in selling a portion of her land to two of her neighbors—TP 42-22-116 (would go from 2.1 to 3.5 acres) and TP 42-22-94-2 (would go from 2.1 to 3.1 acres). This proposal involves conveyance of property from one parcel to another without the creation of new lots.

Ms. Newman stated that her neighbors wanted wooded land for privacy, having at this time no wooded land on their properties, and thus requested to purchase a portion of wooded property from her. She purposely left less than 200' at School Road to preserve the wooded acreage and prevent the property from being a buildable lot, which she does not want.

After a careful review of the proposed adjustment, the members voted upon the following waivers as listed in Item 1 under "Discussion" in Bob Wynn's letter dated May 20, 2004:

- A. Waiver of Section 402.3.F(3) requiring Natural Resource Protection Standards be shown on the plan, since no development is proposed with the project. Jim Brownlow **moved** that the waiver be granted; Walt French **seconded**; motion **adopted** unanimously.
- B. Waiver of Section 402.3.K, which requires field survey to determine the tract boundary. Waiver requests a partial property survey of TMP #42-24-4-1 in the area of the lot line adjustment only, due to the large tract of land involved. Bob Wynn does not object, provided that if the Township requires dedication of the ultimate right-of-way along Route 412, additional field survey be completed to facilitate the dedication of the right-of-way. Brad Schultz **moved** that the waiver be granted; Barbara Schmoyer **seconded**; motion **adopted** unanimously.
- C. Waiver of Section 506.2.A, which requires that the ultimate right-of-way area for existing roadways within the frontage of the site to be dedicated to the Township. Waiver is requested for the dedication of ultimate right-of-way along Route 412 within the frontage of TMP #42-24-4-1, which was not described by boundary information determined based on field survey. If this waiver is permitted, Bob Wynn recommends that the ultimate right-of-way be shown and dimensioned based on current Ordinance requirements. Brad Schultz **moved** that the waiver be granted; Jim Brownlow **seconded**; the motion was **adopted** unanimously.
- D. Waiver from Sections 505.16, 506.4.A, and 513, which requires cartway reconstruction/overlay, drainage improvements, cartway widening, and sidewalk along existing roadways within the frontage of the site. (Section 512, although no variance was requested by the applicant, also specifies that the Township may require curb along existing roadways within the frontage of the site.) Waivers are requested as no development is proposed for the project. Bob Wynn recommends the Township approve waivers relative to street improvements, with the condition that a note be added to the lot line adjustment subdivision plan indicating that in the event further subdivision or development is proposed on TMP #42-24-4-1, street improvements as deemed necessary by the Township are required to be installed along School Road within the frontage of TMP #42-22-9-2 and 42-22-116. Brad Schultz **moved** that the waiver be granted; Pete Lamana **seconded**; the motion was unanimously **adopted**.

One additional waiver was submitted in writing to the Township Engineer regarding the lot depth/width ratio which would result if this lot line adjustment was granted.

Jim Brownlow **moved** that this waiver also be granted; Brad Schultz **seconded**; the motion was unanimously **adopted**.

Jim Brownlow **moved** that preliminary/final approval (subject to completion of items 2, 3, 4, and 5 of the engineering review dated May 20, 2004, quoted below) be granted,:

- “2. As noted on the plan, the ultimate right-of-way of School Road within the frontage of TMP #42-24-4-1 is offered for dedication to the Township, and should be accepted as an easement pursuant to Section 506.2.A of the Subdivision Ordinance. (Ultimate right-of-way within the frontage of TMP #42-22-116 and 42-22-9-2 was previously accepted by the Township as an easement, as part of #42-22-116 and 42-22-9-2 was previously accepted by the Township as an easement, as part of the Famelli Subdivision). A legal description for the ultimate right-of-way area along the frontage of TMP #42-24-4-1 was received with the revised plan, which satisfactorily conforms with record plan information. By copy of this correspondence, legal description is being forwarded to the Township Solicitor for preparation of dedication documents.
3. Proposed property and right-of-way monumentation must be installed and be certified in writing by the responsible surveyor, prior to plan recordation. (SLDO Section 522).
4. The proposal involves conveyance of property from one parcel to another, without the creation of new lots. Deeds of consolidation for each parcel involved in the lot line adjustment subdivision must be recorded with the lot line adjustment subdivision at Bucks County Courthouse.
5. TMP numbering should be clarified between plan (and title block) notes (TMP # 42-22-9-2) and plan labels (TMP #42-22-94-2).”

Brad Schultz **seconded**; motion **adopted** unanimously.

New Business

The following plans were accepted (with no discussion) by the Planning Commission:

1. Cummings 4 lot subdivision – Routes 412/212
2. Solteck Equities 4 lot subdivision – Winding Road
3. Michael & Jackie Rosetti Lot Line Adjustment – Harrow Road
4. Solomon Asser 3 lot subdivision – Lehnenberg Road

These plans will be on the August 4 agenda as “Confirmed Appointments.”

Proposals for Professional Services Zoning Ordinance – 6 received

It is the responsibility of the Planning Commission to recommend to the Board of Supervisors which proposal to accept. (The members postponed their discussion on when and how to evaluate these proposals until the conclusion of the formal meeting agenda. The public is welcome to stay for this discussion should they wish to do so.)

There was no correspondence to review.

There was no public comment.

Adjournment

Brad Schultz moved to adjourn the formal meeting at 8:30 p.m. Nancy Young seconded and the motion was adopted unanimously.

Work Session to review Professional Services Proposals for Zoning Ordinance: July 28, 2004
Next regular Meeting: August 4, 2004

Respectfully submitted,

Sandra L. Everitt
Secretary