

Springfield Township, Bucks County

2320 Township Road · Quakertown, PA 18951

Planning Commission Meeting MINUTES

August 4, 2004

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

Members present: Walt French, Pete Lamana, Barbara Lindtner, Barbara Schmoyer, and Brad Schultz. Township Engineer Bob Wynn was also present.

The members held a brief work session.

Pete Lamana **moved**, Walt French **seconded**, to adopt the minutes of the July 7, 2004, meeting as presented. The motion was **adopted**.

Sketch Plan – Thornwood Builders, Quarry Road: Ed Wild and Scott Mease presented for the applicant/owner Ray Hermo. Because of property limitations, they presented a sketch plan utilizing a cul-de-sac. The property is in the RP district (3-acre minimum), and the sketch is a compliant plan from a zoning perspective, but there would be a number of SALDO waivers/issues. Referring to the comments listed in Bob Wynn's review letter of July 23, Mr. Wild focused on the items which he felt might be most problematic.

- Springfield's ordinance limits a cul-de-sac to 500'. This property is 2000' deep and very narrow. The proposed cul-de-sac was 1400'. In response to Mr. Wynn's recommendation to redesign the plan to meet this ordinance requirement, Scott Mease suggested flag lots at the end of the cul-de-sac so that the length of the cul-de-sac could be shortened to 950'. The surrounding sites do not make the lot conducive to development with a through street.
- Following a suggestion by members to reduce the number of lots to better comply with the intent of the RP district—fewer lots—Mr. Wild stated that they would review again the concerns expressed, but he felt that in whatever design this irregular 23-acre tract was ultimately developed, each of the lots meets the independent criteria for zoning regulations, although some SALDO variances would be required.

Mr. Wild thanked the members, stating their concerns would be reviewed and they would come back with a formal submission.

Confirmed Appointments

Cummings 4- lot subdivision – Scott Mease, Mease Engineering, presented a proposed subdivision similar to the sketch plan reviewed by the Planning Commission on October 1, 2003. The exception was that a proposed access lane from Lot 2 to Route 412 was removed. The property is a combination of two tax parcels (owned by the same person) consisting of approximately 45 acres. There is a pipeline that runs through the property. The plan is to divide the two parcels into four large lots, ranging in size from 9 acres to just under 12 acres.

Referring to Bob Wynn's letter of July 8, Mr. Mease commented on #3 (regarding waiver requests) and #4 (regarding removal of existing structures on the property):

- 3.A. They will supply the additional information regarding the driveway, grading, etc., that is requested.
- 3.B. There was no objection by Mr. Wynn to the waiver request for the eastern lot line of Lot 4 intersecting at a right angle with the street line to the rear lot line. The waiver request notes that the angle point in the lot line was made due to a utility easement. The lot line bend runs parallel to the utility easement to the rear of the lot line.
- 3.C. The members suggested making shared driveways between lots 1 and 2 (onto 212) and lots 3 and 4 (onto 412), although Bob Wynn supported the waiver to permit the individual lots to front upon collector streets (Routes 412 and 212).
- 3.D. There was no objection by Mr. Wynn to the waiver request from lot depth-to-width ratio requirements in consideration of the proposed large lot areas and deed restrictions.
- 3.E. Because sidewalks are not characteristic of the rural area of this subdivision, there was a waiver requested from roadway improvements and sidewalks. Another basis for this waiver is the plan to deed restrict the lots from further subdivision. Mr. Wynn recommended that if this waiver request is approved:
 - 1. There should be a review of the intersection of Routes 212/412 and Hickory Lane to determine if there is a need for additional right-of way from this tract for a future realignment of Route 212 opposite Hickory Lane.
 - 2. Additional right-of-way should be dedicated to the Township (as an easement) near the bridge on Route 412 along the frontage of Lot 3 for a possible bridge replacement included on the PennDOT 12-year plan.
 - 3. The Planning Commission should request additional easement/right-of-way along Route 212 in conjunction with the requested waiver of street improvements to permit a possible future bike path. The owner indicated he was agreeable with this request.
- 3.F. With regard to the waiver request to permit 100% stormwater release rate for the entire site, Mr. Wynn supported that waiver be granted as requested. However, the developed portions of the site should comply with the 75% release rate of Ordinance 121.
- 4. Mr. Mease indicated they would comply with Mr. Wynn's suggestion that all ruins and former buildings be removed prior to plan recordation.

Walt French moved to recommend approval of waivers A, B, C and D. Barbara Lindtner seconded the motion; it passed unanimously. Walt French also moved to recommend approval of waiver F subject to the stipulations noted in it by Bob Wynn. Barbara Lindtner seconded the motion; it passed unanimously.

Additional work will be required before the waiver request in 3.E. could be granted.

Soltek Equities, LLC Subdivision, Winding Road – Dan Soliday, Principal in Soltek Equities, presented. Ted Koven, Urwiler & Walter, was available to address technical issues. This is an irregular, 38- acre tract on Winding Road with limited frontage. There are wetlands contained in the site as well as mature trees throughout the site. In consideration for granting the waivers, they are proposing a 4-lot subdivision with the entire rear of the site which contains the wetlands being put into a conservation easement to protect the wetlands.

Referring to Bob Wynn's letter of June 24, Mr. Soliday reviewed the waiver requests as follows:

- 1.A. Bob Wynn recommended approval of the applicant's request for a waiver for plans to be drawn on a scale of 1" = 50' as long as all information is legible.
- 1.B. Waiver is requested for Lot 4, which exceeds the maximum depth-to-width ratio of 3. The lot cannot be reconfigured to comply because of the shape of the parent tract. Bob Wynn recommends that a conservation easement should be established within the rear of Lot 4 to encompass the wetlands/tree protection zone which will limit development of Lot 4.
- 1.C. Waiver is requested from street improvements, curbing, sidewalks, street lights, etc., to preserve the existing mature tree line in frontage along Winding Road and due to the lack of similar improvements in the vicinity of the site. The applicant will comply with the request to escrow funds to guarantee that Winding Road is repaired satisfactorily in case of damage during dwelling construction.
2. The applicant came this evening with a written waiver requesting permission to have a 90-degree bend between the street line and the rear of the common lot line between lots 3 and 4. This bend was created in an effort to protect the wetlands and contain them into one lot.
3. The applicant will comply with the request to match the location of photographic views included in the wetlands report into their existing features plan.

Applicant agrees to comply with suggestions/requirements found in the remaining items 4 – 11 in Bob Wynn's letter of June 24.

No action was taken on this plan because two waiver requests were submitted at the meeting tonight and therefore could not be adequately reviewed.

Michael & Jacqueline Rosetti Lot Line Adjustment Subdivision (Harrow Road) – This lot line adjustment between Michael and Jacqueline Rosetti and Joseph Popivchak is in preparation for a new 3-lot subdivision submission. (The current 4-lot subdivision submission will be pulled from the Planning Commission's agenda.) Barbara Lindtner moved to table the lot line adjustment vote until the Planning Commission receives further information on the new Rosetti subdivision plans. Brad Schultz seconded; motion passed unanimously.

Solomon Asser 3-lot subdivision – The site includes lot 2 of the former Olsson Subdivision and adjoining Solomon Asser and Kathleen Asser Weslock tract. Lots 1 and 2 are proposed building lots with frontage on Lehnenberg Road. Lot 3 is a proposed 19.563 acre parcel, which will include the existing Asser Tract and rear area of lot 2 of the former Olsson Subdivision that contains significant natural resources, including a pond, which Mr. Asser wishes to have as part of his property.

The members previously requested that Mr. Asser deed-restrict this irregular shaped lot against further subdivision, which he is unwilling to do. The members asked that Bob Wynn research the deeds on these tracts to determine whether additional subdivision can take place. No action was taken on the plan or the waiver requests in light of unresolved questions that were raised.

Evergreen Estates – Attorney John VanLuvanee, of Eastburn and Gray, represented Sam Litzenberger and Gigliotti Group. He stated that at the Planning Commission meeting of July 7, 2004, there was a motion made, seconded and passed unanimously, to give preliminary approval of this subdivision and forward it to the Board of Supervisors. Subsequently, they went to the Supervisors' meeting, and although there was no new information presented by the applicant and no new review letters presented by the Township engineer, the Supervisors sent the plan back to the Planning Commission for review. Mr. VanLuvanee stated that the plan had already been

passed and because no new information had been forthcoming to cause the plan to be returned, he would be listening, not participating, in any discussion tonight.

Mr. Schultz, acting chairman, stated that the minutes from the Supervisors' meeting indicate that the basis for the Board's returning the plan to the Planning Commission was comments they received from residents.

A short break was called to give Commission members time to review the section of the Board's minutes that directed this plan back to the Planning Commission.

Upon reconvening, Walt French recapped his understanding of why the plan was returned to the Planning Commission:

1. to review the waiver requests.
2. to revisit the P-Loop idea
3. to review especially the engineering facts of the storm water issues
4. a number of residents gave the Board information that the Board wanted us to review further, and finally,
5. evidently the Planning Commission did not adequately hear the neighbors' concerns at their July 7 meeting when the plan was passed on to the Board, and we need to hear them now.

Mr. Bruce Fritchman presented a 20-minute audio and visual presentation relating to storm water concerns the neighbors have. He also advised the members that he and the other neighbors (many who were in attendance at the meeting) had hired their own engineer, Mr. Jeffrey Ott, President of Ott Consulting, to review the storm water analysis done by the Township Engineer, Bob Wynn. Mr. Ott was present and presented his findings after Mr. Fritchman's presentation.

Mr. Fritchman stated that the primary reason for the video presentation was to show how serious the storm water problem presently is, and why the neighbors are so concerned about additional runoff from this new development. Footage shown was from the recent July 27, 2004, storm. The second concern is that the water that will come off of Evergreen Estates will end up in Cooks Creek because there is a direct channel from the front of this property where the proposed detention pond empties onto Bodder Road. Because Cooks Creek is an exceptional value stream, there are serious limitations about increased levels of pollution contained in storm water running into the creek.

Attorney VanLuvanee asked that the record of this meeting reflect his concerns that:

1. The applicant's builder made a similar request to give a presentation in the July 7 meeting and his request was denied. (Acting Chairman Schultz reminded the attorney that the Planning Commission is not responsible to review architecture or building plans, only to review proper use of land.)
2. Mr. Wynn exhaustively reviewed the storm water problems in his January letter. Each concern was then addressed by the applicant and subsequently revised pursuant to Mr. Wynn's comments. Everybody knows there is a problem on Bodder Road. However, this problem is not a basis upon which to turn a subdivision down.

Acting Chairman Schultz acknowledged his comments and noted his general objection, but reminded him that the Planning Commission had been directed by the Supervisors to review their decision and hear the neighbors concerns, and they must do that.

Following a visual presentation of the Bodder Road storm water problem By Mr. Fritchman, Engineer Ott presented his written review of the findings of Township Engineer Bob Wynn. Bruce Fritchman apologized to Bob Wynn for not getting the report of Engineer Ott to him before this meeting. However, because of time constraints, the report was not finished until the day of this meeting. Although Engineer Ott is not as familiar with Springfield Township's ordinances as is Mr. Wynn, he nonetheless feels that many of the items contained in his review are legitimate concerns and he believes there are deficiencies in the plan that should be corrected before the plan is passed.

Pete Lamana stated that Mr. Ott's letter should not be read or discussed tonight prior to the Township Engineer Bob Wynn and the Planning Commission members having time to review it carefully.

Mr. Fritchman said that aside from the technical items in the letter, there were Planning Commission issues involved. For example, in the calculation of the water runoff, there was an assumption that a substantial amount of acreage would remain wooded as it now is. However, there is no mechanism to make certain that the land remains wooded. If the trees are removed and that area becomes lawn, then the runoff will be greater and the detention basin won't be large enough. Mr. Fritchman felt that the only solution to this was to assume that all the wooded area would be lawn and calculate the detention basis on that assumption. (These and other concerns are discussed in Mr. Ott's report.) Mr. Fritchman summarized by saying that they are not against this subdivision; rather, they are concerned that the detention pond design be changed to provide adequate detention of storm water.

Following an extended period of discussion by Planning Commission members and residents, the Planning Commission requested an extension be granted by the applicant to permit the members to carefully review the material presented. The request was denied by Attorney VanLuvanee. Barbara Lindtner said that she had serious concerns with the design—center house in the P-loop, high density in the subdivision, storm water issues—and felt that more time was needed to review this plan. Because the plan must be acted on before August 31, Barbara Lindtner moved that unless an extension is received before August 31 from the applicant, that the plan be denied. Brad Schultz seconded the motion. Barbara Lindtner reminded the members that her original motion was to table the plan until the members and the Township Engineer had time to study the information given to it this evening. However, because the applicant would not grant an extension to give this additional time to study the issues raised, she had to change the motion to the one currently on the floor. Walt French moved to add an amendment to the motion on the floor to withdraw the motions to approve the waivers; Barbara Lindtner seconded. There were three *no* votes; 2 *yes*; motion to amend did not pass. Pete Lamana called for the vote on the original motion. The original motion passed unanimously.

New Business

The following three subdivision plans have been accepted by the Township but will not be discussed this evening:

1. Haney Major Subdivision – State Road
2. Newman Minor Subdivision – Harrow Road
3. Mondschein Subdivision – Hottle Road

Old Business

The August 18, 7:00 p.m., meeting date and time were approved by the top three companies selected to present their submission to the combined Planning Commission and Board of Supervisors. A meeting confirmation will be mailed to each Planning Commission member and Supervisor.

There was no correspondence.

Barbara Smith, Township Manager, reminded the Commission that Springtown Country Manor needed to have an extension. Scott Mease, agent for the applicant, granted an extension until September 30, 2004.

Public Comment

Dennis Steskal asked if suggestions from the citizenry about possible Zoning Ordinance revisions, including the EAC submittal of February 2004, would be considered when the Zoning Ordinance revision process is begun. Barbara Smith assured him that all suggestions submitted, including the EAC suggestion, are being held in a folder (which she produced) and that they would each be considered carefully during the revision process.

At 9:40 p.m., Pete Lamana moved that the meeting be adjourned. Walt French seconded the motion; the motion passed unanimously.

Respectfully submitted,

Sandra L. Everitt
Secretary

Next meeting: September 1, 2004