

**Planning Commission Meeting  
MINUTES**

September 1, 2010

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

Members present were: Bobb Carson, Scott Douglas, Bruce Fritchman, Pete Lamana, John Chilton and Curtis Reiss.

Rich Schilling, Township Manager; Terry Clemons, Township Solicitor; Bob Wynn, Township Engineer and Heather DiSario, Recording Secretary, were also present.

**Approval of Minutes**

Bobb Carson **moved** to table the August 4, 2010 minutes. John Chilton **seconded**; the motion **passed** unanimously.

**Public Comments (Agenda Items) -None**

**Sketch Plans - None**

**Confirmed Appointments**

**a. Pawar LLA – Shale Road** – Jonathan Reiss, Grim, Biehn and Thatcher, presented for the applicant. Mr. Reiss reviewed the August 18, 200 Township Engineer’s review letter. Items 1 and 2 and 4 through 8 are “will complies”. Mr. Reiss and the Commission discussed the following waiver requests (Item 3 in the Engineer’s review letter):

Item A Section 403.4 regarding existing features: Mr. Reiss stated that when the site plan is created it will identify any neighboring septic systems and wells to the lots.

Item B Section 403.4F regarding contour lines: Mr. Reiss explained that the contour lines will also be identified on the forthcoming site plan.

Item C Section 504.2K regarding lot depth requirements: Mr. Reiss explained that in this instance no further development is planned for Lots 3 and 4, and Lots 1 and 2 may have houses built on them, but not immediately. All four lots are proposed to be deed restricted from further subdivision. Mr. Douglas suggested that the waiver should be granted because the configuration and size of the lots.

Item D Section 505.16 regarding improvements to existing roadways within frontage of the site: Mr. Reiss explained that currently there are four existing lots and no additional lots are being added to the property. Mr. Wynn stated that no additional improvements are needed.

Item E Section 516 regarding submission of storm water management plan: Since no development is proposed now, a storm water management plan would be provided if Lots 1 and 2 are developed. Mr. Douglas stated that given the size of the lots, the waiver should be granted.

Item F Section 403.4K regarding floodplain areas: Mr. Reiss stated that the areas of Lot 3 and 4 are already developed, and feels the elevation around the buildable areas of Lots 1 and 2 are sufficient to preclude flooding, even during a 100-year event.

Item G Section 403.8 regarding erosion and sediment control plan: The waiver is being requested based on lots sizes. Applicant will comply with requirement when the lots are to be developed.

Item H Section 410 regarding submission of a wetland study for total area of the site: A waiver is being requested against doing a complete study of the whole site because an investigation has been completed on Lots 1 and 2.

Lot 1A needs to be revised to show it will be a part of Lot 1 as referred to in the Bucks County Planning Commission review letter.

As stated in Item 2 of the August 20, 2010 BCPC letter, Mr. Reiss explained that if the owners of Lot 3 should sell their property, the driveway easement would be terminated. Mr. Clemons stated that it is sufficient to proceed as it is explained in Note 10.

Bruce Fritchman **moved** to grant the waivers listed in the August 18, 2010 Township Engineer's review letter Item 3 A through H with the clarifications that were stated during this evening's discussion. Scott Douglas **seconded**; the motion **passed** unanimously.

Pete Lamana **moved** to grant preliminary final approval based on the conditions listed in the August 18, 2010 Township Engineer's review letter and this evening's discussion. Scott Douglas **seconded**; the motion **passed** unanimously.

**b. Herman Subdivision – Hottle Road** – Paul Dietz, Urwiler and Walter, presented for the applicant, James Herman, who was also present. Mr. Dietz presented the revised plan and stated that the driveway location cannot be changed. Mr. Dietz explained that the waiver for the same driveway location was previously granted, and if the lot line gets moved to the proposed driveway location, Lot 4 will not meet the 319 agricultural requirements as the lot goes below 10 acres. Mr. Dietz stated that the number of waivers remains the same on this plan as the previously proposed plan. Mr. Carson explained that Act 319 is not part of the Commission's consideration.

Mr. Fritchman stated that having multiple residents accessing one driveway has caused problems with residents in the past, and feels it is bad planning. Mr. Carson explained that the Commission is constrained to minimize waiver requests, and the extent of this new request (i.e., the length of the driveway not centered on a lot line) is larger than the one recommended for the previously submitted subdivision. Mr. Carson stated he is not willing to grant this particular waiver.

In regards to the waiver request of showing all existing features within 100 feet of the proposed building site, Mr. Carson stated that on the next submission, the Commission will need to see where the septic systems and wells are located for the three lots that are closest to the proposed building envelope on Lot 3. Mr. Dietz said they will do research to find out their locations.

Mr. Dietz explained that the planning modules are currently at the Health Department.

All other items in the letter are "will complies".

The engineer will resubmit a revised plan based on this evening's discussion.

Pete Lamana **moved** to recommend denial of the waiver request listed in Item 6 Section 511.2D of the August 11, 2010 Urwiler and Walter letter that requires shared driveways to be centered on property lines. Bruce Fritchman **seconded**; the motion **passed** unanimously.

Scott Douglas **moved** to recommend to the Board of Supervisors denial of the plan as presented due to non-compliance of the August 25, 2010 Township Engineer's review letter and denial of the waiver request, unless an extension is received prior to September 28, 2010. Pete Lamana **seconded**; the motion **passed** unanimously.

### **Plans to Accept for Review Only**

**a. Baker Major Subdivision – Route 412 & 212** – Plans not received by required submission date. Plans will be considered at the next regular Planning Commission meeting.

**b. Povenski LLA- Povenski Road** – Plans not received by required submission date. Plans will be considered at the next regular Planning Commission meeting.

#### **Informal Review**

**a. Nicholas – Nemeth Road** – Curt Nicholas presented his lot line proposal to the Commission. Mr. Nicholas would like to transfer 4.99 acres from his 7.1 property to his neighbor's 3.8 acre property. Mr. Clemons explained that the applicant will need to go to an engineer and the buyer needs to be aware that the Township will be requesting a right of way.

#### **New Business – None**

#### **Old Business – Actions Regarding Pending Plans**

**a. Upper Bucks Ag Collaborative** – Scott Douglas **moved** to recommend denial of the Upper Bucks Agricultural Collaborative plan due to the outstanding issues in the Township Engineer's December 18, 2010 review letter and the December 14, 2009 BCPC review letter, unless an extension is received before September 25, 2010. Pete Lamana **seconded**; the motion **passed** unanimously.

John Chilton **moved** to recommend sending the SALDO to the Bucks County Planning Commission. Scott Douglas **seconded**; the motion **passed** unanimously.

**b. Generic discussion of extensions per R. Schilling's 8/18/10 email** –Mr. Clemons explained the changes that Act 46 will bring in 2013.

#### **Correspondence – None**

#### **Public Comments**

#### **Planning Commission Comments & Project Reports**

**a. GIS implementation/training** – Mr. Carson stated that the second session of GIS training was held on August 23.

**b. Other** – PADEP has not completed its review of the Township's revised Act 537 Plan, and has asked for an extension. Rich Schilling will propose a 30-day extension and request scheduling of a meeting to discuss unresolved issues.

At 8:55 p.m., Bruce Fritchman **moved** that the meeting be adjourned. John Chilton **seconded**; the motion **passed** unanimously. A work session was held to review Zoning Ordinance discrepancies with Clemons/MacNair, and to establish ZHB attendance for remainder of 2010.

Respectfully submitted,



Heather DiSario  
Recording Secretary

Next meeting: Wednesday, October 6, 2010