

**MINUTES  
EAST NOTTINGHAM TOWNSHIP  
PLANNING COMMISSION  
AUGUST 23, 2004**

The regular monthly meeting of the East Nottingham Township Planning Commission was held in the Township Building on August 23, 2004. Those present were: Chairperson Marianne Russo, Vice-Chairman Joseph R. Bauer, Alvin Miller, Michael Rebert, Clifford Lee, Secretary Pat Brady and numerous guests.

The meeting was called to order at 7:07 p.m.. by Chairperson Marianne Russo.

The Pledge of Allegiance was led by Vice-Chairman Joseph R. Bauer.

Motion by Vice Chairman Joseph Bauer, seconded by Clifford Lee to adopt the agenda for the meeting.

Chairperson Marianne Russo asked for public comment on the agenda, receiving none it was unanimously approved to adopt the agenda.

Aye: M. Russo, J.Bauer, A. Miller, M. Rebert, C. Lee

Nay: -0-

Motion by Vice-Chairman Joseph Bauer,seconded by Michael Rebert it was unanimously agreed to approve the minutes of the July 26, 2004 Regular Meeting , as presented by the Secretary.

Aye: M. Russo, J. Bauer, A. Miller, M. Rebert, C. Lee

Nay: -0-

Chairperson Marianne Russo informed Alvin Miller concerning drip irrigation that, at the next month Planning Commission meeting, a representative from the County would be present and Yerkes to discuss this matter.

**Ordinance Review:**

**Impact Fees:** The Supervisors have appointed the Traffic Engineering Firm of McCormack & Taylor. No consultation has begun to date.

**Noise Ordinance:** Chairperson Marianne Russo advised she has discussed this matter with the Avondale State Police and they categorize this as disorderly conduct.

State Police stated they do not enforce Township Ordinances. If they receive a call and there is loud noise at an inconvenient hour, they will go out and investigate. Chairperson Russo feels there is something very subjective in all this. If a Township has an Ordinance about Noise, it is enforced by the Townships Zoning Enforcement Officer.

Alvin Miller - the Township adopted the State Noise Ordinance approximately 20 years ago using a meter to be read at the property line. Only the State Police can use them. There are only 3 in the entire state and controlled by the state.

Ron Ragan - they can be purchased at Radio Shack, however with normal background noise such as, birds chirping, trees blowing, dogs barking, lawn tractors mowing, and the wind, you won't hear much. It's all atmospheric conditions and complicated to distinguish the sound you're listening for that's in violation. You have to be there at the right time of day, no background noise, which is next to impossible. They do have meters that filter out the background noise, but they are very expensive.

Several Committee members agreed that there are two categories here. Commercial/Industrial and intermittent, which we need to approach from a different angle.

Joe Bauer and Clifford Lee will be a sub-committee and will come back at the September Meeting with a conceptual approach.

**Acreage requirements for horse farms**-Marianne Russo - at the last Board of Supervisors Meeting it was recommended that the Planning Commission consider amending the Zoning Ordinance #21997 that would change the current requirement of 3 acres for 1 animal to read a lot of 2 acres minimum for 1 animal.

Alvin Miller- people went to a lot of time and trouble to write these requirements. Act 319 has been in existence for some twenty years. If you're going to make any changes, a lot of things need to be taken into consideration such as mud, size of stalls etc..

Mike Rebert- if you change this, you're opening it up to a person who has 2 acres in a development and decides to get a farm animal.

Ron Ragan- other Townships such as Upper Oxford, Penn London and New London have the two acre minimum and haven't had any real problems.

Marianne Russo- this will be tabled to the September Meeting and in the meantime, we will do some research and talk to the other Townships, Upper Oxford, Penn and New London.

**Subdivision/Land Development Plans :**

1. **James Mark-** review letter from Ragan Engineering. Ron Ragan asks that we table this to next month since there is no one here from James Mark to respond to Ron's letter. Motion by Clifford Lee, seconded by Joe Bauer to table to next month.

Aye:Russo, Lee,Bauer,Rebert, Miller

Nay -0-

2. **Jordan Manor-** no one here to represent Jordan Manor  
Motion by Joe Bauer to take no action at this time, seconded by Mike Rebert

Aye:Russo, Lee, Bauer, Rebert, Miller

Nay -0-

3. **Woods at Nottingham-** waiting for a status update. No one here to represent Woods at Nottingham. Motion by Joe Bauer, seconded by Clifford Lee to take no action at this time.

Aye: Russo, Lee, Bauer, Rebert, Miller

Nay -0-

4. **Elkdale Development-**status update, no one here to represent Elkdale Development. Motion by Joe Bauer, seconded by Clifford Lee to take no action at this time.

Aye:Russo, Bauer, Lee, Rebert, Miller

Nay -0-

5. **Meadowview Estates-** status update, no one here to represent Meadowview Estates. Motion by Joe Bauer, seconded by Clifford Lee to take no action at this time.

Aye:Russo, Bauer, Lee, Rebert, Miller

Nay -0-

6. **Liz Miller Farm-** status update, no one here to represent Liz Miller Farm. Motion by Alvin Miller, seconded by Joe Bauer to take no action at this time.

Aye:Russo, Bauer, Lee, Miller, Rebert

Nay -0-

7. **Shepherd Farm-** status update, no one here to represent Shepherd Farm. Motion by Joe Bauer, seconded by Alvin Miller to take no action at this time.

Aye: Russo, Bauer, Lee, Miller, Rebert

Nay -0-

8. **Ruth Coldiron-** status update, no one here to represent Ruth Coldiron. Ron Ragan stated he is not representing them however, he was talking to Concord Land Planners and they are waiting to hear from the borough on some issues  
Motion by Clifford Lee, seconded by Mike Rebert to take no action at this time.

Aye:Russo, Bauer, Lee, Rebert, Miller

Nay -0-

9. **Lawrlane**-Ron Ragan, Waterway Road has been upgraded by Twin Ponds Subdivision, Fifth Street is a state road, let the State take care of the State road. Let the developer consider making some substantial improvements to Mt. Pleasant from Waterway to Election Road. They are looking at that and will take that under advisement. Also Ron had a meeting on behalf of the Township with DEP on the sewage and they have about 12 or so lots that won't perk and another area that might have some nitrate issues in terms of , the nitrate plum would move across the other properties before it got to a stream on site. This is a more critical problem . They are looking at putting together a package of a combination of on site & public sewage for this development. DEP didn't embrace this idea however, they are willing to listen to them. Ron Ragan suggests that we talk to our Solicitor concerning Safety, Health & Welfare.  
Motion by Joe Bauer, seconded by Clifford Lee to take no action at this time.

Aye:Russo, Bauer, Lee, Rebert, Miller

Nay -0-

10. **Tom Swift**- this plan is proposing a subdivision of 7, 1 acre lots . It's 8.9 acres with a mushroom house off of Wickersham Road. Lots 1, 2 & 3 , 3 has the mushroom house at the bottom left hand corner of the page. Those three lots have been deprobed on each one and they worked out. The other four lots won't perk. I have sewer, water & gas on Wickersham, due to the sewer moratorium I can't get sewer. They told me I could get sewer for 1 lot in May and I propose to get that on Lot 7. Then Lot 1, 2 & 3 we could have an on site system. Mr. Swift asks if he can have Lot 7, 1 & 2 sent thru with the Townships permission. There is on bottom right hand corner section for Storm Management. It's below lot 5 & 6. We need to leave something for open space. Lot 6 would own it but it would be deed restricted.

Ron Ragan- perhaps just do 1 lot, use his EDU & possibly come back in the future when there is sewer available.

The mushroom house is fully functioning per Tom Swift.

Ron Ragan- if the mushroom house continues to exist, we can't do the subdivision. It's on 8.9 acres which has been grandfathered. Our Ordinance states it must be on ten.

Alvin Miller- you have to go back to the Health Department and get your approvals

Marianne Russo- We can't go any further until the Health Dept. perks them. When sewer becomes available, he can come back with a new plan. The mushroom houses would have to come down.

**Extensions-**

1)Clyde Cameron- we need an extension letter from the developer immediately for 60 days.

2)McMichael Preliminary- this has been approved. Location at Tri-State Movers. He doesn't own the lot.

Ron Ragan will talk to Winifred Sebastian on this matter.

**Correspondence-** None

**Recognition of Visitors-** Joe Scheese suggested amending the Ordinance such that the developers have their sewage lined up before they get preliminary plan approval.

Marianne Russo- we need clarification between the difference of preliminary plan and final plan.

We can look into the principle of this, we look at the Ordinance and the difference between preliminary plan and final plan, to make sure all our ducks are in a row.

Motion to adjourn at 8:20 P.M. by Alvin Miller, seconded by Mike Rebert

Respectfully Submitted,



Pat Brady  
Planning Commission Secretary

APPROVED:  
Date 9/27/04

  
Marianne Russo, Chairperson