

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on December 19, 2005 at 7 pm. Those present were: Chairperson, Marianne H. Russo, Vice-Chairperson, Joseph R. Bauer, Jr., Planning Commission Members, Clifford Lee, Gene Turns, Walt Leis, and Planning Commission Secretary, PJ Scheese. Mike Rebert and Percy Reynolds were absent.

The meeting was called to order at 7:05 p.m. by Chairperson, Marianne H. Russo.

The Pledge of Allegiance was led by Vice-Chairperson, Joe Bauer.

A motion was made by Cliff Lee, seconded by Walt Leis to approve the agenda. The motion carried.

Aye: 5      Nay: 0

A motion was made by Joe Bauer, seconded by Gene Turns to approve the November 28, 2005 minutes. The motion carried.

Aye: 5      Nay: 0

### **Historic Ordinance**

Marianne gave a brief synopsis of the draft Historic Ordinance, of which each PC member had a copy. She said that the objective was to protect some of the historical sites in the township, and then directed the members to review the ordinance.

### **Developments**

#### ***Township Engineer Review Letters***

##### **Windle – Preliminary/Final Plan**

Marianne and PJ explained that the Sewage Planning Module for the Windle subdivision has not yet been sent to DEP. It needs to be signed by Marianne first. Then, although the BOS does not need to sign a resolution, it will still go in front of them to be approved before sending it on to DEP. Marianne signed the Planning Module.

##### **Jonathon Lapp**

Jim Gade said that he reviewed this subdivision as a straight subdivision, regardless of the fact that the TDRs from this farm are to be used for the Wicklow subdivision. He raised the issue of a waiver request from 502.11 of the SALDO. He recommended the following:

1. The offer of dedication for the right of way should not be waived.
2. Road improvements should be waived.

Discussion of escrow money for road improvements, to be used when the rest of the road frontage is improved by another development coming in, was reopened. Marianne does not believe it is good judgment to request road improvement money when no changes are being made to the property. Some discussion took place about asking for escrow money when there is not development. As long as the township obtains the right of way, the consensus of the group was not to have money escrowed. It was decided that escrowing money for indeterminate periods of time should be discussed further, at a later date.

A motion was made by Joe Bauer, seconded by Cliff Lee, to grant the waiver from 502.11, regarding cart way improvements. The motion carried.

Aye: 5      Nay: 0

Spence Andress then said that since there are not more open issues he would like preliminary/final plan approval from the PC. The Wicklow issues are separate from the Lapp plan. A motion was made by Joe Bauer, seconded by Walt Leis, to grant plan approval. The motion carried.

Aye: 5      Nay: 0

Wicklow

Jim Gade started out by saying this was the plan's second review letter. There are a number of things that are still unclear. They are:

1. Number of units (TDRs) coming from the Lapp farm;
2. Number of remaining units on the Lapp farm;
3. Total acreage of the Lapp farm is still in question;
4. Whether or not the 10% bonus of development rights should be awarded to Wicklow, as the Lapp farm is still to go through another subdivision process;
5. Whether or not the applicant still plans to have a portion of the subdivision an age restricted community.

Spence Andress said that the balance of the boundary survey of the Lapp farm is being done next week, so that will become definite. He also said that whether the 10% bonus applies is a matter of interpretation of the Zoning Ordinance. At the time the TDRs are affected, both Lapp subdivisions will be complete. However, at the time the Wicklow subdivision was submitted, the TDRs were not completely severed. Marianne and Spence discussed having the solicitor review this issue.

Alvin Miller, a resident, expressed concern that the number of TDRs may not be accurate when perk tests had not been done. Some discussion took place regarding this issue.

Spence said he would just keep working through the open issues with Jim Gade.

Marianne questioned Spence about whether the lower portion of the subdivision still being an age restricted community, as was stated when he originally presented the sketch plan. Spence said that was still the plan.

Jim Gade said that many of the open questions are related to the transfer of the TDRs.

The township solicitor has given the opinion that the West Nottingham Township acreage can not be part of the required open space. ENT's ordinance would not cover any other township. Therefore, only ENT acreage can be considered for the open space requirement. Dave Shelton, visitor/Supervisor, state that no matter what Winnie (solicitor) says, WNT acreage can not be used for the required open space, per the BOS.

Jim Gade said that the Ordinance is clear regarding storm water facilities not allowed to be calculated into the open space requirement.

Spence said that he has sent letters to ENT and WNT regarding a joint meeting with the Wicklow developers. Storm water management needs to be discussed with both municipalities.

Jim Gade said that the lower half of the development is technically just one big cul-de-sac and will need another entrance. The Chester County Planning Commission also brought this up. Spence said that they were will to discuss a connector road from ENT to WNT as another entrance to the development.

Sleiman

Jim Gade said that this is a new two lot subdivision. It is a single 9 acre lot becoming one 5 acre lot and one 3.5 acre lot. Presently there are no buildings on the land. The applicant proposes two houses, one on each lot.

Jim said the subdivision requires an Erosion and Sedimentation plan and probably an NPDES permit.

Some discussion took place regarding discrepancies of this being a 2 or 3 acre lot. There is some confusion in the plan. Much more work needs to be done on this.

There are some pretty significant wetlands shown on the plan. Jim says he needs clarification regarding this.

Jim suggested that since the rest of the Mt. Pleasant Road is scheduled to be improved the beginning of next year (per Dave Shelton), perhaps some money should be escrowed from this subdivision for that purpose.

Walt Leis stated that significant hydraulics shows up in the road and that the applicant should consider a more granular fill to ease this problem. Jim Gade said the PC could request money for the purpose of improving the hydraulic issue at the same time money is requested for road improvements.

Gene Turns suggested that everyone go out to the site to look at it.

A motion was made by Joe Bauer, seconded by Walt Leis, to take no further action until pending resolution of the technical issues. The motion carried.

Aye: 5      Nay: 0

Lee

Cliff Lee recused himself, as this is his subdivision.

Jim Gade said all issues have been resolved. All that is left is DEP approval of the Sewage Planning Module, which cannot be sent until letters from back from other reviewing agencies. A motion was made by Joe Bauer, seconded by Gene Turns, to take no action pending receipt of outstanding documents. The motion carried.

Aye: 4      Nay: 0      Abstention      1 (Cliff Lee)

Scheese

DEP Waiver Request was signed by Marianne Russo. A motion was made by Joe Bauer, seconded by Gene Turns, to grant final approval of the plan. The motion carried.

Aye: 5      Nay: 0

***Developers Requesting to be on Agenda***

Hickory Hill, Phase II

Sean McCauley reviewed the plan, stating that it was basically townhouses. They will realign Locust Street. Some discussion took place regarding the road name, as this street is actually called Wilson Mill Road. Sean said that according to the maps, the subdivision was done using the name of Locust Street.

There will be a boulevard entrance.

The spray fields will be to the west of the townhouses. It will not be a hay crop. There will be pop up sprinklers with a fence around it. Total acreage of the spray field is approximately 14 acres.

Rather than open cul-de-sacs, they have created basin areas for snow to be plowed into in the winter. These are included in the required open space calculations.

Applicant will be straightening out Wilson Mill Road (Locust Street).

Jim Gade has not yet reviewed the plan.

Joe Scheese, resident, asked if the OASA had its treatment plant up in time does the applicant have a contingency plan to hook up to their sewer lines. Sean said that the OASA would have a long way to catch up to them. Approval of their Sewage Planning Module is expected in the first quarter of 2006.

Marianne reiterated her objection to townhouses in the area. Sean said they will trade for approximately \$100,000 less than the houses they plan to build in Phase I.

***Letters of Extension***

A motion was made to request letters of extension for:

- Meadowview Estates (Option 2)
- Hostetter Shephard
- Lewis Tract
- Clifford Lee
- Jean Lawrie-Parker
- Cooper Farm/Greenpoint Farm
- Merrill Property
- Tom Swift
- Jim Ferver
- Wicklow

by Walt Leis, seconded by Gene Turns. Letters are to be date specific with April 11, 2006 as the specific date. The motion carried.

Aye: 5      Nay: 0

**No discussion or action taken on the following subdivisions:**

Hickory Hill Treatment Plant  
Cook Bros. (Meadow Creek)  
Meadowview Estates (Option 1)  
Liz Mill Farm

Elkdale Green  
Jordan Manor  
Cooper Farm

**Correspondence**

There was none.

**PC Members**

Gene Turns expressed his appreciate of Marianne Russo' Chairmanship and acknowledged that this would be her last PC meeting as Chairman. There was applause.

Marianne responded with thanks and said she is available. She will be working on the Historic Commission and hopes to be involved with the comprehensive plan revision.

**Recognition of Visitors**

Nothing

A motion was made by Joe Bauer, seconded by Cliff Lee, to adjourn the meeting. The motion carried.

Aye: 5      Nay: 0

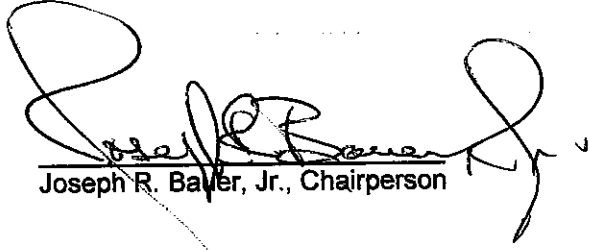
The meeting adjourned at 8:20pm.

Respectfully Submitted,



PJ Scheese  
Planning Commission Secretary

APPROVED:  
Date 1/23/06



Joseph R. Bauer, Jr., Chairperson

---