

**East Nottingham Township
Planning Commission Meeting Minutes
June 26, 2006**

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on June 26, 2006 at 7 pm. Those present were: Vice-Chairperson, Clifford Lee, Planning Commission Members, Gene Turns, Marianne Russo, Mike Rebert, John Wallace and Planning Commission Secretary, PJ Scheese. Absent were Chairperson, Joseph R. Bauer, Jr. and member, Walt Leis.

Vice-Chairperson, Clifford Lee, called the meeting to order at 7:00 p.m.

Vice-Chairperson, Clifford Lee, led the Pledge of Allegiance.

A motion was made by Marianne Russo, seconded by Mike Rebert, to approve the agenda. The motion carried.

Aye: 5 Nay: 0

There was no public comment on the agenda.

Vice-Chairman, Cliff Lee asked for a moment of silence in remembrance of Joe Bauer's wife, who passed away this afternoon.

A motion was made by Gene Turns, seconded by John Wallace, to approve the May 22, 2006 minutes. The motion carried.

Aye: 5 Nay: 0

Comprehensive Plan

There was some discussion regarding the path forward in the restructuring of the questionnaire. Cliff Lee suggested that at the next work session they should try to get the questionnaire done. Gene Turns said that at the last work session it was determined that the Chester County Planning Commission could not help ENT with its comprehensive plan for another 18 months. Jim Gade, township engineer, said that another work session was planned, but that no date had yet been set. Cliff Lee said they should have another work session in July.

TDRs

Cliff discussed the activity around TDRs. Jim Gade said at the end of the previous work session, the solicitor came up with a revised TDR ordinance. They had discussed the best way to net out the wetlands and request further soil information. Marianne Russ stated that she thought they were almost ready for a public hearing. Gene Turns suggested having two work sessions, one for TDRs and one for the Comprehensive Plan.

Marianne Russo made a motion, seconded by Mike Rebert to request the BOS to set up a work session on July 17, 2006, specifically to try to finalize the TDR Ordinance changes and then, assuming time permits, discuss the path forward on the Comprehensive Plan. The motion carried.

Aye: 5 Nay: 0

Ordinances

Noise Ordinance – As Joe Bauer was not at this meeting, discussion on this was postponed.

Water Supply Ordinance – As Walt Leis was not at this meeting, discussion on this was postponed.

Storm water Management Ordinance – As Walt Leis was not at this meeting, discussion on this was postponed.

Subdivisions & Land Development Plans

Cliff Lee reviewed the PC meeting Protocol for Township Engineer Review Letters:

Township Engineer Review Letters

Hostetter/Shepherd – Preliminary/Final Plan

Jim Gade, township engineer, reviewed his letter, saying all issues have been resolved. He said the only thing left was final plan approval

A motion was made by John Wallace, seconded by Marianne Russo, to approve the preliminary/final plan. The motion carried.

Aye: 5 Nay: 0

Timothy Bishop – Preliminary/Final Plan

Jim Gade, township engineer, said that there was one really big issue. That is that the R2 zoning had some changes in the recently adopted Zoning Ordinance, raising questions about 5-acre zoning. They are:

1. This parcel of land is situated in the R-2 Zoning District. Per Article VII, Section 702.C.4. – Single-family detached dwellings, where the tract contains a gross area of five (5) acres or greater as of Nov. 18, 2002 and the Retained Open Space Development option is not used requires a conditional use approval to be granted by the BOS. Since this parcel of land, as stated contains 5.5 acres gross, a conditional use approval is required.
2. According to the Zoning Chart listed on the submitted plan, this submission/subdivision is being developed according to Section 703.C where the total gross area of tract is less than 5 acres. This tract is more than 5 acres gross and does not intend to utilize the ROSD requirements. As such, the area and bulk requirements should comply with Section 703.D. Section 703.D requires a minimum net lot area of 1 acre. Lots 2, 3, and 5 do not comply.

Jim Gade observed that it looks as if they used the previous Zoning Ordinance to do the plan. The applicant needs to comply with the current Zoning Ordinance.

Another issue is the storm water basin that is across two properties and in the township right-of-way.

A motion was made by Marianne Russo, seconded by Gene Turns, to take no action. The motion carried.

Aye: 5 Nay: 0

Reserves of Dunlap – Preliminary Plan

Jim Gade reviewed his letter. This plan has 165 lots (an increase of 54 lots from the previously approved preliminary plan), with a combination of single family homes and townhouses. It uses TDRs, the ROSD, and will require a conditional use hearing. They want a 10% bonus for severing all rights from the sending tract. However, there seems to be some future building to still happen on the sending tract area.

The Wetlands Delineation Report is up in December of 2006 and Jim Gade thinks that DEP will require an updated version. As wetlands tend to creep, Jim thinks this could change the netted out areas, which could possibly be significant.

The traffic report states that there will be no impact on the roads that would require modification. Jim suggests requesting that the applicant take into consideration the other subdivisions going in, as well as the Charter School currently there.

Laura Swiskie, LRH Engineer, said she doesn't think anything will significantly impact the design they have. She said they will respond more fully at the next PC meeting. Cliff Lee brought up the Charter School and the sight distance issue. Laurie said they would be willing to discuss tying the school in with the new road in this subdivision. The PC seemed to be in agreement with that.

Laurie Swiskie asked about a possible waiver with the length of the loop road.

Marianne Russo and Gene Turns said they would like to walk the site. Laura Swiskie said she would like to go with them.

Laurie Swiskie said she would respond to Jim Gade's review letter more fully in a written response.

The Planning Commission requested a footprint of the townhouses. **A motion was made by John Wallace, seconded by Gene Turns, to take no action. The motion carried.**

Aye: 5 Nay: 0

Developers Requesting to be on Agenda

George Thompson Sketch Plan for Graves Mill Road Property

Mr. Thompson wishes to create several 10-acre lots for other members of his family to build houses on. The issue in question is that there are lots that are currently split by the township right-of-way. Will it be a problem to keep them like this? Register is doing this subdivision plan. Mr. Thompson gave Jim Gade a copy of the sketch he brought.

Tigue Farm (aka Jordan Manor) – Preliminary Plan

There was no one present to represent the applicant.\

Letters of Extension

A motion was made to request letters of extension for:

- **Elizabeth Miller – Preliminary Plan**
- **Hostetter/Shepherd – Preliminary/Final Plan**
- **Lewis Tract – Final Plan**
- **Replogle – Preliminary/Final Plan**

by Marianne Russo, seconded by Mike Rebert. Letters are to be date specific with October 15, 2006 as the specific date. The motion carried.

Aye: 5 Nay: 0

Correspondence

- Letter from Delaware Valley Regional Planning Commission about "Inclusionary Zoning."
- CCPC Newsletter
- Letter from Pat Brady, ENT secretary about "Proposal for the Creation of an Agricultural Security Area: Ronal & Barbara Cohen's property on Wilson Mill Road."
- Letter from the Department of Community & Economic Development about the "PA Local Government Training Partnership."

PC Members

Marianne Russo asked about Coates' property on Waterway and if anyone had heard about it being developed. Spence Andress, visitor, said that it is in an agreement with a developer.

Cliff Lee suggested that anyone who wished to donate money for flowers for Joe Bauer, to contact PJ Scheese. PJ is to inform the PC when Joe's wife's service is.

Old Business

None

Recognition of Visitors

Ken Knapp said he is getting mud on his property from all the rain washing away soil at the Hopewell Ridge development. This has been an ongoing problem. Gene Turns said he wants to go look at this. Jim Gade said this is subject to the NPDES E&S permit issued by the Chester County Conservation District. There was further discussion about this and it was suggested that PJ call CCDC to tell them about this. A memo should be sent to the BOS regarding the conversation with CCDC.

**A motion was made by Marianne Russo, seconded by Mike Rebert, to adjourn the meeting.
The motion carried.**

Aye: 6 Nay: 0


The meeting adjourned at 8:15pm.

Respectfully Submitted,



PJ Scheese
Planning Commission Secretary

APPROVED:
Date 7/24/06


Clifford Lee, Vice-Chairperson