

**East Nottingham Township  
Planning Commission Meeting Minutes  
October 23, 2006**

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on October 23, 2006 at 7 pm. Those present were: Chairperson, Joseph R. Bauer, Jr., Vice-Chairperson, Clifford Lee, Planning Commission Members, Gene Turns, Walt Leis, John Wallace and Planning Commission Secretary, PJ Scheese. Marianne Russo and Mike Rebert were absent.

Chairperson, Joseph R. Bauer, Jr., called the meeting to order at 7:01 p.m.

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

Joe Bauer stated the following changes to the agenda:

1. Remove Hickory Hill Phase I and II from "Developers Requesting to be on Agenda."
2. Place Hickory Hill Phase I and II under "No Action."
3. Change VI "Jake Brake Ordinance" to VI.A
4. Add VI.B "Flood Plain Management Ordinance."

**A motion was made by Gene Turns, seconded by Cliff Lee, to approve the agenda. The motion carried.**

**Aye: 5      Nay: 0**

There was no public comment on the agenda.

**A motion was made by Cliff Lee, seconded by Gene Turns, to approve the September 25, 2006 minutes. The motion carried.**

**Aye: 5      Nay: 0**

**Jake Brake Ordinance**

Thom Olivieri, Supervisor, spoke up to say that this was something that came up at the last BOS meeting and so he asked if it could be put on the next PC agenda.

Joe Bauer stated several points:

- It is a safety feature.
- Complaints are about the trucks going from Route 1 to Route 272, both of which are state roads.
- If the trucker was running legal exhaust you would not be able to hear it.
- If the person who complained was to document the date, time, and conditions when he heard the Jake Brake, he could forward that information to the State Police. They may be able to do something about it.
- The Township cannot do anything about this.

Walt Leis stated that if the truck is running at the speed limit posted, they would not need to use the Jake Brake. There was some further discussion on this.

**A motion was made by Joe Bauer, seconded by John Wallace, to take no action. The motion carried.**

**Aye: 4      Nay: 0      Abstention: 1 (Walt Leis)**

**Floodplain Management Ordinance**

Joe Bauer stated that he put this on the agenda. We were to comply by July 29, 2006, but we got an extension. He said he recently received comments from CCPC recommending that the BOS adopt this amendment.

**A motion was made by Cliff Lee, seconded by Walt Leis, to adopt the changes to the Flood Plain Management Ordinance, and to pass it on to the BOS. The motion carried.**

**Aye: 5      Nay: 0**

**Subdivisions & Land Development Plans**

Joe Bauer reviewed the PC meeting Protocol for Township Engineer Review Letters:

**Township Engineer Review Letters**

**George Thompson- Preliminary Plan**

Jim Gade, Township Engineer, reviewed his letter to the applicant. This is an 8 lot subdivision on 147 acres, in R-1 Zone, on Airport Road in ENT and WNT. The applicant wants to divide it into 8 10-acre lots to give to his relatives. Several waivers are on the plan. The biggest issue Jim sees is that Airport Road goes through some of the lots. The minimum lot area in the R-1 is five acres. When the road splits the parcels, some of the lots are less than five acres. Jim suggested trying to work with the applicant to resolve this issue.

The other issues are relatively small. Jim said regarding the Wetland waiver, that they must remember to net out the wetland area when determining the five acre minimum.

Joe Bauer went to look at the site. He said it is not Airport Road, but Graves Mill Road.

Chester Diem, of Regester Associates representing the applicant, told the PC that Mr. Thompson wants to give his kids the lots. Each lot has access to the stream. Nothing is to be built on the Western side of the road on any of the lots. All building will be on the eastern side.

Applicant has asked for an exception from DEP from doing planning modules. Jim Gade said he would work with Regester on these issues.

**A motion was made by Walt Leis, seconded by Cliff Lee, to take no action. The motion carried.**

**Aye: 5      Nay: 0**

**Tom Swift Estates – Preliminary Plan**

Jim Gade reviewed his letter to the applicant. Several waivers are being requested. Some issues have been resolved. There are no outstanding issues for the preliminary plan. Joe Bauer asked about the sidewalks being in the fifteen foot right-of-way and who would be responsible to maintain them. Jim Gade suggested that the Home Owners Association could be responsible for that. Jim Fritsch, of Regester representing the applicant, said the applicant is okay with that being in the HOA Agreement.

Jim Gade said that the storm water management issues have been resolved. There was some discussion about the storm water runoff. They propose to tie into the public sewer and each house will have their own grinder pump to be designed at the final plan stage.

The following waivers have been requested and motions were made:

**SALDO 402.03.C – A motion was made by Walt Leis, seconded by John Wallace, to waive the requirement that certain items, when located within 100 feet of the tract, to be put on the plan. The motion carried.**

**Aye: 5      Nay: 0**

**SALDO 402.03.E - A motion was made by Walt Leis, seconded by Gene Turns, to waive the requirement for significant environmental or topographic features, when located within 100 feet of the tract, to be put on the plan. The motion carried.**

**Aye: 5      Nay: 0**

**SALDO 402.05.I - A motion was made by Walt Leis, seconded by Cliff Lee, to waive the requirement for a Wetlands Jurisdictional Determination. The motion carried.**

**Aye: 5      Nay: 0**

**SALDO 403.03.D - A motion was made by Cliff Lee, seconded by Walt Leis, to waive the requirement for the location and names of right-of-ways, streets, etc, when located within 100 feet of the tract, to be put on the plan. The motion carried.**

**Aye: 5      Nay: 0**

**SALDO 508.08 - A motion was made by Walt Leis, seconded by Cliff Lee, to waive the requirement for the delineation of wetlands. The motion carried.**

**Aye: 5      Nay: 0**

A motion was made by Joe Bauer, seconded by Walt Leis to approve this final plan with the condition that the previous five waivers are approved by the BOS. The motion carried.

Aye: 6 Nay: 0

Hickory Hill Treatment Plant – Final LDP

Jim Gade Reviewed his letter to the applicant. All outstanding issues have been resolved. The NPDES permit still needs to be issued. The Part 2 Permit has been filed for and is under review by DEP. Sean McCauley, representing the applicant, requested final plan approval, conditional upon getting the NPDES and Part 2 permits. Cliff Lee expressed concern about the permits that are still outstanding.

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

Aye: 5 Nay: 0

Developers Requesting to be on Agenda

Tigue Farm (aka Jordan Manor)

Jack Wuerstle presented for the applicants. He said that over the past few months they have been in discussion with the OASA about whether they would want this site to go to public sewer. They would like to make some changes to the plan with this in mind. They would like to create a separate lot for the farm house and out buildings on a 115-acre farming lot. They have decided to preserve the farm. They are not proposing to increase the density. They would like to change one of the proposed roads to place it closer to the main development, moving some houses out of the proposed 115-acre farming lot. The active open space will remain.

Jack Wuerstle stated that he was just taking the PC's temperature as to how they liked the new proposed plan. The general feeling from the PC was positive.

Jim Gade had two issues. First, that according to the Zoning Ordinance section 1310.H.1 the BOS needs to approve private ownership of open space. Second, when an ROSD is next to an active farm, all residential structures must be at least 100 feet away. Andy Eberwein, Engineer for applicant, said they were fine with that. No motions were made.

Langston Sketch (aka Liz Miller Property)

Julie Kirkpatrick of Lake Roeder Hillard, Diane Frame of Keystone Custom Homes, and Matt Domeco gave a Power Point presentation. The new sketch shows "squared" end blocks. It has "general public" open space, as well as "greens" that are more neighborhood oriented open space. The "greens" are in the front of the houses instead of the back yards facing up to the "green."

There was some discussion of traffic impact on Hickory Hill Road. Joe Bauer said that he could see they took the PC's previous comments into consideration. Diane Frame said that all lots were basically about the same size so that any of their houses could go on any of the lots.

Letters of Extension

A motion was made to request letters of extension for:

- Elkdale Green – Preliminary Plan
- Hickory Hill II – Preliminary Plan
- Jordan Manor – Preliminary Plan
- Meadowview Estates – Preliminary Plan
- Tom Swift Estates – Preliminary Plan
- Williamson – Preliminary Plan
- Cooper Farms ( aka Greenpoint Farms) – Final Plan
- Hickory Hill Phase I – Final Plan
- Hickory Hill Treatment Plant – Final Plan
- Tom Swift – Minor Plan
- Clifford Lee – Minor Plan
- Cook Bros (aka Meadow Creek) – Final Plan

by Walt Leis, seconded by Gene Turns, to be date specific for February 15, 2007. The motion carried.

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

**No Action Items**

**A motion was made by Cliff Lee, seconded by Walt Leis, to take no action on the following Plans:**

- Elizabeth Miller – Preliminary Plan
- Reserves of Dunlap – Preliminary Plan
- Stoltzfus Tract – Minor Plan
- Wicklow Subdivision – Preliminary Plan
- Timothy Bishop – Minor Plan
- Lewis Tract
- Hickory Hill I
- Hickory Hill II

The motion carried.

Aye: 5      Nay: 0

**Conditional Use Hearings**

**Langston (Liz Miller) Property**

There was no word yet as to when this CUH will take place. This item was removed from the agenda.

**Correspondence**

None

**PC Members**

Cliff wanted to thank the Roadmaster for reacting so quickly in replacing speed limit signs that had disappeared.

**Old Business**

None

**Recognition of Visitors**

Nothing

**A motion was made by Cliff Lee, seconded by Gene Turns, to adjourn the meeting. The motion carried.**

Aye: 5      Nay: 0

The meeting adjourned at 8:27 pm.

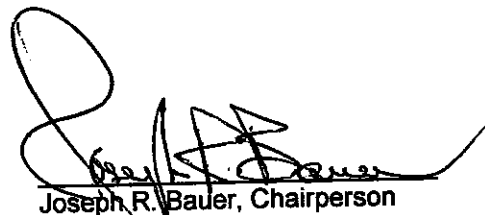
Respectfully Submitted,



PJ Scheese  
Planning Commission Secretary

APPROVED:

Date 11/27/06



Joseph R. Bauer, Chairperson