

**East Nottingham Township
Planning Commission Meeting Minutes
January 22, 2006**

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on January 22, 2007 at 7 pm. Those present were: Chairperson, Joseph R. Bauer, Jr., Vice-Chairperson, Clifford Lee, Planning Commission Members, Gene Turns, Mike Rebert, Walt Leis, John Wallace, Marianne Russo, and Planning Commission Secretary, PJ Scheese.

Chairperson, Joseph R. Bauer, Jr., 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 Cliff Lee, to approve the agenda. The motion carried.

Aye: 7 Nay: 0

There was no public comment on the agenda.

Minutes to Approve

December 18, 2006 – On page 2, under Hickory Hill Phase I, two changes were made in the waiver requests section: 502.06.A was changed to 502.16.A and 502.06.B was changed to 502.16.B. **A motion was made by Marianne Russo, seconded by Gene Turns, to approve the December 18, 2006 Regular Minutes, with the above referenced changes. The motion carried.**

Aye: 7 Nay: 0

January 3, 2007 – **A motion was made by Marianne Russo, seconded by John Wallace, to approve the January 3, 2007 Organizational Meeting minutes. The motion carried.**

Aye: 7 Nay: 0

January 8, 2006 – On page 1, in the first paragraph, "organizational" was changed to "special." **A motion was made by Marianne Russo, seconded by Mike Rebert, to approve the January 8 2007 Special Meeting minutes. The motion carried.**

Aye: 5 Nay: 0 Abstention: 2 (Cliff Lee & Walt Leis)

Ordinances

Amendment to the I-2 District – This amendment will remove the requirement of a Conditional Use Hearing for the allowance of single family houses, up to five (5) lots. Walt Leis expressed concern about developers getting around this by doing several subdivisions that are no more than five lots each. There was some discussion about this. **A motion was made by Walt Leis, seconded by Cliff Lee, to pass this amendment on to the BOS, but to include language stating that this can only be done once on the original lot and that a deed restriction be placed on that lot. Language will be determined by the Township Solicitor. The motion carried.**

Aye: 7 Nay: 0

PJ Scheese was instructed to call the solicitor to have that statement added to this amendment for the next BOS meeting on February 12, 2007.

Subdivisions & Land Development Plans

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

Township Engineer Review Letters

Will Baker – Preliminary/Final Plan

Jim Gade went over his review letter. This is treated as a minor plan as the big lot has an Agricultural Easement. The applicant will need a waiver from 502.11 to avoid having to do any cartway improvements. Rear yard setback will need to be 100 feet, so plan will need to be adjusted.

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

Aye: 7 Nay: 0

A motion was made to have Chairman Joe Bauer sign the Component 4A of the Sewage Facilities Planning Module. The motion carried.

Aye: 7 Nay: 0

Hickory Hill I – Final Plan

Jim Gade went over his review letter. Two waivers are being requested: 502.16.A and 502.16.B. Some of the zoning issues include

- Homeowners Association document needing approval from the Township Solicitor,
- Penn Dot needing to approve the plan,
- Road names & addresses need to be put on the plan,
- Improvement Guarantee.

There was some discussion about the sidewalk vs. trail issue. PJ Scheese said that there was nothing in either the BOS or PC minutes, going back as far as December 2003, indicating an agreement between the applicant and the township, to replace sidewalks with a trail system.

There was some discussion about DEP having approved the Planning Module. Walt Leis said he would like to see the letter on that.

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

Aye: 7 Nay: 0

Hopewell Elementary School - LDP

Jim Gade went over his review letter. There are eleven waiver requests. The applicant will need zoning relief for the building height. The plan indicates the building will be thirty-seven (37) feet, but the maximum building height in ENT's Zoning Ordinance is thirty-five (35) feet. Another area the applicant will need zoning relief is the size of the parking spaces. The current plan shows them as being smaller than the Zoning Ordinance requires.

Dan Errett, of Lake Roeder Hillard, said they would address Jim Gade's comments and try for a clean letter. He said they will adjust the parking spaces to meet the Zoning Ordinance and check the height of the building with the architect.

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

Aye: 7 Nay: 0

Timothy Bishop – Preliminary/Final Plan

Jim Gade went over his review letter. This is the remaining lot from the Locksley Glen Subdivision. The applicant is using the ROSD section of the Zoning Ordinance to divide this lot. There is some question as to whether the barn on remaining large lot would be called historical, as that is the only way that lot could be considered Open Space for this subdivision.

The applicant plans on draining the pond on lot 4, filling it in and building a house there. The Army Corps of Engineers must determine how this is to be done. It is unknown at this time whether the pond is natural or man made.

The applicant is requesting two waivers from the SALDO. They are from 508.05.E and 508.05.F.6.

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

Aye: 7 Nay: 0

Andy King Tract – Preliminary/Final Plan

Jim Gade went over his review letter. This subdivision falls under Article V of the Zoning Ordinance. Therefore it is treated as a Minor subdivision. One lot is being subdivided off, with the remaining lands going to TDRs.

There is some question as to how to handle the driveway as it would be less than 60 feet away from a driveway that is already there. Jim Gade believes it would be better to have a common wide driveway coming off the road, and then splitting to go to each house. As the road is State-owned, this is actually a Penn Dot issue.

The current plan shows a 50 foot access to a larger parcel. Jim Gade questions why this is not 25 feet wide if the applicant does not intend to subdivide that lot any further. Laura Swiski, of Lake Roeder Hillard, said they have no problem changing this to a 25 foot access drive.

Another issue is that the rear yard must be 100 feet, and this plan shows less than that. Laura Swiski said that the lot line would be changed to accommodate that.

Cliff Lee suggested the waivers requested from SALDO 302.01.A.5 and 502.11.B should not be considered until more detail is put on the plan. **A motion was made by Cliff Lee, seconded by Mike Rebert, to take no action. The motion carried.**

Aye: 7 Nay: 0

Jonathan Lapp –

Jim Gade went over his review letter. This subdivision falls under Article V of the Zoning Ordinance. Therefore it is treated as a Minor subdivision. The applicant is subdividing off a 2-acre lot and the remaining lands will be used for TDRs for the Wicklow subdivision. A note indicating this should be added to the plan.

The applicant will also need to submit a waiver request from 502.11 of the SALDO regarding cartway improvements. **A motion was made by Mike Rebert, seconded by Marianne Russo, to take no action. The motion carried.**

Aye: 7 Nay: 0

Developers Requesting to be on Agenda

Margaret Hart-Williamson – Preliminary Plan

A motion was made by Marianne Russo, seconded by Walt Leis, for Chairman Joe Bauer to sign the Component 4A of the Sewage Facilities Planning Module. The motion carried.

Aye: 7 Nay: 0

A motion was made by Cliff Lee, seconded by Gene Turns, to forward the Planning Module to the BOS to do a Resolution. The motion carried.

Aye: 7 Nay: 0

Isaac Stoltzfus – Sewage Facilities Planning Module

When Mr. Stoltzfus subdivided a 10-acre lot off of his property a few years ago, he did a non-building waiver with DEP. Now he wishes to build a house on that lot and DEP is requiring him to do a planning module. **A motion was made by Cliff Lee, seconded by Gene Turns, for Chairman Joe Bauer to sign the Component 4A of the Sewage Facilities Planning Module and forward it on to DEP. The motion carried.**

Aye: 7 Nay: 0

Conditional Use Hearing

Wicklow – This hearing started on January 18, 2007. It will be continued on February 15, 2007. Township Solicitor, Winnie Sebastian, requested the Planning Commission give its comments regarding this. Comments are to be emailed to PJ Scheese no later than February 11th. They will be consolidated into a single documents and forwarded to Ms. Sebastian.

Spence Andress, Laura Swiski and Joel Brown were present to represent applicant.

Letters of Extension

A motion was made by Marianne Russo, seconded by Mike Rebert to request a letter of extension for:

- **Elkdale Green – Preliminary Plan**
- **Jordan Manor (Tigue Farm) – Preliminary Plan**
- **Meadowview Estates – Preliminary Plan**
- **Margaret Hart-Williamson – Preliminary Plan**
- **E. Mitchell Delp – Minor Plan**
- **Clifford Lee – Minor Plan**
- **Cook Bros. – Final Plan**

to be date specific for May 15, 2007. The motion carried.

Aye: 6 Nay: 0 Abstention: 1 (Cliff Lee)

No Action

A motion was made by Gene Turns, seconded by Walt Leis to take no action on the following plans:

- **Elizabeth Miller – Preliminary Plan**
- **Hickory Hill Phase II – Preliminary Plan**
- **Jonathan & Elizabeth Lapp – New Preliminary Plan**
- **Reserves of Dunlap – Preliminary Plan**
- **Timothy Bishop – Minor Plan**
- **Cooper Farms (aka Greenpoint Farms Phase II) – Final Plan**
- **George W. Thompson, Jr. – Final Plan**
- **Lewis Tract – Final Plan**

The motion carried.

Aye: 7 Nay: 0

Correspondence

- Letter from Brutscher, Folley, Milliner & Land, LLP; re: George Thompson Zoning Hearing on January 24, 2007.
- Letter from Register Associates withdrawing Tom Swift –Minor Plan
- Fire Hydrant Map from Chester Water Authority

PC Members

Joe Bauer said that he had received two versions of a Historical Preservation Ordinance from Alan Novak, Township Solicitor. One is very lengthy with penalties for not adhering to the ordinance. The other is shorter with fewer penalties. Marianne Russo recommended these be passed on to the Historical Commission for their comments. Then they should go back to the PC for their comments. PJ Scheese is to pass these along to the Historical Commission.

Joe Bauer found an ordinance for on-site sewage management from the Township Solicitor. PJ Scheese will get copies to the PC.

Old Business

None

Recognition of Visitors

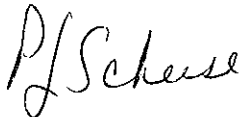
None

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

Aye: 6 Nay: 0

The meeting adjourned at 8:55 pm.

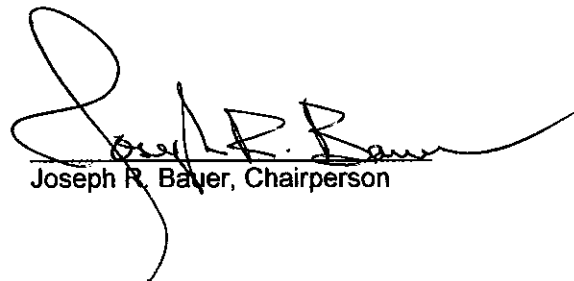
Respectfully Submitted,



PJ Scheese
Planning Commission Secretary

APPROVED:

Date 2/26/07



Joseph R. Bauer, Chairperson