

**AGENDA**  
**EAST NOTTINGHAM TOWNSHIP**  
**PLANNING COMMISSION**  
**SPECIAL MEETING**  
**JUNE 12, 2007**

- I. Call meeting to order  
Appoint Temporary Chairman
- II. Pledge of Allegiance
- III. Approve Agenda
- IV. Public Comment on Agenda
- V. Discuss Langston ( Liz Miller Property) Conditional Use Hearing
- VI. Discuss Reserves of Dunlap Conditional Use Hearing
- VII. Adjournment

**East Nottingham Township  
Planning Commission Minutes  
Special Meeting  
June 12, 2007**

The special meeting of the East Nottingham Township Planning Commission was held in the Township Building on June 12, 2006 at 7 pm. Those present were: Planning Commission Members, Joseph R. Bauer, Jr., Michael W. Rebert, Gene Turns, Marianne Russo, Walt Leis and Planning Commission Secretary, PJ Scheese. John Wallace & Clifford Lee were absent.

The meeting was called to order at 7:00 p.m. by Joseph R. Bauer, Jr.

The Pledge of Allegiance was led by Chairman Joe Bauer.

A motion was made by Walt Leis, seconded by Gene Turns, to approve the agenda. The motion passed.  
Aye: 5      Nay: 0

There was no public comment on the agenda.

Copies of the criteria in Section 2110 of the Zoning Ordinance were handed out to the PC. Joe Bauer reviewed it.

**E. Criteria**

*The following criteria shall be used by the Board of Supervisors as a guide in evaluating a proposed conditional use. The burden of proof in establishing that all criteria have been met shall at all times rest upon the applicant.*

1. *The proposed use at the location in question shall be in the public interest and best serve the public health, safety, and general welfare.*
2. *The proposed use shall be consistent with the goals and objectives of the East Nottingham Township Comprehensive Plan and those of the East Nottingham Township Open Space, Recreation, and Environmental Resource Plan.*
3. *The size, scope, extent, and character of the proposed use shall be consistent with the spirit, purpose, and intent of this ordinance.*
4. *Applicant shall take into consideration the character and type of development in the area surrounding the tract, and determine that the proposed change will not injure or detract from the use of surrounding properties or from the character of the neighborhood.*
5. *Consideration shall be given to the effect of the proposed use with respect to the most appropriate use of land, conserving building and property values, and safety from fire and other dangers.*
6. *Sufficient land area shall be made available to be able to effectively screen the proposed conditional use from adjoining different uses.*
7. *Sufficient safeguards for parking, traffic control, screening, setbacks and other design requirements under this ordinance can be implemented to remove any potential adverse influences created by the proposed use.*
8. *The impact and effect on buildings or districts of historical or architectural significance shall be considered.*

**Langston (aka Elizabeth Miller Property)**

Representing the Langston Subdivision were John Mahoney, Solicitor representing Keystone Custom Homes, Laura Swiski, Lake Roeder Hillard Engineer, Diane Frame, Keystone Custom Homes Project Manager, and Mark Henise, Lake Roeder Hillard Traffic Consulting Engineer.

John Mahoney reviewed the TDR site plan. Forty-seven (47) TDRs are coming from the Fisher farm on the Northwest corner of Union Square and Forge Roads

Laura Swiski stated that the Miller tract resides on both sides of Route 472. It consists of eighty (80) acres, two thirds of which are on the south side of 472, the remaining one third is on the north side of 472. Both sides are intended for development. There are two existing houses on the tract, which are to remain. Most of the lots are 75' x 100'. It is a town-type configuration with a boulevard and loop road. There will be 167 new houses.

There will be a pedestrian connection between Langston and the existing little league field, and a walking trail system through the open space with exercise stations. A tot lot is proposed in open space #8. A gazebo picnic area is proposed in open space #10. There are some wetlands along the woods, which shall remain undisturbed. Some natural buffers exist as well as some being added for screening. Fulton Road will be changed to ninety degree intersection.

Cartways will be 24' wide. Some traffic calming measure, such as a grid pattern will exist. Each house will have a two car garage, with room for two more cars in the driveway. The ultimate right of way is fifty (50) feet, thirty-five (35) of which will be dedicated to the township. The sidewalks will not be dedicated to the township. The Boulevard will be one-way each direction with a comparable reduction in each lane to 14'. This will be the main entrance to the development.

The north side will have a standard two-way access. Open space #4 will be owned by the HOA. CWA will supply water, and there will be public sewer. No commercial facilities are proposed.

A traffic impact study will be submitted during the subdivision process. Typically there are 9 ½ trips per day, per house.

The PC asked about the potential for a traffic light in this corridor. The response was that no other developments in this area had been analyzed, just this development.

Diane Frame showed pictures of the types of houses that will be built. They will have front porches, masonry on the front, false dormers and recessed garages. Side yards will be ten (10) feet. The sizes will range from 2600 SF to 3400 SF. There will be product diversity in the neighborhood, meaning sizes and types of houses will be mixed throughout. All houses will be two stories and have four bedrooms, two and a half baths, and two car garages.

Mark Henise stated that the traffic impact study resulted in the level of service being a "C" or better, meaning not much delay (more than 15 seconds, not more than 25 seconds) getting out of the intersection.

There was some discussion about the staggered roads creating a safety hazard. There are no accel or decel lanes proposed yet. This will be dictated by Penn Dot.

The PC then discussed the criteria review. The subdivision seems to be consistent with the goals of Section 2110 of the Zoning Ordinance. There is consideration of the roads being staggered on 472, rather than having entrance roads directly across from each other. Environmentally the PC acknowledged that the applicant has not yet complete the activity that addresses water levels and wetlands. The PNDI will need to be run again.

The gross open space is 33.24 acres, which is 41% of the total acreage. This includes storm water facilities. Also the large pond is included in the gross open space. It was netted out during consideration for the allowable number of units.

Walt Leis stated some concern about whether the subdivision met all the criteria. He does not feel confident to provide a vote to approve the conditional use. Walt Leis said he did not feel confident making a judgment on paper regarding numbers 4 & 6 of the criteria, without first looking at the site. The PC agreed, in general that the plan meets the criteria, but did not feel comfortable stating that they approved of it for the conditional use hearing. There was some further discussion on this.

John Mahoney suggested a motion to the PC. **A motion was made by Walt Leis to consider John Mahoney's suggested motion, seconded by Gene Turns. During the discussion to consider the motion the PC asked to recess for a few minutes at 8:37pm.**

The PC reconvened at 8:45pm.

**Walt Leis then made a motion to withdraw his previous motion and Gene Turns withdrew his second to that motion. The motion to withdraw the previous motion carried**

**Aye: 5      Nay: 0**

**Marianne Russo then made a motion in three parts:**

- 1. The PC recommends to the BOS that the plan be considered for conditional use under Section 2110 in the ENT Zoning Ordinance.**

2. The PC recommends "the burden of proof in establishing that all criteria have been met shall at all times rest upon the applicant."
3. The PC retains its advisory role in ascertaining that the applicant does meet all the criteria throughout the subdivision process.

The motion was seconded by Walt Leis. The motion carried.

Aye: 5      Nay: 0

The PC took another recess at 8:47pm, and reconvened at 8:52pm

**Reserves of Dunlap**

Representing the Reserves of Dunlap Subdivision were Bob Adams, Solicitor representing Hostetter, and Laura Swiski, Lake Roeder Hillard Engineer.

The Forty-seven (47) TDRs being used for this subdivision are coming from the Stoltzfus property on Mt. Olivet Road. Bob Adams said that it is Section 1404.B.3 of the Zoning Ordinance is what the conditional use application was filed under. The focus is on the modification of the area and bulk regulations. This development will have 136 single family homes on the southwest corner of Barnsley and Twin House Roads, and twenty-two (22) townhouses on the northwest corner.

Laura Swiski stated that this is the third iteration of the plan that has been in front of the PC in the past year. The single family home lots are 100' in depth with 10' side yards. There is one very large section of active open space. Wetlands are in the other large section of open space, along with a pond. Total number of acres is 73.9. The townhouses, each on about 2700 SF lots, will have 2-3 bedrooms. This tract is approximately six acres. The single family houses, will have four bedrooms. The smallest lot for these will be just under 7800 SF. This tract is about sixty-eight acres. There is one existing house on the tract which will not remain.

Both a PHMC and PNDI have been done on this project. They are having a phase 2 study for bog turtles. Public sewage is proposed. Total open space is 24.96 acres.

Marianne Russo made a motion in three parts:

4. The PC recommends to the BOS that the plan be considered for conditional use under Section 2110 in the ENT Zoning Ordinance.
5. The PC recommends "the burden of proof in establishing that all criteria have been met shall at all times rest upon the applicant."
6. The PC retains its advisory role in ascertaining that the applicant does meet all the criteria throughout the subdivision process.

The motion was seconded by Walt Leis. There was some discussion about whether townhouses were appropriate for that area. The PC felt that although they are permitted in this zoning district, Walt Leis said he wouldn't recommend it. The motion carried.

Aye: 5      Nay: 0

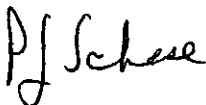
Marianne Russo stated that she has serious reservations about the design as presented to the PC tonight. Although it may be permitted under the township zoning ordinance, there is a lot in the plan the PC should look at very seriously during the subdivision process. The rest of the PC agreed and asked that this be added to the recommendation to the BOS.

A motion was made by Marianne Russo, seconded by EVERYONE, to adjourn. The motion passed.

Aye: 5      Nay: 0

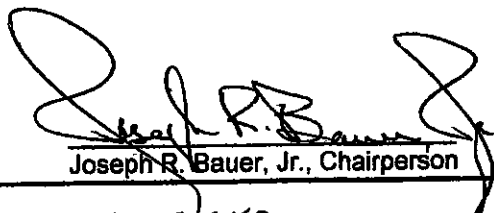
The meeting adjourned at 9:40 pm.

Respectfully Submitted,



PJ Scheese  
Planning Commission Secretary

APPROVED:  
Date 8/27/07



Joseph R. Bauer, Jr., Chairperson