

**AGENDA
EAST NOTTINGHAM TOWNSHIP
PLANNING COMMISSION
November 26, 2007**

- I. *Call meeting to order*
- II. *Pledge of Allegiance*
- III. *Approve Agenda*
- IV. *Public Comment on Agenda*
- V. *Approve Minutes*
 - October 22, 2007
- VI. *Ordinances*
 - All water ordinances – tabled until Comprehensive Plan is done
- VII. *Subdivision/Land Development Plans*

TOWNSHIP ENGINEER REVIEW LETTERS

The township's engineer will go over his review letter with the Planning Commission and the applicant, if he is present. The Planning Commission requests that the applicant wait until he is asked a question by the engineer or any member of the Planning Commission, or wait until the engineer's review of the plan is finished before directly addressing the Planning Commission regarding that plan.

1. TDT Prime – Preliminary Subdivision Plan
 - Stantec Review Letter
 - Waiver Request - 402.05.I

DEVELOPERS REQUESTING TO BE ON AGENDA - The Planning Commission re-emphasizes that presentations be 15 minutes or less.

Thank you

2. Jordan Manor (aka Tigue Farm) – Preliminary Subdivision Plan
 - Waiver Request – 502.06.A

PLAN WITHDRAWALS

3. Hickory Hill Road Tract Phase I – Final Subdivision Plan
4. Hickory Hill Road Tract Phase II – Preliminary Subdivision Plan
5. Hickory Hill Sewage Facilities Treatment Plant – Approved Plan

REQUEST FOR EXTENSION LETTERS - Letters to be date specific for 3/15/08

6. Elizabeth Miller – Preliminary Subdivision Plan
7. Jordan Manor (aka Tigue Farm) – Preliminary Subdivision Plan
8. Reserves of Dunlap – Preliminary Subdivision Plan
9. Andy King Tract – Minor Subdivision Plan
10. Timothy Bishop – Minor Subdivision Plan

OTHER SUBDIVISIONS IN PROCESS (FYI)

11. Elkdale Green – Preliminary Subdivision Plan
12. Meadowview Estates – Preliminary Subdivision Plan
13. Preserve at White Oak Farm –Preliminary Plan
14. Shepherd DeCarlo – Preliminary Subdivision Plan
15. Lewis Tract – Final Land Development Plan
16. Tom Swift Estates – Final Land Development Plan
17. Wilson King – Final 2-Lot Subdivision & Land Development Plan
18. George W. Thompson, Jr. – Final Subdivision Plan

VIII. Correspondence

IX. Planning Commission Members

- Holiday Party

X. Old Business

XI. Recognition of Visitors

XII. Adjournment

**East Nottingham Township
Planning Commission Meeting Minutes
October 22, 2007**

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on October 22, 2007 at 7:00 pm. Those present were: Chairperson, Joseph R. Bauer, Jr., Vice-Chairperson, Clifford Lee, Planning Commission Members Gene Turns, John Wallace, Janice Gavin (late arrival) and Planning Commission Secretary, PJ Scheese. Members Mike Rebert and Walt Leis were absent.

Chairperson, Joseph R. Bauer, Jr., called the meeting to order at 7:07 p.m.

Chairperson, Joseph R. Bauer, Jr. asked Vice-Chairperson, Clifford Lee to lead the Pledge of Allegiance.

Agenda

A motion was made by John Wallace, seconded by Gene Turns, to approve the agenda. The motion carried.

Aye: 4 Nay: 0

There was no public comment on the agenda.

Janice Gavin arrived at 7:09pm.

Minutes to Approve

September 24, 2007 – A motion was made by Gene Turns, seconded by John Wallace, to approve the minutes for this regular PC meeting. The motion passed:

Aye: 5 Nay: 0

Ordinances

Thom Olivieri – Environmental issue

Mr. Olivieri stood up and read the following statement:

“I came here tonight to ask the Planning Commission to consider making changes to one of our ordinances. The request stems from a report I saw about bees. Specifically, the lack there of. Bees are essential to agriculture. Without bees, crops fail.

There are apparently two main reasons for the decline in bee populations. One is a fungus. The other is cell phone towers. Cell phone towers interfere with bees communicating with each other. They are unable to return to the nest and the nest dies. According to the report, certain types of bees have completely disappeared from areas where cell phone towers exist.

After seeing this, I went out to my yard to check the four locations where I normally have bees. I don't have any bees. I checked with some of my neighbors and a friend about three miles away. No bees. At the Apple Festival this year, there were hardly any.

I don't expect the Planning Commission to be able to do anything about an act of nature, but something may be possible with cell phone towers. I would like to request the Commission look into what types of restrictions may be put on cell towers. If legally permissible, I would like to request you consider banning cell towers from our agricultural areas. Basically, the R-1 district.

When crops fail, farms fail. When farms fail, taxes skyrocket. Furthermore, if the Township is attempting to preserve farmland, we should do what we can to help make them successful and worth preserving.

I appreciate your time and consideration.”

There was some discussion about the report Mr. Olivieri viewed on the Discovery Channel or on a Nova presentation on PBS, or on the Nature channel. There are also websites – if you Google bees/cell phone towers. Mr. Olivieri warned the audience that some of these sites are phone company sites.

Joe Bauer mentioned that he has also been following stories about the bee populations and said that he has noticed the decline of bees in his yard this year. Mr. Bauer also stated that the Zoning Ordinance currently restricts cell towers to municipal properties. He said he plans to do more research on this.

Historic Ordinance

The PC had the newest version of this ordinance. It has been submitted to the Chester County Planning Commission. This ordinance is based on the one from East Goshen. John Wallace stated that he likes this one much more than the previous one. Joe Bauer said he noticed that this one does not have as strict as the previous version.

Class I locations are those sites that meet the national standards. Class II locations are sites of local significance. Ralph Denlinger said there are many log cabins in ENT. He said the Historical Commission is creating a list of all historical sites and they will notify the property owners that these sites are on the list. The Historical Commission still needs to do a lot of research.

A motion was made by John Wallace, seconded by Gene Turns, to pass this ordinance on to the BOS with their recommendation to approve it. The motion carried.

Aye: 5 Nay: 0

Subdivisions & Land Development Plans

Township Engineer Review Letters

Wicklow – Preliminary Subdivision Plan

Joel Comada, of Stantec Consulting, went over Jim Gade's review letter. There are still some sewage issues outstanding, and the applicant is working those out. There are a few minor engineering issues being worked out.

Laura Swiski, of Lake Roeder Hillard, represented the applicant. She requested the Planning Commission consider the waivers requested.

A motion was made by Cliff Lee, seconded by John Wallace, to approve the applicant's request for a waiver from section 502.16.A of the SALDO which requires driveways to be no less than 80 ft. from the edge of the cart way of any street intersection. The motion carried.

Aye: 5 Nay: 0

A motion was made by Cliff Lee, seconded by Gene Turns, to approve the applicant's request for a waiver from section 502.01.B of the SALDO and to allow existing outbound survey markers found during the property survey to remain and concrete monuments to be set at all outbound corners where no existing survey marker is found. The motion carried.

Aye: 5 Nay: 0

A motion was made by Cliff Lee, seconded by John Wallace, to approve the applicant's request for a waiver from section 502.12.C of the SALDO which requires intersections of major roads to be at least 1000 ft apart from center to center. The motion carried.

Aye: 5 Nay: 0

Joe Bauer referred to #4 under the SALDO section of Jim Gade's review letter, regarding the width of Baltimore Pike. Although the plan view shows a width of 24.5 feet from the centerline of Baltimore Pike to edge of cart way, a detail should be added to the plan. However, PENNDOT has the final say on this.

The planning module will likely be open until the OASA's Act 537 is in place. Also the Traffic Impact Study has yet to be finished. The street light fixtures need the BOS's approval, but this should come up when the plan is put in front of the BOS for approval.

A motion was made by Cliff Lee, seconded by John Wallace, to approve this preliminary plan, conditional on PENNDOT approval and the BOS's decision on the street lamps. The motion carried.

Aye: 5 Nay: 0

All other remaining items, including DEP approval, won't be resolved until the final plan process, as these are regional issues.

Wilson King – Preliminary Land Development Plan & 2-Lot Subdivision

Joel Comada, of Stantec Consulting, went over Jim Gade's review letter. The first lot will have the proposed building for commercial and industrial use. The second lot will not be developed. There is currently a non-conforming building that is located across one the lot lines. The applicant does not intend to bring this into conformance in this Land Development Plan. Some of the outstanding issues are:

- The number of parking spaces stated in the plan is 71. However, the number of parking spaces shown on the plan is 61.
- They way the loading dock is currently set up, for a tractor trailer to leave there it would have to drive over some of the parking spaces shown on the plan.

All other issues, according to Mr. Comada, are minor engineering issues.

Ed Jefferis, of Concord Land Planners, represented the applicant. He requested a waiver from section 302.02 of the SALDO requiring both a preliminary plan and a final plan. Mr. Jefferis went on to say that the only items left for final approval will be a posting of escrow and DEP approval.

A motion was made by Gene Turns, seconded by Cliff Lee, to approve the applicant's request for a waiver from section 302.02 of the SALDO requiring both a preliminary plan and a final plan. The motion carried.

Aye: 5 Nay: 0

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

Aye: 5 Nay: 0

Developers Requesting to be on Agenda

There were none.

Letters of Extension

A motion was made by Gene Turns, seconded by John Wallace, to request letters of extension for the following:

- Elkdale Green – Preliminary Plan
- Jordan Manor (aka Tigue Farm) – Preliminary Plan
- Preserve at White Oak Farm – Preliminary Plan
- Wilson King – Preliminary LDP

to be date specific for February 15, 2008. The motion carried.

Aye: 5 Nay: 0

Other Plans Currently in Subdivision or Land Development Process (FYI)

- Cooper Farms – Final Plan
- Meadowview Estates
- Shepherd DeCarlo
- TDT Prime Development
- Lewis Tract
- Tom Swift Estates
- George W. Thompson, Jr.
- Elizabeth Miller – Preliminary Plan
- Hickory Hill – Phase II – Preliminary Plan
- Reserves of Dunlap

- Andy King Tract – Minor Subdivision
- Timothy Bishop – Minor Subdivision
- Hickory Hill – Phase I – Final Plan

Correspondence

- new PA news
- dvrpc memo on Form-Based Codes for Big-Box Retail

PC Members

- There was some discussion about Hickory Hill Phases I & II and what was going on with Brandolini. The current extension letter is good until December 31, 2007. They can either withdraw the plans, send in another extension letter, or the Township can deny the plan. In any case this must be dealt with before the extension letter runs out.
- Planning Commission Holiday Party – Date will be Wednesday, December 12, 2007 - Invitations with menus were given to the PC members. The BOS, Township Engineers & Solicitors will also be invited.

Old Business

There was none.

Visitors

Paul Smoker asked about Reserves of Dunlap.

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

Aye: 5 Nay: 0

The meeting adjourned at 8:07 pm.

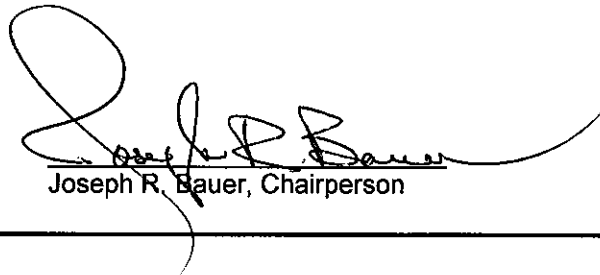
Respectfully Submitted,



PJ Scheese
Planning Commission Secretary

APPROVED:

Date 11/26/07



Joseph R. Bauer, Chairperson



November 26, 2007

Ms. PJ Scheese
Subdivision Office
East Nottingham Township
158 Election Road
Oxford, PA 19363

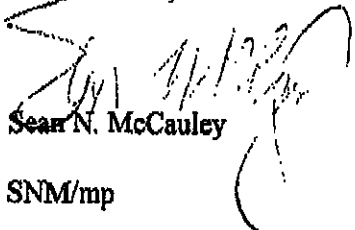
Sent Via Fax 610-932-9441

Hickory Hill Tracts 1 & II

Dear PJ:

As per our conversation, I am sending this letter to advise you that we are withdrawing our plans to develop our Hickory Hill Projects and the accompanying sewer plant in East Nottingham Township.

Sincerely,
BRANDOLINI COMPANIES


Sean N. McCauley

SNM/mp

cc: Jack Wuerstle