

**AGENDA
EAST NOTTINGHAM TOWNSHIP
REGULAR PLANNING COMMISSION MEETING
May 24, 2010**

- I. *Call meeting to order*
- II. *Pledge of Allegiance*
- III. *Approve Agenda*
- IV. *Public Comment on Agenda*
- V. *Approve Minutes*
 - March 22, 2010
 - April 26, 2010
- VI. *Subdivision/Land Development Plans*

TOWNSHIP ENGINEER REVIEWS

- David & Elizabeth Fisher Minor Subdivision Plan
- Langston 180-Lot Preliminary Subdivision Plan
 - Northpoint's response to Stantec's TDR calc review of Fisher property
 - Northpoint's response to Stantec's TDR calc review of Merrill property
 - Discussion of site meeting with Penn Dot at Frog Hollow/Fulton/Hickory Hill Roads
- Oxford Hollow Associates Final Subdivision Plan
 - Stantec's review letter
 - Stantec's review of escrow for trees

DEVELOPERS REQUESTING TO BE ON AGENDA

NONE

REQUEST FOR EXTENSION LETTERS - Letters to be date specific for September 15, 2010

- Meadowview Estates – Preliminary Subdivision Plan
- Andy King Tract – Minor Subdivision Plan
- Timothy Bishop – Minor Subdivision Plan
- Muehlmann Subdivision – Final Subdivision Plan
- Oxford Hollow Associates Final Subdivision Plan

OTHER SUBDIVISIONS IN PROCESS (FYI)

- Elizabeth S. Miller – Preliminary 5-lot - Plan
- Lewis Tract – Final Subdivision Plan
- Liz Miller – 2003 Preliminary Subdivision Plan
- Wicklow – Final Subdivision Plan
- Wilson King – Final 2-Lot Subdivision & Land Development Plan

- VII. *Correspondence*
NONE
- VIII. *Old Business*
NONE
- IX. *Planning Commission Members*
- X. *Recognition of Visitors*
- XI. *Adjournment*

**East Nottingham Township
Planning Commission Regular Meeting Minutes
May 24, 2010**

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on May 24, 2010 at 7:00 pm. Those present were: Chairperson, Joseph R. Bauer, Jr. Vice Chairperson, Clifford Lee, Planning Commission Members, Walt Leis, Janice Gavin, Rick Orner and Planning Commission Secretary, PJ Scheese. Members John Wallace and Shannon Wells were absent.

The meeting was called to order by Chairman Joe Bauer at 7:04 p.m. Everyone stood while Vice-Chairman, Cliff Lee led the Pledge of Allegiance.

Agenda

Chairman Bauer moved Oxford Hollow Associates to the first subdivision under Township Engineer Reviews. A motion was made by Cliff Lee, seconded by Walt Leis, to approve the amended agenda. The motion carried.

Aye: 5 Nay: 0

Public Comment on the Agenda

There was none.

Minutes to Approve

Minutes for the March 22 and April 26, 2010 meetings could not be approved as there was not enough of a quorum from either meeting present to take a vote.

Subdivisions & Land Development Plans

Township Engineer Reviews

Oxford Hollow Associates

Jim Gade reviewed his letter with the PC, stating that there are no more outstanding township issues. The only open items are DEP approval of the planning module and receipt of the NPDES permit from the Conservation District.

A motion was made by Walt Leis, seconded by Cliff Lee, to recommend approval of this final plan to the BOS, on the conditions that it must still receive DEP approval of the planning module and the NPDES permit. The motion carried.

Aye: 5 Nay: 0

David & Elizabeth Fisher Preliminary Subdivision Plan

Jim Gade reviewed his letter with the PC. This is one of the properties from which the TDR are being purchased to put toward the increase in density for the Langston Subdivision. The applicant wishes to subdivide off ten acres into a non-buildable lot, from the 78 +/- acre agricultural lot. They are seeking a planning waiver from DEP to preclude the necessity of doing a sewage facilities planning module.

Two SALDO waivers have been requested:

- From Section 304.4 requiring the submission and approval of a Preliminary Plan. Because there is no proposed construction, Stantec does not oppose combining the Preliminary and Final Plans into a single plan.
- From Section 403.03.A requiring contours on the site at 2 foot intervals. These are already shown on the remaining lands on the plan so Stantec says this waiver is not required.

Zoning Issues:

- Section 403.B.4.b.2 – The applicant should confirm whether the parcel contains perennial or intermittent water courses and establish the required Riparian Corridor Conservation District.
- Applicant needs to confirm that the gross and net areas for the remaining land excludes the PECO ROW.

Some other issues include:

- Since no construction is proposed the applicant should consider requesting a waiver from SALDO section 502.11.A requiring the improvement of the cartway width to present township standards.
- TDR calculations should be removed from this plan.
- Chester County Health Department, in reviewing this subdivision plan, suggested that the applicant may wish to see if the 10-acre parcel could even obtain a Planning Module during this process, instead of requesting a waiver. Joel Brown told the PC that the Fishers already know that the nitrates are over 10 ppm and that they would not be able to obtain a septic permit at this time anyway. A letter from the Fishers confirming this will be forthcoming for the file.

A motion was made by Janice Gavin, seconded by Walt Leis, to recommend the BOS grant a waiver from SALDO section 304.4 requiring separate preliminary and final plans, and instead to allow the applicant to combine them into a single final plan. The motion carried.

Aye: 5 Nay: 0

A motion was made by Cliff Lee, seconded by Rick Orner, to take no further action. The motion carried.

Aye: 5 Nay: 0

Langston Preliminary Plan Subdivision

Since Laura Swiski, of Northpoint Engineering representing the applicant was present, Jim Gade requested that she go over her responses to Mr. Gade's reviews of the TDR calculations for the Fisher and Merrill tracts.

Fisher Tract

- The LRH survey should supersede the deed in the total number of acreages (78.672) as it is more precise. Jim Gade concurs with this assessment.
- The TDR calculations do not change after the Fisher subdivision is granted. Jim Gade concurs with this assessment.
- The original TDR calculations to show the PECO ROW that was determined at the time of the survey. Jim Gade concurs with this assessment.
- Since one TDR is till unpurchased no conservation easement should be required at this point. This was some discussion regarding this. It was determined that this would be a question for the solicitor. Jim Gade will direct this question to Gene Twardowski, Township Solicitor.

Jim Gade agrees that the calculation of 44 TDR is correct. He would prefer to get the Fisher subdivision approved before the official certification stating how many TDR are coming from each lot. He will submit a letter for the next PC meeting regarding this.

Merrill Tract

- TDR are coming off of the 22.432-acre tract only.
- The shared driveway is not on the affected tax parcel.
- All TDR are being severed from TP#69-7-52. However, the tract is not eligible for the 10% bonus since KCH is not severing all TDR in one transaction.
- A deed of transferable rights and conservation easement will be submitted per the ordinance prior to the recording.

Laura Swiski requested a recommendation to the BOS regarding this Tract.

A motion was made by Walt Leis, seconded by Janice Gavin, to defer the recommendation of the Merrill TDR calculations until after receipt of the letter from Jim Gade concurring the calcs. The motion carried.

Aye: 5 Nay: 0

Recap of meeting with Penn Dot, LRH, KCH, their consultants and various representatives from the Township was done by Chairman Bauer and Township Engineer Jim Gade. Topics touched on were:

- Realignment of Fulton Road and Route 472 to a 90° angle.
- Storm water runoff down 472 toward Hickory Hill.
- Possible sidewalk
- The old culvert
- The cattle crossing
- Allenwood entrance onto 472
- Frog Hollow and 472 improvements
- 472/Fulton Road turning lane

Jim Gade said he would send a copy of the minutes he took of that meeting to PJ Scheese to distribute to the PC.

There was some discussion about keeping a 35 MPH speed limit on 472 all the way from the Borough to Fulton Road. Chairman Bauer reviewed John Otten's (Penn Dot) letter to Ben Weber regarding the Traffic Impact Study.

Letters of Extension

A motion was made by Walt Leis, seconded by Janice Gavin, to request a letter of extension for the following:

- **Meadowview Estates – Preliminary Subdivision Plan**
- **Andy King Tract – Minor Subdivision Plan**
- **Timothy Bishop – Minor Subdivision Plan**
- **Muehimatt Subdivision – Final Subdivision Plan**
- **Oxford Hollow Associates Final Subdivision Plan**

to be date specific for September 15, 2010. The motion carried.

Aye: 5 Nay: 0

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

- Elizabeth S. Miller – Preliminary 5-lot - Plan
- Lewis Tract – Final Subdivision Plan
- Liz Miller – 2003 Preliminary Subdivision Plan
- Wicklow – Final Subdivision Plan
- Wilson King – Final 2-Lot Subdivision & Land Development Plan

Correspondence

NONE

Old Business

NONE

PC Members

Walt Leis stated that the Chester County Health Department has given up the administration of all water programs and that this function has reverted back to DEP. He recommended that the BOS be urged to get back to working on the water ordinances. It was stated that a number of other townships have enacted their use of underground water supply ordinances, including Elk Township. PJ Scheese will locate a copy of this one and forward it to the PC.

Visitors

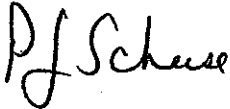
NOTHING

A motion was made by Janice Gavin and Walt Lels, seconded by Cliff Lee, to adjourn. The motion carried.

Aye: 5 Nay: 0

The meeting adjourned at 8:18 pm.

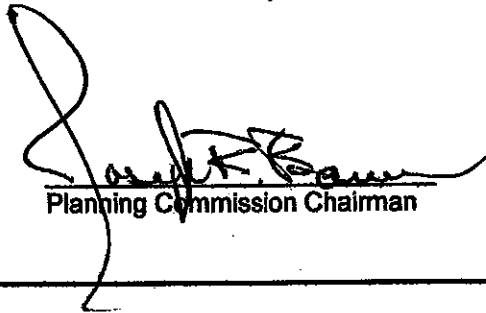
Respectfully Submitted,



PJ Scheese
Planning Commission Secretary

APPROVED:

Date 6/28/2010


Planning Commission Chairman