

**East Nottingham Township
Planning Commission Minutes
February 23, 2004**

The regular monthly meeting of the East Nottingham Township Planning Commission was held in the Township Building on February 23, 2004. Those present were: Planning Commission Members, Chairperson Marianne Russo, Vice-Chairman Joseph R. Bauer, Thomas J. Olivieri, Michael Rebert, Alvin Miller, and Percy Reynolds, Zoning/Subdivision Officer, Kathryn Kovach; Supervisors Samuel A. Goodley and David Shelton, and numerous guests.

The meeting was called to order at 7:00 p.m. by Chairperson Marianne Russo.

The Pledge of Allegiance was led by the Vice-Chairman.

On motion by the Vice-Chairman, seconded by Percy Reynolds, the agenda for the February 23, 2004 meeting was approved as presented.

The Chairperson asked for public comments on agenda items and received none.

On motion by the Chairperson, seconded by the Vice-Chairman, the minutes from the February 2, 2004 Regular Meeting were approved.

Ordinance Review

Fire Ordinance – Fire Chief Rich Terry attended the meeting in order to discuss with the Board members the township's proposed fire ordinance. The proposed fire ordinance was submitted by a member of the Blue Ribbon Task Force. The member was not present at the meeting. The following is a summary of the discussion and his comments and suggestions.

Alvin wants to require that developers add sprinkler systems to homes. He feels that homes are set closer together and sprinkler systems are needed. Retirement homes with older people being able to get out of their homes are a concern.

Fire hydrants are the main things mentioned in this draft ordinance. Marianne inquired about code enforcement officers and the responsibilities of the township. Percy stated that the building code is going to be revised and the township should review those changes.

Rich Terry strongly suggests that the township adopt the new building code. The township should consult the building inspectors regarding the code and the upcoming changes. Sprinkler ordinances are not typically in any other townships. However, West Whiteland Township has a sprinkler code for all residences. Kathy Kovach will obtain a copy of their code and the UCC code.

Marianne asked for recommendations from the fire company regarding inspections. Chester Water Authority has an excellent program and they do a maintenance program. They are contacted when fire hydrants are out of order.

Rich disagreed with specific items of the proposed ordinance. Those items included burning permits (under Section III) and dry hydrants (under Section IV, B.1.d). He explained that there are no dry hydrants in the township. Also, under Section IV, B.2.a it states that for pressurized hydrants the owner must contact the Union Fire Company to schedule inspections. He explained that the water company should be contacted, not the fire company. Also, the definitions of "fire company" and "owner" need to be revised.

Motion by Percy Reynolds, seconded by Thomas Olivieri, to discontinue discussion on the fire ordinance until the Planning Commission looks into the uniform building code. The township will forward to the Union Fire Company another ordinance for their review. All members were in favor.

Retirement Villages/Active Adult Communities

The Barness Organization made a presentation. Rob Gundlach, applicant's attorney, talked about a proposed overlay to allow age restricted housing for 55 years and older. It does require that a resident must be 55 years old. It prohibits children from residing in the community.

Mike Sykes (applicant and Barness representative) gave a brief presentation about the Barness Organization. They have been building since 1920 and specialize in the active adult product. Active adults still work. They have amenity packages - club house, meeting rooms, billiard rooms, club houses, etc. They have built in areas such as Evesham, Leigh, Warrington and North Hampton. They name their communities "Legacy Oaks".

The Lasko Farm is currently under agreement of sale. The property borders Election Road, Mount Pleasant and Little Elk Creek Road. The property is 197 acres and some of the existing features are (1) the farm land (to stay) (2) two areas of crop land, (3) horse farm, (4) racetrack and (5) ponds. They are proposing 70% of open space plus the existing 117 acres of open space. They will be maintaining the stables, paddocks and racetracks. The balance of the ground would be deed restricted for future development.

Seller would maintain the open space for no further subdivision of the property. Laskos want to keep their lease going as a horse farm. They have two tenants - one for horses and one for farming.

They propose a clubhouse and walking trails with tennis courts that would be satisfactory to the Township. Flow in the community for walking is the idea. Fencing could be installed between the private open space and the homes.

Proposed square footage of the lots is 6600 – 7000 sf. This is normal for active adult community with the house size (bedroom on the first floor) and the setbacks. There are no second floors. Units to be proposed – 195 plus the existing unit to be maintained by the seller on 197 acres. The other open lands would be maintained by the homeowner's association which would be responsible to mow the grass and plow the snow.

Ron Ragan inquired about gated communities. Bob Brown stated that on the lower cluster there would be an entrance onto Mount Pleasant and one on Little Elk Creek Road.

Bob addressed the issue of sprinklers. He stated that Warrington Township experienced "freeze ups" because the residents turn them off completely when they go away on vacations. Their experiences have been that sprinkler systems are difficult for maintaining the homes and the homes froze up. The homeowners experienced many problems. Alvin Miller suggested the installation of a dry sprinkler system.

They would like to propose an overlay district designated as R-1B – active adult community. They also would like to make a formal request for the design of the ordinance and work with the Planning Commission on a map change. Technically, it would be a text amendment and then a map amendment to the zoning map. If the Township adopts an ordinance, it could be applied to other properties throughout the R-1 district. The 537 would also have to be amended. They would submit a full traffic study and fiscal study with an application for a map change. They will provide the township with some sample ordinances from other counties and map changes.

Impact Fees – Thom Olivieri asked for members and others to serve on the Impact Advisory Committee.

Subdivision/Land Development Plans:

Clyde Cameron – 2 Lot Subdivision – Graves Road; 2.24 acres; Final Plan

Ron's review letter was discussed. The Applicant's engineer is addressing Ron's comments. Motion by the Vice-Chairman, seconded by Thomas Olivieri, to take no action.

Brown Partnership – 8 Lot Subdivision (3 existing); South Side of Wilson Mill Road 800' E/O Reedville Rd.; 5 units; 139.87 acres; Government Specialist, Inc. (Consultant) Preliminary Plan

Winnie is reviewing the language that is to be added onto the plan. Motion by the Vice-Chairman, seconded by Thomas Olivieri, to take no action on the plan.

Liz Miller Farm – Preliminary Plan– 124 Lot Subdivision - SW quadrant of intersection of Fulton & Hickory Hill Road; 80.42 acres; Keystone Custom Homes

Motion by the Chairperson, seconded by the Vice-Chairman, to take no action on this plan.

Hopewell Ridge (renamed Wyndham Creek) – Final Plan – 29 Lot Subdivision Plus Parcel A – 1502 Forge Road at Lees Bridge Rd intersection; 65.7 acres; Keystone Custom Homes

Please note that this development has been renamed “Wyndham Creek”.

Parley Hess reported that the applicant is waiting for final approval from DEP and PennDot. Parley requested final plan approval with conditions. There were two pending issues. Ron stated that PennDot requires a deceleration lane due to the speed of traffic on Forge Road and that PennDot agreed to have a speed limit of 40 mph. This issue has now been resolved. The other issue was drainage at Lees Bridge Road. Flooding issues were experienced with water run off coming from an agricultural piece of land.

Motion by the Vice-Chairman, seconded by Thomas Olivieri, to take no action. Alvin Miller and Percy Reynolds voted “no” to the motion. They were in favor of granting approval. A final vote was taken – Mike Rebert, Thomas Olivieri, Marianne Russo and Joe Bauer voted no action. Alvin Miller and Percy Reynolds were opposed.

Alvin Miller requested that Kathy Kovach research the township files for the Hayes subdivision plan for Lees Bridge Road. He stated that the plan showed ponds which have since disappeared. Physically, three ponds are not there anymore because they were graded out.

Hickory Hill Road Tract I Preliminary Plan -211 Lot Subdivision; Hickory Hill Road and Oxford-Elkdale Rd. , 151.6 acres; Brandolini Companies

Applicant is waiting for an approval letter from Chester County Conservation District. It was noted that an extension letter is needed. Motion by Thomas Olivieri, seconded by the Vice-Chairman to take no action on the plan.

Cooper Farm – Phase II – Final Plan – 17 Lot Subdivision; 38 Units – Intersection of Mt. Pleasant & Waterway Road; 58.66 acres; Greenpoint Farms c/o Beiler Campbell Realtors (Cedar Knoll Builders)

Spence Andress is finalizing a response to Ron’s review letter. Motion by the Vice-Chairman, seconded by Thomas Olivieri to take no action.

Elkdale Development – Preliminary Plan – Little Elk Creek Road & Oxford Rd. – 83 houses, 2 existing dwellings; 69.3 acres Jahan Sheikholeslami

Motion by the Vice-Chairman, seconded by the Chairperson, to take no action.

Shepherd Farm Preliminary Plan- 45 Units Plus Existing Farm; Twin House Rd. & Oaks Rd; 80.778 acres; Ryan Homes

New plans were submitted to the Township. Applicant converted property from a cluster development into a 45 one acre lot development. There will be on-site water and sewer. Revised plans were reviewed by the Board. Motion by Thomas Olivieri, seconded by the Vice-Chairman, to take no action.

Reserves of Dunlap Final Plan 111 Lot Subdivision – Twin House Road, Waterway and Chrome Road; 73.96 acres; Ryan Homes

No action.

Lawrlane Farms – Preliminary Plan - 72 Lot Subdivision – S/S Waterway Rd., Mt. Pleasant Rd., and Fifth Street Rd.; 107 acres; Rouse Chamberlain Homes

Motion by Thomas Olivieri, seconded by the Vice-Chairman, to take no action and request an extension letter.

Meadowview Estates Preliminary Plan– 134 Lot Subdivision w/47 lots in ENT – Wedgewood Rd/bypass off of Locust (across from Gray Farm); 111 acres total w/28.5 acres in ENT; Frost Development Company

No action.

Lewis Tract Final Plan - 14 Lot Subdivision – Reedville & Wilson Mill Roads; 16.60 acres

No action.

Ruth Coldiron Preliminary Plan – 7 Lot Subdivision – East side of Wickersham Rd. South side of Market St. (in ENT and Borough) 6.1 acres

Motion by the Vice-Chairman, seconded by Thomas Olivieri, to take no action.

Sam McMichael Land Development Plan

Plan was submitted showing zoning design standards. Ron suggested that the Board decide what design standards should be required for the plan. Currently, there are

multiple uses on the lot. The Board requested that Kathy Kovach contact Mr. McMichael to find out what the current and proposed uses are for the property.

Jordan Manor (Tigue Farm) – 170 Lot Subdivision – Little Elk Creek Road and Fifth Street Road; 250 acres; Edward B. Walsh & Associates, Inc. Preliminary Plan

Jack Wuerstle and Andrew Eberwein presented the plan and addressed Ron's review letter. There are 8 cul-de-sacs proposed on the plan. They tried to take the property and balance the requirements of the ordinance and maintain large areas to keep open for a community drip system.

Thomas Olivieri requested that they consult their clients regarding the submission of a cluster plan. They will discuss with their clients, however, they have moved forward with the current plans. A response will be presented to the Board next month. The Chairperson stated that the Board strongly encourages a cluster plan with open spaces. It is one of the main concerns of the ordinance.

An extension letter will be submitted for the Board of Supervisors meeting. No action.

Frost Development – Wilson Mill Road – 8 Lot Subdivision – 16.1902 acres – Sketch Plan

Ed Jefferis presented a sketch plan to the Board. Sketch plan was reviewed. No action.

Clara Simpler Property – 3 Lot Subdivision – Rt. 472 South of Saginaw Road - 18.625 acres – Sketch Plan

Bill Dolittle presented a sketch plan. Applicant proposes a new private road and intends to subdivide the property into three lots. There would be a total of five lots with the existing horse farm (Walmer's property).

Motion by the Chairperson, seconded by Percy Reynolds, to request the zoning officer to research and consult with the township engineer and township solicitor regarding this matter.

Correspondence

Copies of Penn Township's Ordinance regarding retirement communities were distributed to the Planning Commission members.

Planning Commission Members

Kathy Kovach discussed 1000 Hickory Hill Road. The property is zoned commercial. Todd Jorgensen proposes to renovate the existing building for retail and wholesale landscaping materials. It would be similar to a "Mr. Mulch" type business.

Motion by Thom Olivieri, seconded by the Vice-Chairman, to request a sketch plan showing the bins and locations of the bins, loading and storage areas. The zoning officer and engineer will review the plan. Engineer will prepare an opinion/recommendation to the Board.

Discussion took place regarding the meeting minutes and Ron's review letters. Marianne suggested that the Board members develop a time frame for receiving the minutes and Ron's review letters. It was decided that the minutes would be sent out to the members the Friday prior to the Monday meeting. This would enable the members to review them over the weekend. Regarding review letters, Ron will forward his review letters to the members via e-mail.

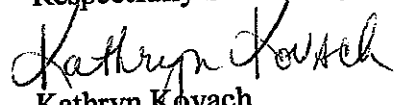
Alvin's upgrade list was handed out. He requested that the Board members review and comment on the items.

Visitors

Ron suggested that the subdivision ordinance be revised to address existing commercial properties and land development plan requirements. The Board requested that Ron prepare a list for their review.

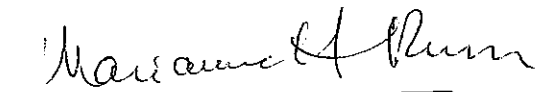
Being of no further business, on motion by the Chairperson, seconded by Thomas Olivieri, the meeting was adjourned at 10:25 p.m.

Respectfully Submitted,



Kathryn Kovach
Planning Commission Secretary

APPROVED: _____
Date 2/22/04



Marianne Russo, Chairperson