

**East Nottingham Township  
Planning Commission Minutes  
May 24, 2004**

The regular monthly meeting of the East Nottingham Township Planning Commission was held in the Township Building on May 24, 2004. Those present were: Planning Commission Members, Chairperson Marianne Russo, Vice-Chairman Joseph R. Bauer, Alvin Miller, Percy Reynolds, Michael Rebert, Zoning/Subdivision Officer, Kathryn Kovach; Supervisors Samuel A. Goodley and David Shelton, and numerous guests.

The meeting was called to order at 7:05 p.m. by Chairperson Marianne Russo.

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

The Chairperson asked for public comments on the agenda items. Richard Howell, resident on Lees Bridge Road, stated he wanted to discuss with the Planning Commission an Amish neighbor located on the back of his property and the new development on Forge Road. This item was added to the agenda as #16.

The Chairperson mentioned that the Township should adopt a resolution establishing a temporary impact fee and hire a professional traffic engineer/consultant. This matter will be added to the Board of Supervisors agenda for June, 2004.

On motion by the Chairperson, seconded by the Vice-Chairman, the revised agenda for the May 24, 2004 meeting was approved.

On motion by the Chairperson, seconded by the Vice Chairman, the minutes from the April 26, 2004 Regular Meeting were approved.

### **Ordinance Review**

#### **Impact Fees**

Michael Rebert is researching this issue and will put a committee in place. Discussion took place regarding the Municipalities Planning Code ("MPC") and the responsibilities of the Board of Supervisors and the Planning Commission. Motion by Michael Rebert, seconded by the Vice-Chairman, to recommend to the Board of Supervisors that they appoint the committee and an engineering firm for the traffic impact fee per Article V-A 504-A of the MPC. The members voted on this motion. All members, with the exception of Alvin Miller, were in favor of the motion. Michael Rebert, Marianne Russo, Percy Reynolds and Joseph Bauer voted "yes". Alvin Miller voted "no".

Composting Ordinance

Members reviewed copies of the draft composting ordinance. Alvin Miller suggested that the matter be set aside until Lower Oxford finished with their hearings. Discussion took place regarding the composting business and surrounding townships.

No action was taken. Matter was tabled. Teri Rigby suggested that the Planning Commission look at Penn Township's composting ordinance.

Fire Ordinance

Percy Reynolds reviewed the ordinance and had a discussion with Mr. Yerger. Percy stated that he will be attending a meeting with the building inspectors this week. This topic will be discussed at the next meeting.

**Subdivision/Land Development Plans:**

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

Motion by Percy Reynolds, seconded by the Vice-Chairman, to take no action on this matter.

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

No action.

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

Applicant has received the NPDES permit and Chester County Conservation District "adequate" letter. He is still waiting for DEP approval for the planning modules.

Motion by the Vice-Chairman, seconded by Alvin Miller, to recommend approval for the following waivers: Section 403.04.I and 502.11A. Motion by the Vice-Chairman, seconded by Michael Rebert, to recommend approval for the following waivers: Section 403.04R and Section 508.

Motion by Alvin Miller, seconded by the Vice-Chairman, to recommend final plan approval with the condition that DEP approval for the planning modules is received prior to plan approval.

**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)**

The engineer's review letter was discussed. Spence Andress addressed the following items: (1) public sewer availability and (2) administrative items such as escrow and homeowner's documents. All technical issues are resolved.

Motion by Alvin Miller, seconded by Michael Rebert, to recommend final plan approval with the condition that DEP approvals for planning modules and NPDES permit are received by the Township before the Board of Supervisors take final action on the plan.

**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) Final Plan**

Applicant is waiting for DEP approval for the planning modules. Motion by the Vice-Chairman, seconded by Percy Reynolds, to recommend final plan approval with the condition that DEP approval for the modules is received by the Township.

**Glenn Freese – 2578 Forge Road – 2 Lot Subdivision – New Final Plan; Government Specialist, Inc. (consultant) 40.108 acres**

New plan and engineer's review letter were reviewed by the Members. No action taken. Motion by Percy Reynolds, seconded by Michael Rebert to take no action on the plan.

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

A revised preliminary plan, response letter from Lake Roeder and engineer's review letter were discussed by the Members. Applicant may intend to use public sewers. Lot layouts will not be affected. Lot 22 has some issues that will be resolved before the final plan approval.

The Applicant does not desire a homeowner's association. Alvin Miller and Marianne Russo strongly recommended a homeowner's association to maintain the basins. Ron Ragan and Jonathan Penders discussed the concept of developing a "capital account" to take care of additional problems and burdens for Lot 22 instead of a homeowner's association. The developer would set up the fund for Lot 22 and it would remain in escrow. The developer would also explain the responsibility to the owner and the safety net provided.

Ron further explained his comment on his review letter (#5) regarding a cash contribution for road improvements. Widening of Mt. Pleasant Road was discussed.

Motion by the Chairperson, seconded by the Vice-Chairman to recommend preliminary plan approval with the following conditions: water run off, homeowner's association, road improvements, stormwater management for Lot 22 are resolved prior to final plan approval. Scope and cost contributions would be resolved for the road improvements.

**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.

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

No action.

**Shepherd Farm Preliminary Plan- 45 lots, 43 units plus existing farm; Twin House Rd. & Oaks Rd; 80.778 acres; Ryan Homes**

No action.

**Reserves of Dunlap Preliminary Plan 111 Lot Subdivision – Twin House Road, Barnsley Road; 73.96 acres; Ryan Homes**

No action.

**Lewis Tract Preliminary 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**

No action.

**Todd Jorgensen - 1000 Hickory Hill Road**

Jorgensen Landscape Supply Inc. submitted three waiver request letters: (1) Waiver from submitting a Land Development Plan; (2) Waiver of Section 1301 (screening) under Article XIII design standards in the Zoning Ordinance; and (3) Waiver of Section 1306 (lighting) under Article XIII in the Zoning Ordinance. Motion by the Chairperson,

seconded by the Vice-Chairman to deny the waiver requests. Ron Ragan explained that the Planning Commission and Board of Supervisors don't have the authority to grant the waivers. Applicant must apply for relief from the Zoning Board.

**Hutchison/Hearn Property – Waterway Road Realignment**

Motion by Alvin Miller, seconded by Percy Reynolds, to recommend to the Board of Supervisors approval of the subdivision plan for the Hearn/Hutchison property.

**Rick Howell**

Mr. Howell spoke about the Hopewell Ridge (a/k/a Wyndham Creek) plan and the meeting attended by Chris Stroemer, Sarah Holmes Sam Lapp, Alvin Miller and Ron Ragan. He inquired as to the action that initiated the meeting. Ron explained to Mr. Howell the water problems experienced by Lapp's property.

Discussion took place regarding the Lees Bridge Road water runoff problems and the Chester County Conservation District program for Mr. Lapp.

**Correspondence** – None.

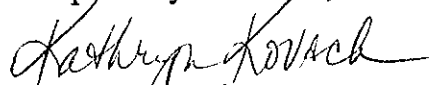
**Planning Commission Members**

Percy Reynolds spoke about the Sewer Authority problems, cluster housing and community systems. He recommended that the Planning Commission consider these issues.

**Recognition of visitors:** None

Being of no further business, on motion by Michael Rebert, seconded by the Vice-Chairman, the meeting was adjourned at 9:05 p.m.

Respectfully Submitted,

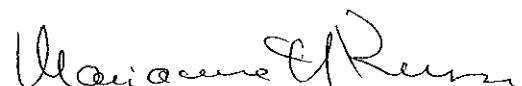


Kathryn Kovach

Planning Commission Secretary

APPROVED:

Date 6/28/04



Marianne Russo, Chairperson