

East Nottingham Township  
Planning Commission Meeting Minutes  
June 27, 2005

**COPY**

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on June 27, 2005 at 7 pm. Those present were: Chairperson, Marianne H. Russo, Vice-Chairperson, Joseph R. Bauer, Jr., Planning Commission Members, Clifford Lee, Gene Turns, Walt Leis (came late), Percy Reynolds and Planning Commission Secretary, PJ Scheese.

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

The Pledge of Allegiance was led by Vice-Chairperson, Joe Bauer.

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

Aye: 5      Nay: 0

A motion was made by Joe Bauer to approve the May 23, 2005 minutes, seconded by Cliff Lee. The motion carried.

Aye: 5      Nay: 0

Walt Leis then joined the session.

**Noise Ordinance**

Joe Bauer said he had second thoughts as to why we are writing one when it can't be enforced. Walt Leis disagreed saying just because you can't enforce an ordinance isn't a reason not to have one. Let's find a way to enforce it. Gene Turns suggested sending out a warning letter when someone breaks an ordinance. Marianne Russo asked if we weaken ourselves by having something that is not enforceable. Cliff Lee said we needed something on the books for egregious incidents.

Township Manager, Gene Boneker said that the State of PA is taking more authority from local municipalities and that if local governments have ordinances on the books, something to enforce, they can maintain their authority. Percy Reynolds said that if nothing is there to enforce then nothing can be done about complaints. Percy referred to the Burn Ordinance, saying that the Fire Chief can enforce that.

Cliff Lee said the ordinance is in a state of constant change according the demands of the times. Alvin Miller, visitor, said that when something is going on at 9 pm the Zoning Officer can't be expected to go out safely to a house to enforce an ordinance.

Marianne asked if the PC was ready to vote. A motion was made by Cliff Lee, seconded by Walt Leis, to accept the Noise Ordinance as it is and advance it to the BOS. The motion carried.

Aye: 6      Nay: 0

**Developments**

Woods at Nottingham

Ed Jefferis presented a Waiver Request (508.05.L.1 requiring seepage beds to be more than 30 feet from a basement) per Jim Gade's advice in his June 10 review letter. The request read:

"The seepage bed on lot 5 is located 20 feet from the basement due to lot constraints. However, the top of the bed is below the basement floor elevation and will not effect the basement."

There was some discussion on this before a motion was made by Walt Leis, seconded by Cliff Lee, to grant the waiver request. The motion carried.

Aye: 6      Nay: 0

Cook Brothers

Ed Jefferis presented. They are still waiting for CCHD approval. Item #6 on Ron Ragan's review letter was also discussed:

"402.04.i. – A typical cross-section for the proposed improvements to Elk Creek Road."

"Open. The applicant has provided a detail for the widening of Elk Creek Road that is acceptable. The issue remains with regard to how much of Elk Creek Road is widened and when. The applicant in their lot numbering has included the previously subdivided 3 lots along Elk Creek Road. Should the widening include that portion of Elk Creek Road? Should the widening be done when the subdivision road is built or at some future date when more of Elk Creek Road is widened? The PC should discuss these issues with the applicant and make recommendations to the Board of Supervisors."

The sense was that the road should not be widened, except for the turn off lane, but there was no vote taken. The PC decided to wait to discuss this with Ron Ragan, who was on vacation at the time of this meeting, before making a recommendation.

Joe Bauer suggested the applicant request a waiver for item #19 (Section 516 requiring a fence to be installed along the property line wherever a subdivision borders an operating farm" in Ron's review letter:

"North and west tract boundary area with a heavily wooded area (see attached photo) REA recommends that fencing not be required since the area does not appear to be active agricultural adjacent to the tract being subdivided."

Jean V. Lawrie-Parker

Jim Gade said that most of his original comments have been resolved. The Driveways are the most important one:

"Highway Occupancy Permits will be required for the driveways entering Fifth Street (S.R. 3003). A note is provided on the plans indicating this."

"Open – PENNDOT has supplied the applicant with letters stating that the location of the proposed drives do NOT meet site distance requirements. Any and all plans submitted to PENNDOT for driveway permits must also be submitted to the ENT."

"The applicant is proposing 3 driveways within a 150' area along Fifth Street, 2 within 50". This is not an acceptable driveway spacing. The applicant should consider a joint driveway between Lot 2 & 3, moving the driveway on Lot 4 to provide a minimum of 200 feet between driveways."

" although the Twp has no specific standards for driveway spacing along a road, and that PENNDOT was the permittee for any driveway along Fifth Street Road (SR 3003), that the Township should consider a shared driveway to decrease the number of individual drives along a road. PENNDOT has encouraged municipalities to enact driveway spacing standard to reduce the number of conflict areas along the roadway."

Jim suggests a shared driveway when they are less than 75 feet away from each other. He feels this is a "safer arrangement." The only downside to consider would be a shared maintenance agreement. However, PENNDOT has the final say in this.

Walt Leis asked if the realignment of Waterway Road will affect the placement of the driveways. Jim said he didn't think so. Joe Bauer said he thought that it would allow the driveways to be farther apart.

Lots 1 & 3 have a perk problem. They perk more slowly. This is a drip irrigation system.

No Action was taken at this time.

Chamberlain/Nelson Partnership (the old school house on the corner of Twin House and Barnsley)

Don Taylor, Engineer, presented. He noted that the number of parking spaces has been increased from 9 to 11. The storm water management facilities in the rear bed have also been increased.

He had a meeting at the site with PENNDOT – they have no problem with the traffic pattern. They do not want busses exiting onto Barnsley Road. Jim Gade has a problem with the circulation plan, saying that if Barnsley Road is one way only, then it may be a problem for the house with the driveway easement. Don said that it will not affect the homeowner on the side. The resident in the house will be

allowed to exit onto Barnsley Road. Jim pointed out that this brings up legal issues. Don said they made it apparent to PENNDOT at their meeting that the homeowner would have two way access. Jim stated that if PENNDOT is okay with this, he doesn't see a problem. He requested a circulation plan on the driveways. Don Taylor said an application has been made to revise the driveway with PENNDOT. There was some concern about this regarding the safety of children walking. Joe Chamberlain stated that it will be a requirement that all children be dropped off at the main entrance.

Jim said all other open issues are minor.

There was a waiver regarding sidewalks (503.02.A.2) still pending:

"sidewalks shall be required in the following circumstances:

To control access to and/or within a commercial, industrial or community facility.  
Sidewalks which are provided as part of such non-residential facilities shall be designed and constructed to service the projected pedestrian needs."

A motion was made, and seconded, to grant the waiver request. The motion carried.

Aye: 6      Nay: 0

There was some discussion on the perk test numbers. Jim Gade said he would like to see a deep soil test done with a perk hole at the bottom of the bed.

A vote was also called on an outstanding Waiver Request (502.17.E) regarding the width of the shared driveway. The existing driveway is currently 20 feet and there is not way it could be increased to 24 feet. A motion was made by Joe Bauer, seconded by Gene Turns, to grant the waiver request. The motion carried.

Aye: 6      Nay: 0

Don Taylor indicated that he hoped at the next PC meeting the plan would get final approval.

#### Jorgensen Landscaping

Since Todd Jorgensen could not be present, the sketch plan was not discussed.

#### Cooper Farm

Spence Adress said that he had thought some loose ends would be tied up by now, but it did not happen. Therefore, he gave the PC a letter requesting an extension until October 11, 2005, which the PC agreed to forward to the BOS.

A motion was made by Joe Bauer, seconded by Walt Leis, to take no action on the following plans. (Cliff Lee was out of the room) The motion carried.

Aye: 5      Nay: 0

*Jorgensen Landscaping*  
*Elkdale Green*  
*Lewis Tract*  
*Tom Swift*

*Jordan Manor*  
*Liz Miller Farm*  
*Meadowview Estates (Option 1)*  
*Hostetter Shepherd*

#### **Old Business**

Water Ordinance - Walt Leis stated, as he understands it, that Winnie Sebastian is providing guidance as to how the ordinance will appear in SALDO. PJ Scheese is to get the latest copy of the Water Ordinance to Jim Gades. Gene Boneker asked if the PC was satisfied with its content.

Sprinkler Ordinance - Percy will get together with Gene Boneker. Alvin Miller told the PC that West Whiteland is supposed to have one of the best Sprinkler Ordinances and suggested the PC talk to them.

#### **Correspondence**

There is a Source Water Protection Solutions workshop open to the public at the ENT meeting room on July 28<sup>th</sup> from 1:15 - 4:45 pm.

Zoning Officer Seminar in August.

**PC Members**

Gene Turns would like to know if the addresses of subdivisions could be made available to PC members so they can go to physical site to look. PJ will require all applicants to include 8 copies of the blow down plan for each subdivision/LDP. Another concern Gene has is regarding what the developers are doing to give something back to the township when they leave. He would like to see a park.

Walt Leis wanted to discuss Commercial and Industrial Zones being allowed to be residential as well. He wants to see a comprehensive plan. There was some discussion on this. Walt asked Gene Boneker about grant money for developing a comprehensive plan. Gene said there was some available. Walt volunteered to help with the plan.

Walt asked where the Riparian Buffer Ordinance stood. He wondered if the PC should take it over to work on it.

Joe Bauer is on the Traffic Advisory Committee. He said that he and Mike Rebert are going to visit some sites. Things are moving along.

**90 Day Extensions were requested for:**

Elkdale Green  
Jean V. Lawrie-Parker  
Meadowview Estates (Option 1)

Century Oak  
Cooper Farms  
Woods at Nottingham

A motion was made by Joe Bauer, seconded by Cliff Lee, to request these extension letters. The motion carried.

Aye: 6      Nay: 0

**Visitors**

- Joe Scheese asked why not take residential development out of Commercial & Industrial Zoning.
- Sean McCauley showed the PC alternate sketches, per their request, for phase II of Hickory Hill. He said they were working on a preliminary plan and would have it to the township in September 2005.
- Thom Olivieri suggested that Gene Turns, Mike Vitale, and Gene Boneker get together to discuss local recreation grant money.

A motion was made, and seconded, to adjourn the meeting. The motion carried.

Aye: 6      Nay: 0

The meeting adjourned at 8:42 pm.


Respectfully Submitted,



PJ Scheese  
Planning Commission Secretary

APPROVED:

Date 7/25/05

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Marianne H. Russo, Chairperson