

**East Nottingham Township  
Planning Commission Meeting Minutes  
September 25, 2006**

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on September 25, 2006 at 7 pm. Those present were: Chairperson, Joseph R. Bauer, Jr., Vice-Chairperson, Clifford Lee, Planning Commission Members, Gene Turns, Marianne Russo, Mike Rebert, John Wallace and Planning Commission Secretary, PJ Scheese. Walt Leis was absent.

Chairperson, Joseph R. Bauer, Jr., called the meeting to order at 7:00 p.m.

Vice-Chairperson, Clifford Lee, led the Pledge of Allegiance.

**A motion was made by Mike Rebert, seconded by Gene Turns, to approve the agenda. The motion carried.**

**Aye: 6      Nay: 0**

There was no public comment on the agenda.

**A motion was made by Marianne Russo, seconded by John Wallace, to approve the August 28, 2006 minutes. The motion carried.**

**Aye: 6      Nay: 0**

**Floodplain Management Ordinance**

Joe Bauer looked at the FEMA website that Jim Gade, Township Engineer, sent to him. Also, Joe had received a letter from Helen Esbenshade, Township Solicitor, stating that Sandy Lee, from her office, had reviewed the draft ordinance and recommended some changes which will put the ordinance in compliance. Joe said he would email that to all the PC members. Basically the suggested changes have to do with definitions and Section 402.B.1 of the proposed ordinance.

**Subdivisions & Land Development Plans**

Joe Bauer reviewed the PC meeting Protocol for Township Engineer Review Letters:

***Township Engineer Review Letters***

**Wicklow – Preliminary Plan**

Julie Kirpatrick, with Lake Roeder Hillard represented the applicant. Jim Gade said that this was the applicant's third revised submission for the preliminary plan. He said there were still three major issues. They are:

1. As Winnie Sebastian, Township Solicitor had determined that the acreage in West Nottingham could not be counted toward ENT's open space requirement. So now this piece is referred to as "remaining lands." Jim would like this clarified as it will still have some storm water management easements for this subdivision on it.
2. There are now two entrances onto Baltimore Pike, instead of one. There was some discussion regarding the Penn Dot criteria.
3. The Lapp farm is the TDR sending tract for this subdivision. There still seems to be some confusion about the number of acres of this property. This needs to be clarified.

A Conditional Use Hearing is still required and Jim feels that there is no point in going any further with the preliminary plan until that happens. Julie Kirpatrick said that Spence Andress, applicant, has started putting the Conditional Use Hearing paperwork together.

A motion was made by Marianne Russo, seconded by Cliff Lee, to take no action. The motion carried.

**Aye: 6      Nay: 0**

**Stoltzfus Tract – Preliminary Plan**

Jim Gade stated that this lot is a TDR sending tract for the Reserves of Dunlap. The applicant wishes to subdivide two acres off in the R-1 District. It does meet the criteria necessary to be able to subdivide the two acres, instead of the required five acre zoning, as it is in Act 319. Jim also stated that according to the township's ordinance, the applicant needs to stand up in front of the PC and state how they intend to maintain the rural characteristics of the property. Julie Kirpatrick stated that this is an Amish farm subdividing off two

acres for a family member and that as this is a sending area for TDRs, it will stay in Ag use. Two waivers were requested.

**SALDO 302.01.A.5 - A motion was made by Mike Rebert, seconded by John Wallace, to waive the requirement that requires both preliminary plan and a final plan, and to instead treat this subdivision as a Minor plan. The motion carried**

**Aye: 6      Nay: 0**

**SALDO 502.11 - A motion was made by Mike Rebert, seconded by Marianne Russo, to waive the requirement for cartway improvements. The motion carried.**

**Aye: 6      Nay: 0**

**A motion was made by Mike Rebert, seconded by John Wallace to approve this final plan with the condition that the previous two waivers are approved by the BOS and that DEP approves a non-building waiver. The motion carried.**

**Aye: 6      Nay: 0**

OASA – Wedgewood Tract

Jim Gade stated that there were some problems with the delineation of wetlands that were resolved on Friday, September 22<sup>nd</sup>. On September 7<sup>th</sup> Jim reviewed the drip system with the applicant's engineer and came away satisfied. As of this date the use of a Non-Building Waiver has not been approved by DEP. There are not bathroom facilities, but there will be a water supply. The applicant has submitted sketches of the proposed building and tank. There were some waiver requests.

**SALDO 302.01.A.1 - A motion was made by Mike Rebert, seconded by John Wallace, to waive the requirement that requires both preliminary plan and a final plan, and to instead treat this subdivision as a Minor plan. The motion carried**

**Aye: 6      Nay: 0**

**SALDO 502.11 - A motion was made by Mike Rebert, seconded by Marianne Russo, to waive the requirement for cartway improvements. The motion carried.**

**Aye: 6      Nay: 0**

**A motion was made by Cliff Lee, seconded by John Wallace, to approve this final plan with the condition that the previous two waivers are approved by the BOS and that DEP approves a non-building waiver. The motion carried.**

**Aye: 6      Nay: 0**

***Developers Requesting to be on Agenda***

Hickory Hill Treatment Plant

Dan Wright from Advanced Geo Services presented. He said they have received approval from OASA on part II. They are meeting with Penn Dot tomorrow. The Hickory Hill Phase I plan has received final approval from Oxford Borough. They are currently tying up loose ends. Although Jim Gade has not yet had a chance to review the most recent revision, Dan requested a conditional final plan approval from the PC. Gene Turns asked Jim Gade what he thought about that. Jim stated that all the significant issues appear to be resolved. However, he could not give a definitive answer since he has not reviewed the last revision of this plan.

**A motion was made by Marianne, seconded by Gene Turns, to take no action. The motion carried.**

**Aye: 6      Nay: 0**

Penns Grove Middle School

Julie Kirpatrick, from Lake Roeder Hillard, filled in for Laura Swiski. Julie stated that the school sits on the Borough of Oxford / East Nottingham Township border. The proposed addition will require a road alignment. A new parking lot is being created in the back for overflow parking. Other than that, Julie said the plan was pretty straight forward. There will be some waiver requests forthcoming. This addition is to replace some modular classrooms, and appears to increase the size of the school by approximately 1/3 of the current building size.

### ***Letters of Extension***

**A motion was made to request letters of extension for:**

- **Elizabeth Miller – Preliminary Plan**
- **Lewis Tract – Final Plan**

**by Marianne Russo, seconded by John Wallace, to be date specific for December 15, 2006. The motion carried.**

**Aye: 6      Nay: 0**

**A motion was made by Joe Bauer, seconded by Marianne Russo, to take no action on the following Plans:**

- Elkdale Green – Preliminary Plan
- Jordan Manor – Preliminary Plan
- Meadowview Estates – Preliminary Plan
- Reserves of Dunlap – Preliminary Plan
- Tom Swift Estates – Preliminary Plan
- Williamson – Preliminary Plan
- Hickory Hill Phase I
- Hickory Hill Phase II
- Bishop – Minor Plan
- Cooper Farms – Final Plan
- Tom Swift – Minor Plan
- Clifford Lee – Minor Plan
- Cook Bros (aka Meadow Creek) – Final Plan

The motion carried.

**Aye: 5      Nay: 0      Abstained: 1 (Cliff Lee)**

### **Conditional Use Hearings**

#### **Shepherd/DeCarlo Property**

Scheduled for October 16, 2006 at 7pm at ENT building. The PC is charged with examining the plan with regarding to the criteria listed in the Zoning Ordinance in the Conditional Use Section 2100.

There was some general discussion about the developers of the four subdivisions in that general area being asked to improve Baltimore Pike, as the increase in traffic will be a huge impact on that road.

The PC decided to email their comments to PJ Scheese to be put together and then emailed back to them for their approval, before forwarding them to the BOS.

#### **Langston (Liz Miller) Property**

Has not been scheduled yet, but the solicitor is aiming for the week of October 30, 2006. Marianne Russo asked if the PC should ask where the TDRs are coming from and how many will there be. Julie Kirpatrick, representing the applicant, said that 58 TDRs would be used. Forty-seven TDRs are under agreement with David & Elizabeth Fisher at 202 Union Square Road (parcel 69-5-22). According to Diane Frame from Keystone, the remaining eleven are currently in negotiation.

There was some discussion about changing some things around in order to create a better open space area. The PC would like a chance to review the sketch again before the Conditional Use Hearing.

There was also some discussion about the forthcoming changes in the TDR ordinance and that the PC would like the developer to take those changes into consideration when calculating the TDRs from the sending tract. Dave Falcone, representing the applicant, said that they had listened to previous comments from the PC and incorporated all of them into this new sketch. He also stated that they were following the TDR ordinance as it was written at the time they submitted the Conditional Use Application. It was suggested that as a show of good will, they may want to be mindful of the spirit of the proposed TDR ordinance changes and incorporate them into the new sketch. Jim Gade reminded the PC that this was a Conditional Use and that the township gets to set conditions for use.

Marianne Russo made a general comment regarding asking the BOS to look at all the subdivisions currently in planning in ENT. She is concerned with the explosion and that the current housing market is going downhill. She just wants the BOS to be mindful of the potential impact on the infrastructure by all these subdivisions.

**Correspondence**

- Zoning Hearing Board Notice for Gene Klein at 219 Stella Street
- Letter from OASA, regarding Elkdale Green proposed Community Treatment/Disposal System - comments from preliminary review.

**PC Members**

Marianne asked what is going on with the Historical Ordinance. Dave Shelton, visitor and Supervisor, said that it is with the Township Solicitor.

Cliff Lee asked about the groundwater ordinance. Dave Shelton said he believes it is one of four that are being put together for a single hearing. The public hearing will be announced soon.

**Old Business**

None

**Recognition of Visitors**

Dave Shelton said he did not yet know when the next work session will be, but that it will be about TDRs. There was some discussion about the township taking a more active role in knowing from where the TDRs are coming, so they know before the developers.

**A motion was made by Joe Bauer, seconded by Cliff Lee, to adjourn the meeting. The motion carried.**

**Aye: 6      Nay: 0**

The meeting adjourned at 9:00 pm.

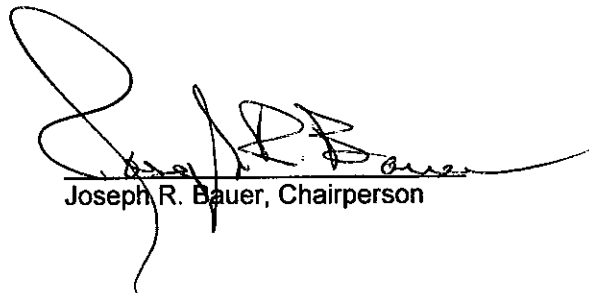
Respectfully Submitted,



PJ Scheese  
Planning Commission Secretary

APPROVED:

Date 10/23/06

  
Joseph R. Bauer, Chairperson