

**AGENDA
EAST NOTTINGHAM TOWNSHIP
REGULAR PLANNING COMMISSION MEETING
July 28, 2008**

- I. *Call meeting to order*
- II. *Pledge of Allegiance*
- III. *Approve Agenda*
- IV. *Public Comment on Agenda*
- V. *Approve Minutes*
 - June 23, 2008
- VI. *Ordinances*
 - Holding Tank Ordinance
 - Sewage Connection Ordinance
- VII. *Subdivision/Land Development Plans*

TOWNSHIP ENGINEER REVIEW LETTERS

The township's engineer will go over his review letter with the Planning Commission and the applicant, if he is present. The Planning Commission requests that the applicant wait until he is asked a question by the engineer or any member of the Planning Commission, or wait until the engineer's review of the plan is finished before directly addressing the Planning Commission regarding that plan.

NONE

DEVELOPERS REQUESTING TO BE ON AGENDA - The Planning Commission re-emphasizes that presentations be 15 minutes or less.

Thank you

- Oxford Area Sewer Authority – Request for Planning Waiver & Non-Building Declaration
- Galen E. King (aka Delp) – Planning Module – Component 4A

REQUEST FOR EXTENSION LETTERS - *Letters to be date specific for 11/15/08*

- Preserve at White Oak Farm – Preliminary Plan
- TDT Prime Development – Final Plan
- Wilson King – Final 2-Lot Subdivision & Land Development Plan

OTHER SUBDIVISIONS IN PROCESS (FYI)

- Meadowview Estates – Preliminary Subdivision Plan
- Shepherd DeCarlo – Preliminary Subdivision Plan
- Lewis Tract – Final Subdivision Plan
- Elizabeth Miller – Preliminary Subdivision Plan
- Reserves of Dunlap – Preliminary Subdivision Plan
- Andy King Tract – Minor Subdivision Plan
- Timothy Bishop – Minor Subdivision Plan
- Wicklow – Final Subdivision Plan

VIII. Correspondence

- DVRPC News
- Memo from DVRPC booklet – Municipal Tree Management

IX. Planning Commission Members

X. Old Business

XI. Recognition of Visitors

XII. Adjournment

**East Nottingham Township
Planning Commission Regular Meeting Minutes
July 28, 2008**

The regular meeting of the East Nottingham Township Planning Commission was held in the Township Building on July 28, 2008 at 7:00 pm. Those present were: Chairperson, Joseph R. Bauer, Jr., Vice-Chairperson, Clifford Lee, Planning Commission Members, Gene Turns, Walt Leis, Janice Gavin, Shannon Wells, and Planning Commission Secretary, PJ Scheese. Member John Wallace was absent.

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

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

Agenda

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

Aye: 6 Nay: 0

Public Comment on the Agenda

There was none.

Minutes to Approve

June 23, 2008 – a motion was made by Gene Turns, seconded by Walt Leis, to approve the minutes for this regular PC meeting. The motion carried:

Aye: 5 Nay: 0 Abstain: 1 (Cliff Lee)

Ordinances

Holding Tank Ordinance

Chairman Joe Bauer explained to the PC that this ordinance is a requirement of the Oxford Area Sewer Authority's (OASA) Act 537 Plan that was submitted to DEP. He then asked Joel Brown to explain what has been going on in regards to this ordinance. Joel explained that Lower Oxford, East Nottingham, and West Nottingham Townships have been working on an ordinance that is uniform in language. This committee consists of Percy Reynolds and Joe Bauer from East Nottingham, Ron Keppler and Joel Brown from Lower Oxford, and Gerald Cox from West Nottingham. Some of the basic points are:

- Holding tanks have a life limit of three (3) years;
- Renewals would be required from either the Chester County Health Department (CCHD) or the Township;
- Escrow accounts must be set up for each holding tank situation;
- Tank must be pumped by a licensed pump and hauler

There was some discussion about a Sewage Enforcement Officer. Joel said the committee did not want to get into the inspection business. That is the purview of the CCHD.

This ordinance is for the purpose of those residences that have no other alternative. It will give the CCHD the authority to require holding tanks for locations where there is no other alternative. The required escrow account would allow the township to take care of things if the home owner does not. This ordinance is not for new subdivisions. It is for failed systems. There was further discussion about this.

Member, Walt Leis, said that the State (DEP) already has the right to get involved when septic systems fail and raw sewage ends up on the ground. Mr. Leis also recommended a change on page 4 where it reads "Duties of improved property owner." He suggested it should read "Duties of the owner of the improved property." The rest of the PC concurred.

It was recommended that this should be put on the August 18, 2008 Work Session agenda.

Sewage Connection Ordinance

Chairman Joe Bauer handed out a draft of this ordinance. Its purpose is the establishment of requirements for the connection to the OASA sewer system. Member Walt Leis asked if residential systems not failing would be required to hook up if the lines go past their property. He suggested a change on page 2, Section 3.A.3. Member Cliff Lee suggested that instead of it reading "Property currently used for residential use and has a on-lot sewage system requiring repair", it should read "Property currently used for residential use and has an on-lot sewage system that cannot be repaired."

Joel Brown said that starting around 1993-1994, on-lot systems requirements included double tanks. He added that systems put in before then, that have a single tank, will be required to hook up if they did fail. There was some discussion about minor repairs not being required to hook

The CCHD, according to Joel Brown, will not allow another drain field to be put in where public sewer is available. The consensus was that this would be left up to the Sewage Enforcement Officer, which is the CCHD.

There was some discussion about the ongoing cost and that the fee is based on water usage. Some members were concerned that those homes that have wells that would have to be metered, would not be fairly charged, since it would be based on water usage and not on sewer usage.

The PC would like this ordinance to be on the August 18, 2008 Work Session agenda.

Subdivisions & Land Development Plans

Township Engineer Review Letters

There were none.

Developers Requesting to be on Agenda

Oxford Area Sewer Authority – Request for Planning Waiver & Non-Building Declaration

There is a plan in West Nottingham where a very small amount of ground is actually in East Nottingham. Therefore, DEP requires that East Nottingham also sign a Request for Planning Waiver & Non-Building Declaration. There is no need for ENT's PC to review the plan. This is just to satisfy a DEP requirement.

A motion was made by Cliff Lee, seconded by Walt Leis, for the Chairman to sign the waiver in Section D – Planning Agency Concurrence. The motion carried:

Aye: 6 Nay: 0

Galen E. King – Sewage Facilities Planning Module

This was originally the Mitchell Delp subdivision. However, the planning module was never sent to DEP. Mr. King has purchased the property and now wishes to build a house on it. Before he can do that a planning module must be approved by DEP. It had been approved by the PC and signed by Chairman Joe Bauer on December 18, 2006. Therefore, Member Cliff Lee said since it had already been motioned to be approved in 2006, that is was not necessary to make another motion. Chairman Joe Bauer signed the planning module.

Letters of Extension

A motion was made by Janice Gavin, seconded by Shannon Wells, to request letters of extension for the following:

- **Preserve at White Oak Farm –Preliminary Plan**
- **TDT Prime Development – Final Plan**
- **Wilson King – Final 2-Lot Subdivision & Land Development Plan**

to be date specific for November 15, 2008. The motion carried.

Aye: 6 Nay: 0

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

- Meadowview Estates – Preliminary Subdivision Plan
- Shepherd DeCarlo – Preliminary Subdivision Plan
- Lewis Tract – Final Subdivision Plan
- Elizabeth Miller – Preliminary Subdivision Plan
- Reserves of Dunlap – Preliminary Subdivision Plan
- Andy King Tract – Minor Subdivision Plan
- Timothy Bishop – Minor Subdivision Plan
- Wicklow – Final Subdivision Plan

Correspondence

- DVRPC News
- Memo from DVRPC booklet – Municipal Tree Management

PC Members

Nothing

Old Business

There was none.

Visitors

Nothing

A motion was made by Cliff Lee, seconded by Walt Leis to adjourn. The motion carried.

Aye: 6 Nay: 0

The meeting adjourned at 8:03 pm.

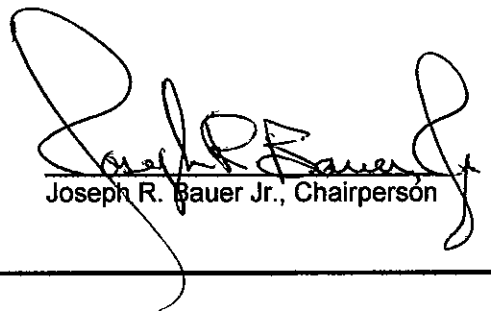
Respectfully Submitted,



PJ Scheese
Planning Commission Secretary

APPROVED:

Date 9/22/08



Joseph R. Bauer Jr., Chairperson